

**CLARKS GREEN BOROUGH
COUNCIL MINUTES
MARCH 16, 2022**

CALL TO ORDER: President Rinaldi called the meeting of the Clarks Green Council to order at 7:00 P.M. with the Pledge of Allegiance.

ROLL CALL: Secretary Culbertson conducted roll call. The following were present: Mr. Egan, Mr. Toms, Ms. Igoe, Ms. Wanchisen, Mr. Williams and Mr. Rinaldi were present. Mr. Curran, Mayor Barrasse and Solicitor Weinschenk attended via electronically.

VISITORS: CSPD Officer Stephen Hall, Brook Williams, The Times-Tribune, Sara Hailstone, Hailstone Consulting and the following Clarks Green residents: John Arcangelo, Greg Kotchick, Chris Evans, Lou & Pat Pistella, Robin Domenico, Shirl Thomas, Benjamin Heal, Mary Schelbe, Jon Thomas, Frank & Jennifer DiNoia, Rick Williams, Silvia Jenkins, Mary Moore, Denise Wylie, Corey Elkins, Teresa Magnotta, Matthew Krah, Jim Michaels, James Jones, and Nick Mattise.

APPROVAL OF MINUTES: President Rinaldi entertained the motion to accept the minutes of the February 16, 2022 Council meeting. Mr. Curran motioned, seconded by Ms. Igoe. Mr. Williams, Ms. Igoe, Mr. Toms, Ms. Wanchisen, Mr. Egan, Mr. Curran and Mr. Rinaldi voted in favor.

PUBLIC COMMENT: John Arcangelo addressed Council on the new Borough Manager position stating he is still against hiring a borough manager. He told Council Clarks Green Borough is a small community and if you seven (7) Council members in conjunction with the Mayor do your job responsibilities and duties there is no need for a Borough Manager. Mr. Arcangelo feels Ms. Culbertson is extremely talented and does outstanding work noting good secretaries run small boroughs. Mr. Arcangelo noted two (2) things that had upset him. He was unaware of any borough manager discussions of what he considered a topic of this such magnitude. Mr. Arcangelo asked how are you going to handle your employee base are you going to lay them off or keep them. Mr. Arcangelo stated the current budget projects a surplus of \$61,000 noting with the proposed Borough Manager salary and other expenses associated with this position will leave us in a deficit without explanation. Mr. Arcangelo urged Council to modify the present format and stay away from hiring a borough manager. Greg Kotchick told Council he had submitted a letter in the morning which summarized his feelings on hiring a borough manager noting he agrees with Mr. Arcangelo in his opinion there's absolutely no reason for it. Mr. Kotchick told Council as of April we will be down by three (3) DPW workers and during the recent snowstorm the roads around here were terrible. Mr. Kotchick noted there probably should be an increase in DPW salaries to get some quality workers because in the past some of that has been questionable. Chris Evans supported Mr. Kotchick's statement concerning the conditions of the roads with the recent snowstorm. Mr. Evans recognized the fact the Borough is understaffed but stated that's a problem Council needs to address there must be a reason why the DPW workers are leaving. Mr. Evans commented on how information on the candidates applying was disseminated on Facebook on Mr. Rinaldi's private facebook page. Mr. Evans believes fifteen (15) applicants including two (2) applicants social security numbers were posted for twenty-seven (27) hours and twelve (12) minutes. A brief discussion took place between Mr. Evans and Mr. Rinaldi in regards to his personal Facebook page. Mr. Evans asked Solicitor Weinschenk if Mr. Rinaldi exposed the district to liability with the posted personal information and will the Borough be legally responsible for possible lawsuits or will Mr. Rinaldi just be responsible. Solicitor Weinschenk stated he will comment at the end of public comment. Mr. Heal addressed Council giving his reasons why he objects to a borough manager noting the Borough only has 1400 people noting this is the best borough of Pennsylvania. Everything is done correctly. Jennifer DiNoia

told Council it is very concerning to her that we don't have a full staff of DPW workers and that you are considering hiring a borough manager. She feels after all these years if it is not broke why try to fix it. Jim Michaels thanked everyone on Council and predecessors for doing a great job noting he is very happy living in Clarks Green. He stated there is no crime, roads are plowed and paved, and garbage is picked up showing you people are doing your jobs. I don't see why that cannot continue. James Jones addressed Council saying "he agrees with most people who have spoken tonight" but, I noticed on the amended Budget only \$115,000 had been allocated on DPW salaries questioning if that's enough to get good people to take care of the roads and do the maintenance needed in the Borough. Nick Mattise addressed Council stating he doesn't really have a position on a borough manager. Mr. Mattise pointed out that although, we have never had a borough manager life does continue to get more complex and we should keep an open mind it maybe be worthwhile for the borough at this point going forward. There are a grants out there that we can possibly get if we had time to pursue them. Matt Krah thanked all his neighbors for their concern on the additional expense stating he really does not have much more to say on the topic other than it is a concern. Mr. Krah expressed his concern on the social security numbers be posted on the internet and possibly providing identity theft protection coverage for those two (2) applicants. Shirl Thomas told Council she is interested in where information can be found on the Council members' duties and responsibilities. She feels this would help her make informed decisions regarding the Borough. Solicitor Weinschenk address the private Facebook page issue stating Mr. Rinaldi has a private Facebook page and the Borough does not have a Facebook page. Solicitor Weinschenk explained the Borough will not have liability on the postings of Mr. Rinaldi on his personal Facebook page. Solicitor Weinschenk stated there could be some concern that the information that was provided to the Borough where these applications became public and then disclosed.

POLICE REPORT: CSPD Officer Hall briefly reviewed the monthly police report. Officer Hall reported the body cameras are in service giving a brief description of the procedure on the usage of body cameras. Officer Hall told Council the Aggressive driving program will be starting this week.

MAYOR'S REPORT: Mayor Barrasse asked Council and residents to observe a moment of silence for the people of Ukraine. Mayor Barrasse reported Officer Eric Williams will be covering for Chief Yarns in his absence. Mayor Barrasse updated Council on the tree permit submitted by the Servant Church reporting he has spoken with Olga Trushina, Chair of Shade Tree Committee and we are both scheduling a meeting with Reverend Miller and Treasurer William Jayno to discuss the removal and the re-planting of several trees located on the property. Mayor Barrasse stated the trees are damaging the wall by the church. Mayor Barrasse welcomed advice from the Council regarding this matter. Mayor Barrasse thanked all the residents for attending the meeting tonight expressing their concerns and comments regarding the proposed borough manager position. Mayor Barrasse informed Council he had received a call from CSPD Chief Yarns and a letter from Atty. Frank Bollock regarding the posting of the two (2) applicants' personal information possibly leading to litigation. Mayor Barrasse apologized to the applicants and stated the action was not approved by myself and of Council. Mayor Barrasse asked Council to consider some type of action for Mr. Rinaldi such as a sanction or removal from president. Mayor Barrasse stated he truly believes no action by Council on this matter will be condoning this egregious act. Mayor Barrasse stated his opinion there is no need to hire a borough manager. Mayor Barrasse noted all the Borough's audits have been phenomenal by having fiscal responsibility, plus not having real estate taxes raised in the last ten (10) years. Mayor Barrasse talked about the DPW department and the loss of workers and the services that the Borough supplies to its residents. Mayor Barrasse recognized there is a lot of work serving on Council and offer his support to the members of Council. Mr. Rinaldi thanked Mayor Barrasse for the compliment for the finance committee since he has served on it for ten (10) years.

MOTIONS: Solicitor Weinschenk introduced Resolution No. 2 of 2022.

**RESOLUTION NO. 2 OF 2022
BOROUGH OF CLARKS GREEN
LACKAWANNA COUNTY, PENNSYLVANIA**

**A RESOLUTION BY THE BOROUGH OF CLARKS GREEN APPOINTING A
BOROUGH MANAGER**

WHEREAS, Chapter 1, Section B of the Code of Ordinances for Clarks Green Borough (the “Code”) creates the position of Borough Manager which shall be filled by majority vote of all members of Borough Council;

WHEREAS, the Borough Council of the Borough of Clarks Green desires to appoint a Borough Manager for the Borough; and

WHEREAS, the Pennsylvania Borough Code requires such appointment to be made by Resolution of Borough Council.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Clarks Green as follows:

1. Joanne Culbertson is hereby appointed Borough manager of the Borough of Clarks Green at a salary to be negotiated by Borough Council not to exceed \$50,000.00.

2. The Borough Manager shall be the business manager of the Borough and shall be responsible to Council as a whole for the proper and efficient administration of the Borough. The Borough Manager’s powers and duties shall relate to the general management of all Borough business not expressly imposed or conferred by statute upon other Borough officers. The specific powers and duties of the Borough Manager are enumerated in subsections A. through V of Section 1.115 of Chapter 1 of the Code.

THIS RESOLUTION is adopted by vote of Borough Council on the 16th day of March, 2022, and is effective upon adoption.

BOROUGH of CLARKS GREEN

Attest: /s/ Joanne Culbertson
Joanne Culbertson, Secretary

By: /s/ David Rinaldi
David Rinaldi, President
Clarks Green Borough Council

Mr. Rinaldi entertained the motion to adopt Resolution No. 2 of 2022, appointing Joanne Culbertson as the Borough’s Manager. Ms. Igoe motioned, seconded by Mr. Curran. Ms. Wanchisen stated she is opposed to this decision at this time noting she believes Council did not have enough discussion relating to the borough manager’s position as to what happens next such as who will take over the secretary duties and responsibilities as well as financially. Ms. Wanchisen told Council based on the residents’ response a discussion is needed before a vote is taken at this time. Mr. Williams stated he also felt more discussion is needed on this matter noting not that this is necessarily out of the question in the future. Mr. Williams told Council he doesn’t feel it is appropriate right now the way our economy is and for a number of different factors. Mr. Williams stated we have working committees and it’s been working well noting the committees meet periodically then gives reports and then Council either approves or not based on directions of policy. Councilman Egan introduced himself stating he was appointed to his position on Council not elected and is very happy being a resident of Clarks Green. It’s a great town and everyone should be proud to live here. When this discussion for borough manager came up just like you, I was not sure on it. I reached out to a few former Borough employees and it was consistent answer I have eight (8) bosses. There’s a chair of DPW that gives me directions and then another Council member tells me to go a different direction and another Council

member tells me to go another direction. Obviously, they become very frustrated making it a bad work environment and look for somewhere else to work. Mr. Egan after reviewing the borough manager's applications including the Borough's Secretary Treasurer's I feel Joanne is highly competent. I hear from residents that she's very responsive and does everything under her power to assist them and I can tell you my interaction with her, as a Council member has been beyond excellent and professional. Mr. Egan told Council it's my pride that she represents this Borough and reason why I would be in favor for her as borough manager. Mr. Egan stated we need a boss. We need a person that is in charge, someone empowered to make a decision where she does not have to worry about it. I believe previous Councils did a tremendous job in dividing up duties but in this day and age near impossible because of politics and infighting. Ms. Wanchisen told Council she completely agrees with Mr. Egan about Joanne and is very confident that she could do the job but my serious issue and problem is, we had no discussion about the fact that there are current duties that if she becomes borough manager who will be doing them. Mr. Toms agreed with Mr. Egan about it is a different age and time thanking former Councils. Mr. Rinaldi stated everyone sitting at this table, not only had seen the job descriptions, but voted to approve them. Councils' move to a borough manager has been advertised in the local paper since this Council has discussed this in work sessions and meetings every time we met. Mr. Rinaldi addressed the mailer sent by Mayor Barrasse and stated your taxes will be increasing. Mr. Rinaldi pointed out five and half years ago, when the police contract came up with Clarks Summit Mr. Barrasse voted against it. When we found out our previous Borough engineers billing was not what it should had been Mr. Barrasse voted against saving 25% in hourly fees. Mr. Rinaldi stated we are very aware of the costs to run this Borough and how to reduce it which is why taxes have not increased and still at fifteen (15) mills and voted for change on things that turned out to be advantage for the Borough. Mr. Rinaldi asked the community to give this Council some deference as to what our vision is for the Borough, management, going forward, and that's leaner and more efficient. And, we believe the way to do this is to hire a borough manager. Mr. Rinaldi explained the borough manager, secretary and treasurer are all statues and those duties have been in effect in the state making them available to the public and available to Council. We are trying to move forward to a more up-to-date management eliminating eight (8) bosses. Mayor Barrasse spoke up for a rebuttal of various comments presented by Mr. Rinaldi. Mr. Rinaldi told Mayor Barrasse this is a Council meeting and there's a motion on the floor and Council is making a consideration. Mayor Barrasse asked Ms. Wanchisen to make a motion to recess the meeting for five (5) minutes and Mr. Williams to table the motion. With no motions Secretary Culbertson called the roll for adoption of Resolution No. 2 of 2022. Mr. Egan, Mr. Curran, Ms. Igoe, Mr. Toms and Mr. Rinaldi voted in favor. Ms. Wanchisen and Mr. Williams voted no. Council had a brief discussion on hiring a DPW foreman and laborer and the candidates qualifications that had applied along with if three (3) full-time laborers are needed. Mr. Rinaldi stated with the hiring of a borough manager overseeing the DPW we can very well eliminate a majority of the cost for a third DPW employee. Ms. Igoe motioned to hire Mr. Micknick at the rate of \$18.50 for the DPW laborer position, seconded by Mr. Egan. Mr. Toms, Ms. Wanchisen, Ms. Igoe, Mr. Curran, Mr. Williams, Mr. Egan and Mr. Rinaldi voted in favor. Mr. Rinaldi introduced Sara Hailstone from Hailstone Consulting specializing in government grants stating Council has discussed engaging a consultant to help us with the American Recovery Act fund. Mr. Rinaldi explained Congress has set forth regulations and rules for spending the money along with reporting requirements on how the money was spent. Mr. Rinaldi stated the Borough has already received approximately \$73,000 from the entitled fund of \$146, 000 noting the other \$73,000 will be received this year. Mr. Rinaldi entertained motion to engage Hailstone Consulting at a rate of \$125 an hour to provide consulting services for the American Rescue Plan Act fund. Ms. Igoe motioned, seconded by Mr. Egan. Mr. Curran, Ms. Igoe, Mr. Toms, Ms. Wanchisen, Mr. Egan, Mr. Williams and Mr. Rinaldi voted in favor.

TREASURER'S REPORT AND BILL APPROVAL: Mr. Rinaldi reviewed the distributed Budget vs. Actual comparing balances to last month and last year. The Treasurer's report was presented by Mr. Rinaldi and filed for audit. Current fund balances are as follows:

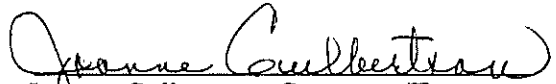
General Fund Checking	\$	458,130.80
Capital Fund Money Market		116,442.41
ARPA Fund Checking		27,956.25
Sewer Fund Checking		360,758.66
Sewer – FNCB CD #200278057		76,897.02
Sewer – FNCB CD #200469681		76,412.18
Sewer – Wayne Bank CD #80021603		53,206.65
Sewer – Wayne Bank CD #80044088		50,000.00
State Funds Checking		<u>121,957.48</u>
Total Checking/Savings	\$	1,341,761.45

Mr. Rinaldi entertained a motion to accept the Treasurer’s report and ratify the payment of the bills. Mr. Toms motioned, seconded by Mr. Curran. Mr. Toms, Mr. Curran, Ms. Wanchisen, Mr. Williams, Ms. Igoe, Mr. Egan and Mr. Rinaldi voted in favor. Mr. Arcangelo questioned why the police contact was not put out for bid. Mr. Rinaldi stated it was extended and that is a good question the minority of Council didn’t even know that this was happening. Mr. Rinaldi announced good news concerning the sewer delinquencies stating one of the delinquent accounts was paid in full in the amount of \$4,992.25. Council discussed briefly the sewer delinquencies and how they should be handled noting the current procedures by sending certified letters, liens and payment agreements. Ms. Wanchisen commented “how can we get the money from these delinquencies”. Ms. Igoe stated she has asked to have the names placed in the paper. Mr. Rinaldi even asked the Solicitor Weinschenk if the Borough can hire a collection agency. Solicitor Weinschenk stated I don’t know if Clarks Green has taken enough efforts in the past but is not in favor of publishing the names of the sewer delinquencies in the paper because you do not know the circumstances behind the delinquencies and if you use a collection agency you will lose 25% from the collections. Mr. Rinaldi stated we can have more discussion on sewer delinquencies at our work session in the next three (3) weeks. Mr. Rinaldi entertained a motion to authorize the Borough Manager to get the current certificate deposits rates and inform Council and renew the certificate of deposit maturing March 26, 2022. Mr. Toms motioned, seconded by Mr. Curran. Mr. Williams, Mr. Toms, Mr. Egan, Mr. Curran, Ms. Igoe, Ms. Wanchisen and Mr. Rinaldi voted in favor. A discussion took place with Council and Mayor Barrassé on the terms of the certificates of deposits along with existing certificates maturity dates. Mr. Rinaldi entertained a motion to pay the annual payment of \$14,139.93 to the Clarks Summit Fire Company for fire protection for the year of 2022. Mr. Egan motioned, seconded by Mr. Curran. Mr. Toms, Ms. Wanchisen, Ms. Igoe, Mr. Curran, Mr. Williams, Ms. Egan and Mr. Rinaldi voted in favor. Mr. Rinaldi told Council since Mr. Quinn, was the temporary DPW supervisor and has left the Borough I propose we increase Mr. Arcuri’s hourly rate to \$20.50 retroactively with back payment difference starting January 9, 2022. Mr. Williams motioned, seconded by Mr. Toms. Ms. Wanchisen, Mr. Curran, Mr. Egan, Ms. Igoe, Mr. Williams, Mr. Toms and Mr. Rinaldi voted in favor.

OLD BUSINESS: Mr. Rinaldi told Council he would like to discuss briefly a line item from the Mr. Parkers, Zoning report. Mr. Rinaldi proceeded to read the line item ... Received a call from Kathryn Lewis representing Frontier Communications requesting to know the Borough’s regulations and permitting requirements on installation of lines with the roadway. They are putting together plans for fiber optic lines underground. Mr. Rinaldi informed Council he had communicated with Attorney Cohen and was told that in the infrastructure bill there’s going to be tremendous amount of money for extending the internet. Mr. Rinaldi reminded Council this Attorney represented all municipalities including Clarks Green with the ten (10) year Comcast franchise agreement. Mr. Rinaldi reported that he had received a letter from Councilman Josh Mitchell, Clarks Summit Borough on the police regionalization and the group is trying to setup the initial meeting date to get the process started noting at the last Council meeting Council authorize the letter of intent to participate in the feasibility study.

NEW BUSINESS: Ms. Igoe asked if we can show our support for the Ukrainian people by flying their flag. All of Council agreed.

MOTION FOR ADJOURNMENT: Mr. Rinaldi entertained the motion to adjourn the meeting. Mr. Williams motioned to adjourn the meeting at 9:15 P.M., seconded by Mr. Egan. All in attendance voted in favor.


Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH
COUNCIL MEETING
AGENDA
March 16, 2022
7:00 PM

1. Call To Order and Pledge of Allegiance – President Rinaldi
2. Roll Call - Secretary Culbertson
3. Motions to approve the Council Meeting Minutes:
February 16, 2022
4. Public Comment
5. Police and/or Fire Report
6. Mayor's Report
Shade Tree Commission\Servant Church Permit Application Church Report
7. Consideration of Resolution to appoint Borough Manager and\or Borough Secretary\Treasurer
8. Consideration of and Motion to hire DPW Foreman and\or Laborers
9. Consideration of and Motion to engage Hailstone Economic as Grant Consultant.
10. Review of Borough Financials Budget vs. Actual Report and Motion to pay bills. Discussion on Sewer Delinquency collections and potential remedies. Consideration of renewing Borough CD. Approval of annual payment to Clarks Summit Fire Department.
11. Consideration of and Motion to increase DPW interim Foreman Ralph Arcuri's hourly wage, including retroactively, at a rate of \$20.50 per hour from January 9, 2022.
12. Old Business discussion.
13. New Business discussion.
14. Motion to Adjourn.

NOTE TO VISITORS: Please sign the attendance sheet and indicate if you wish to observe the meeting or to address Council, stating the agenda topic on which you would like to comment. Thank you.