

**CLARKS GREEN BOROUGH  
COUNCIL MINUTES  
JULY 20, 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, Ms. Wanchisen, Mr. Curran, Mr. Toms, Ms. Igoe, Mr. Williams, Mr. Rinaldi, Mayor Barrasse and Solicitor Weinschenk were present.

**VISITORS:** Giuseppe Pilone, Ben Freda, Abington Journal, CSPD Officer Steve Hall, Mary Moore, 113 Glenburn Road and Clarks Summit Fire Co., representatives: Fire Chief, Jay Miller and trustee, Tom Curra.

**APPROVAL OF MINUTES:** President Rinaldi entertained the motion to accept the minutes of the June 15, 2022 Council meeting. Ms. Igoe motioned, seconded by Mr. Toms. Mr. Williams, Ms. Igoe, Mr. Toms, Ms. Wanchisen, Mr. Egan, Mr. Curran and Mr. Rinaldi voted in favor.

**PUBLIC COMMENT:** Mr. Curra, Clarks Summit Fire Co., addressed Council stating the fire contract renewal with Clarks Green Borough will be December 31, 2022 and distributed a package containing information for Councils' review on the proposed new contract. Mr. Curra stated if Council has any questions we welcome the opportunity to sit down with all of you to review it. Mr. Rinaldi asked if the contract has terms resembling the current contract and Mr. Curra stated yes with a slight increase in cost. Mayor Barrasse commented saying, "we appreciate all the work you do for the residents of Clarks Green". Mr. Toms asked about the possible consolidation of the local fire departments. The representatives from the fire company stated we had a discussion but nothing official and it's something we really should look at in the future because of the manpower situation and the duplication of equipment.

**POLICE REPORT:** CSPD Officer Hall briefly reviewed the monthly report stating they have completed painting all the speed time lines in the Borough. Officer Hall reported the Aggressive Driving Program is in progress. Mr. Curran asked if there are any problems with the stealing of catalytic converters. Officer Hall stated not in Clarks Green or Clarks Summit but occurred in LaPlume and Scranton. Mr. Rinaldi commended the Clarks Summit Police Dept. for your service with the Barth funeral held at St. Gregory's.

**MAYOR'S REPORT:** Mayor Barrasse told Council he has been in contact with CSPD Chief Yarns and reported the fundraiser bike event held June 23rd at St. Gregory's went off without a hitch. Mayor Barrasse commented stating there are various investigations taking place in the Borough and we will be updated by Chief Yarns at a later date. Mayor Barrasse expressed his appreciation for the work the Police and Fire Company does. Mayor Barrasse stated that the CSPD was involved in a big investigation in the Borough. Mayor Barrasse informed Council he would be leaving the meeting since he has family visiting from out-of-town and departed the meeting approximately 7:10 P.M.

**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	\$	649,251.16
Capital Fund Money Market		116,461.87
Sewer Fund Checking		485,099.82
Sewer – FNCB CD #200469681		76,412.18
Sewer – Wayne Bank CD #80049035		76,974.99
Sewer – Wayne Bank CD #80021603		53,206.65
Sewer – Wayne Bank CD #80044088		50,150.22
State Funds Checking		<u>168,457.37</u>
Total Checking/Savings	\$	1,676,014.26

Mr. Rinaldi entertained a motion to accept the Treasurer’s report and ratify the payment of the bills. Mr. Curran motioned, seconded by Ms. Wanchisen. Mr. Toms, Mr. Curran, Ms. Wanchisen, Williams, Ms. Igoe, Mr. Egan and Mr. Rinaldi voted in favor. Mr. Rinaldi reported CD # 80049035 Wayne Bank was opened in the amount of \$76,974.99 with 1.26% yield.

**PERSONNEL:** Ms. Culbertson informed Council a new DPW laborer was hired on July 11, 2022 at the rate of \$18.50 per hour and is working out great. Mr. Rinaldi entertained a motion for the hiring of Todd Oswald at the hourly rate of \$18.50 retroactive starting July 11, 2022. Ms. Igoe motioned, seconded by Mr. Williams. Mr. Egan, Ms. Igoe, Mr. Toms, Ms. Wanchisen, Mr. Williams, Mr. Curran and Mr. Rinaldi voted in favor. Mr. Rinaldi reminded Council that Jeff Radle has left the DPW department leaving the newly hired Ken Hiller with extra responsibilities and duties since June 12, 2022. Mr. Rinaldi stated Jeff Radle was being paid \$21.00 per hour and would Council consider increasing the pay rate of Mr. Hiller and making it retroactive since June 12, 2022. A discussion took place amongst Council members and it was in agreement an increase should be applied. Mr. Williams motioned to increase the pay rate of Ken Hiller to an hourly rate of \$21.00 retroactive from June 12, 2022, seconded by Ms. Igoe. Mr. Williams, Mr. Curran, Ms. Igoe, Ms. Wanchisen, Mr. Toms, Mr. Egan and Mr. Rinaldi voted in favor.

**OTHER BOROUGH BUSINESS:** Mr. Rinaldi updated Council on the audio and video equipment for the conference room stating the installation delay was held due to contracting COVID. Mr. Rinaldi told Council he is to meet with them in the beginning of August to plan installation. Mr. Rinaldi asked for Councils’ opinion on the proposed Resolution No. 3 of 2022 in which Mr. Rinaldi read the proposed resolution.

## **BOROUGH OF CLARKS GREEN, LACKAWANNA COUNTY, PENNSYLVANIA RESOLUTION 3 OF 2022**

**WHEREAS,** the Borough Council of Clarks Green believes human rights to be inalienable and fundamental rights to all human beings, and

**WHEREAS,** these human rights include the right to autonomy over personal healthcare decisions without interference by the government, the right to be safe from gun violence, the right to a clean and livable planet for future generations, the right to be free from religious influence in our Government and police negligence in informing citizens of their fifth amendment rights when a citizen is taken into custody; and

**WHEREAS,** the U.S. Supreme Court in the landmark cases of Dobbs v. Jackson Women’s Health, New York State Rifle & Pistol Association v. Bruen, Kennedy v. Bremerton School District, West Virginia et al. v. Environmental Protection Agency et al. and Vega V. Tekoh reversed precedents establishing years of progress toward a more equitable, private, safe, clean and secular society despite the wishes of a majority of Americans; and

**WHEREAS**, the Supreme Court’s decisions in those cases have made women in the United States of America less than full citizens, prevents states from enacting gun safety legislation, allowed religion to interfere with government institutions and stripped the national government of the ability to fight global warming and help save the planet for future generations while weakening the individual right against self-incrimination by allowing police negligence; and

**WHEREAS**, the author of the opinion in Dobbs v. Jackson Women’s Health has indicted a desire to similarly examine and reverse established precedents associated with birth control, LGBTQ+ rights and interracial marriage by denying a person’s right to individual privacy; and

**WHEREAS**, the Clarks Green Borough Council believes in a women’s right to make her own healthcare decisions, the right of local communities to enact gun safety laws, the right of the federal government to enforce national environmental regulations, the separation of church and state and the fifth amendment right against self-incrimination.

**NOW, THEREFORE, BE IT RESOLVED** the Clarks Green Borough Council condemns the United States Supreme Court majority decisions in Dobbs v. Jackson Women’s Health, New York State Rifle & Pistol Association v. Bruen, Kennedy v. Bremerton School District, West Virginia et al. v. Environmental Protection Agency et al. and Vega v. Tekoh, and urges the Federal Government, the Commonwealth of Pennsylvania and to the extent possible the County of Lackawanna to implement any and all legal protections possible to ensure women have autonomy over their healthcare decisions in all areas, assure local communities have the right to enact reasonable gun safety measures, provide the federal government with authority to enforce national environmental standards to preserve our planet for future generations and establish laws to codify our country’s founders stated desire for separation between government and religion and make police accountable for negligent acts when a citizen is taken into custody. The Borough Secretary is hereby directed to provide a copy of this Resolution to the appropriate National, Commonwealth and Lackawanna County Officials. Enacted this 20<sup>th</sup> day of July 2022.

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David J Rinaldi, Council President

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Courtney Wanchisen, Vice President

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James Curran, Pres. Pro Tem

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Keith Williams, Councilman

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William Toms, Councilman

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M J Igoe, Councilwoman

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Joanne Culbertson, Secretary

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Joseph Barrasse, Mayor

Mr. Rinaldi stated this legislation will document Clarks Green Borough position regarding the recent majority decisions in the US Supreme Court. Mr. Rinaldi asked for any thoughts or comments before Council will motion to approve Resolution No. 3 of 2022. Mr. Egan told Mr. Rinaldi he thinks that his shared intentions are very good with this Resolution but at this point of time I could not support or vote for or against considering. Mr. Egan noted he has not read those opinions in the Supreme Court and I do not believe I will be doing my duty voting for or against something that I haven’t done the needed research. Ms. Wanchisen stated she has read them, while I agree with them, I would like to hear what the rest of Council feels noting she can conscientiously vote for this. Mr. Williams sought clarification of the intent of the Resolution whether Council supports or disagrees with the decisions made by the Supreme Court and does that mean Council would then, by extension, be saying that all Clarks Green residents feel the same way. Mr. Williams asked would Council be representing to our legislators that all of Clarks Green residents feel this way. Mr. Williams explained are we speaking for a lot of people who we don’t know what their views are. Mr. Rinaldi stated Council is elected

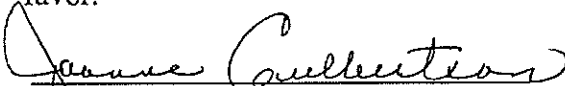
by the residents to represent the community and as a result Council should know what the majority wants and support those positions. Mr. Rinaldi stated this is the time for people at the community level of government to let the State and Federal Representatives know the community's position on these matters through Borough Council. Mr. Rinaldi stated local government need to speak out and he is confident, a majority of residents support Resolution No. 3 of 2022. Clarks Green Borough should support individual and women's rights. Mr. Rinaldi told Council the Supreme Court opinions entered three (3) weeks ago set our country and American society back. Ms. Igoe motioned to adopt Resolution No. 3 of 2022, seconded by Mr. Toms. Mr. Curran motioned to table the motion stating he would like more time to review and research the proposed Resolution, seconded by Mr. Egan. Mr. Curran, Mr. Egan, Mr. Williams and Ms. Wanchisen voted yes. Mr. Toms, Ms. Igoe and Mr. Rinaldi voted no. Consideration of Resolution 3 of 2022 would be added to the Agenda for Council's August's meeting.

**OLD BUSINESS:** Mr. Rinaldi updated Council on the skid steer vs. backhoe situation noting a letter was sent to Five Star Equipment which informed them on DCED decision allowing the Borough purchase the needed skid steer vs. backhoe and asked them if they wanted to provide a proposal for a John Deere skid steer. Mr. Rinaldi told Council copies of the quotes have been distributed for their review including the John Deere skid steer with Five Star Equipment pricing at \$74,505.04. Mr. Rinaldi told Council Medico pricing proposal was \$77,036.06 and Bobcat pricing \$63,661.68. Mr. Rinaldi told Council he will place on the next agenda in August for a motion for purchase. Mr. Rinaldi told Council the five (5) properties with sewer delinquencies have been placed on lien per Councils' motion in July.

**DEVELOPMENT ISSUES:** Mr. Rinaldi told Council there has been some issues with 101 N. Abington property reported by BIU Inspector and citations had been issued and parties are working to resolve the issues. Mr. Rinaldi stated the 927 Summit Realty project will be starting in the next few weeks noting they have received their permit. Mr. Rinaldi told Council Central Park Flowers will need to submit a revised development plan since there were a number of issues with the original one and at this time nothing has been submitted.

**OTHER BUSINESS:** Mr. Rinaldi asked Councils' opinion if they would like to cancel the August work session and proceed only with the scheduled August 17, 2022 Council meeting. Ms. Wanchisen motioned to cancel the August work session, seconded by Mr. Toms. Mr. Egan, Ms. Wanchisen, Mr. Curran, Mr. Williams, Ms. Igoe, Mr. Toms and Mr. Rinaldi voted in favor. Mr. Williams reported The Lackawanna County Disability Action Committee will be celebrating the Anniversary of The Americans with Disabilities Act Friday, July 29th at noon. The event will be held at the Schimelfenig Pavilion, Nay Aug Park. Mr. Williams told Council local, state and federal legislators will issue citations to recognize the ADA and there will be live music and refreshments will be served. Mr. Egan thanked a young visitor, Giuseppe Pilone for attending tonight's Council meeting and recognize his efforts in moving towards his Eagle Scout badge and future leader in the community. Mr. Rinaldi told Council that Mr. Williams was a guest commentary in the Times paper stating Borough Council and our Community were proud of him for being a supporter for human rights.

**MOTION FOR ADJOURNMENT:** Mr. Rinaldi entertained the motion to adjourn the meeting. Mr. Tom motioned to adjourn the meeting at 7:53 P.M., seconded by Ms. Igoe. All in attendance voted in favor.

  
Joanne Culbertson, Secretary/Treasurer

CLARKS GREEN BOROUGH  
COUNCIL MEETING  
AGENDA  
July 20, 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 June 15, 2022
4. Public Comment
5. Police and/or Fire Report
6. Mayor's Report
7. Review of Borough Financials, Budget vs. Actual Report and Motion to pay bills.
8. Hiring of new DPW Laborer per hour retroactive to July 11, 2022. Consideration of increase for DPW laborer Ken Hiller from his current pay rate to \$21.00 per hour retroactive to June 12, 2022. Mr. Hiller has been working lead in the DPW since prior employee resignation. Update on Council Chambers video and audio equipment installation delay.
9. Discussion of Resolution No. 3 of 2022 Regarding condemnation of SCOTUS for reducing human rights in the United States.
10. Old Business discussion. Update on letter 5 Star Enterprises canceling backhoe order and request for proposal for the purchase of new Skid steer.
11. Other Business/discussion. Sewer Delinquency Liens. Development Updates. August Work session.
12. 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.