

**CLARKS GREEN BOROUGH  
COUNCIL MINUTES  
AUGUST 17, 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. Curran, Mr. Toms, Ms. Igoe, Mr. Williams, and Mr. Rinaldi were present.

**ABSENT:** Mr. Egan, Ms. Wanchisen, Mayor Barrasse and Solicitor Weinschenk.

**VISITORS:** Ben Freda, Abington Journal, CSPD Officer Steve Hall, Mary Moore, 113 Glenburn Road, Leah Rosenkrans, partner at Murphy, Dougherty & Co. and Alan Hughes, 408 Gordon Drive.

**APPROVAL OF MINUTES:** President Rinaldi entertained the motion to accept the minutes of the July 20, 2022 Council meeting. Ms. Igoe motioned, seconded by Mr. Curran. Mr. Williams, Ms. Igoe, Mr. Toms, Mr. Curran and Mr. Rinaldi voted in favor.

**PUBLIC COMMENT:** No public comment.

**POLICE REPORT:** CSPD Officer Hall briefly reviewed the monthly report noting the Aggressive Driving Program is still in progress and the possibility that it might be extended.

**MAYOR'S REPORT:** No report was presented.

**2021 AUDIT REVIEW:** Leah Rosenkrans, partner at Murphy, Dougherty & Co. presented the 2021 to Council. Ms. Rosenkrans stated it is their responsibility to express opinions on the financial statements based on the audit. We conduct our audit in accordance with auditing standards generally accepted in the United States of America. Ms. Rosenkrans told Council Clarks Green Borough has no recorded certain general infrastructure assets in governmental activities and, according has not recorded depreciation expense on those assets noting the Borough's size and from a cost benefit standpoint the Auditors do not recommend it nor is it necessary. Ms. Rosenkrans told Council the Borough is in great fiscal condition noting it is very impressive and thanked Council and the Borough office staff for cooperating with the audit as well as Mr. Hughes former Financial Chair. Mr. Curran motioned to accept the 2021 Audit and ratify payment of the bill, seconded by Ms. Igoe. Mr. Williams, Mr. Toms, Mr. Curran, Ms. Igoe 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	\$	640,480.84
Capital Fund Money Market		126,466.86
Sewer Fund Checking		489,395.74
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>168,471.67</u>
Total Checking/Savings	\$	1,681,559.15

Mr. Rinaldi entertained a motion to accept the Treasurer's report and ratify the payment of the bills. Ms. Igoe motioned, seconded by Mr. Williams. Mr. Toms, Mr. Curran, Mr. Williams, Ms. Igoe and Mr. Rinaldi voted in favor.

**PERSONNEL:** Mr. Rinaldi informed Council the newest member of the DPW crew had left employment with the Borough. Mr. Rinaldi stated it was his decision since he did not want to comply with our policy requiring employees to get fully vaccinated against COVID or wear a face mask during work hours in all areas of the Borough building along with the Borough vehicle. Mr. Rinaldi told Council the Borough Manager went back to the recent list of people seeking employment and interviewed and offered the open laborer position to Joseph Santagato. Mr. Rinaldi entertained a motion for the hiring of Joseph Santagato at the rate of \$18.50 per hour retroactive to August 15, 2022. Mr. Williams motioned, seconded by Ms. Igoe. Mr. Toms, Ms. Igoe, Mr. Curran, Mr. Williams and Mr. Rinaldi voted in favor.

**MOTIONS:** Mr. Rinaldi updated Council on the chambers video and audio equipment delayed installation. Mr. Rinaldi told Council he asked for Nexline's installation plan which they had the equipment on the side wall as opposed to facing the Council chambers / table noting it was unacceptable and requesting them to redo the plan before installation rescheduling another day for installation. Nexline scheduled August 9th at 9 A.M. for installation and no revised plans had been received as requested prior to installation scheduling. Mr. Rinaldi told Council he arrived at the Borough earlier than 9 A.M. as requested by Nexline leaving at 10 A.M. when Nexline did not appear. Borough Manager made repeated attempts trying to contact them but had no success by phone and email. After upon leaving the Borough building, I was contacted by the Borough Manager they had arrived and insisting that I return. I did not have any more free time to return to the building to design and supervise the installation of the equipment for Nexline. Mr. Rinaldi suggested to Council that we terminate the contact with Nexline Communications and award the contract to JP Lilley. Mr. Rinaldi reminded Council JP Lilley originally gave us an earlier estimate of \$8,397 noting they are the vendor who installed the video and audio equipment at Clarks Summit Borough. A discussion took place regarding terminating the contract with Nexline amongst the Council members. Ms. Igoe motioned to terminate the contract with Nexline Communications for the video and audio equipment in the Clarks Green conference room, seconded by Mr. Curran. Mr. Curran, Ms. Igoe, Mr. Toms, Mr. Williams and Mr. Rinaldi voted in favor. Mr. Rinaldi entertained a motion to accept the proposal from JP Lilley in the amount of \$8,397 for the audio and video equipment. Ms. Igoe motioned, seconded by Mr. Curran. Mr. Toms, Ms. Igoe, Mr. Curran, Mr. Williams and Mr. Rinaldi voted in favor. Mr. Rinaldi asked if Council reviewed last month's proposed Resolution No. 3 of 2022 noting it was a Resolution condemning the recent Supreme Court opinions in the cases that were decided at the end of June. Mr. Rinaldi informed the public at the July Council meeting the motion was successfully tabled. Mr. Rinaldi entertained a motion to approve Resolution No. 3 of 2022. Ms. Igoe motioned, seconded by Mr. Curran. Ms. Igoe, Mr. Toms, Mr. Curran, and Mr. Rinaldi voted in favor. Mr. Williams voted no. Mr. Williams told Council it is not the content of the Resolution itself but I guess just gets to the point of any Borough or any municipality condemning any Supreme Court action.

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

/s/David J. Rinaldi

David J Rinaldi, Council President

/s/ James Curran

James Curran, Pres. Pro Tem

/s/ William Toms

William Toms, Councilman

/s/ Joanne Culbertson

Joanne Culbertson, Secretary

Courtney Wanchisen, Vice President

Keith Williams, Councilman

/s/ MJ Igoe

MJ Igoe, Councilwoman

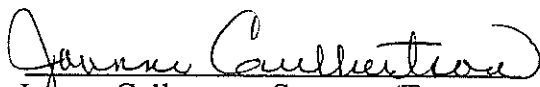
Joseph Barrasse, Mayor

Mr. Rinaldi reviewed the skid steer vs. backhoe 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. 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, 2, Cleveland Brothers \$65,000 and the Bobcat pricing \$69,689.50 with an extended five (5) year warranty. Mr. Rinaldi entertained a motion to purchase the skid steer from Bobcat with the extended five (5) year warranty. Ms. Igoe motioned, seconded by Mr. Toms. Mr. Curran, Mr. Williams, Mr. Toms, Ms. Igoe and Mr. Rinaldi voted in favor.

Mr. Rinaldi reminded Council it is that time of the year again to purchase leaf bags. Borough Manager told Council the cost of bags increased to \$.72 per bag and we need to purchase bags by full pallets, 108 bundles making a total of 6,480 bags. A brief discussion took place amongst Council members on the distribution scheduling. Mr. Curran motioned to purchase the 6480 leaf bags at the total cost of \$4,633.20, seconded by Ms. Igoe. Mr. Curran, Mr. Williams, Ms. Igoe, Mr. Toms and Mr. Rinaldi voted in favor. Mr. Rinaldi informed Council that the Borough received a proposal from Buranich Excavating for the problem catch basin located at Rabbit Run next to a resident's driveway. Mr. Rinaldi explained the Borough normally rehabilitate these inlets during the annual paving project but Rabbit is not included this year. Mr. Rinaldi reported the cost to remove and replace the storm water/inlet box from Buranich Excavation will be \$6,400. Ms. Igoe motioned to accept the Buranich Excavating quote in the amount of \$6,400 to remove and replace the storm water/inlet box at Rabbit Run, seconded by Mr. Williams. Ms. Igoe, Mr. Williams, Mr. Curran, Mr. Toms and Mr. Rinaldi voted in favor. Mr. Rinaldi stated agenda item #14 the executive session regarding Borough officials interaction with Clarks Summit Police Department will be skipped over at this meeting since some individuals are absent from tonight's meeting. Mr. Rinaldi noted it will be put back on September agenda.

**OTHER BUSINESS:** Mr. Rinaldi told Council he added the 101 N. Abington Development Plan to agenda for the benefit of the new members of Council in regard to procedures and enforcing the sidewalk ordinance. Mr. Rinaldi told Council before any plans are approved Council will need to see the final construction since the preliminary which were provided to Council did not show the final approved plan for Glenburn sidewalks which were not included. Mr. Rinaldi stated the point is on the Glenburn Road side of the new business property, there are no sidewalks but on the sketch plans presented to the Planning Commission and Council it appears the sidewalks were fully encircle the street sides the new development and the building plan has no sidewalks on Glenburn. Mr. Rinaldi told Council PennDOT takes the position that the front of the business building is actually on Glenburn Road address noting that is why PennDOT did not require a Highway Occupancy Permit for the entrance on Glenburn. Mr. Rinaldi told Council he is waiting to see if PennDOT cleans the manhole covers and stormwater catch basins on Fairview Road from the recent chip/tar paving. Mr. Rinaldi told Council he will write a letter regarding this matter if there is no objection from Council and send copies to our representatives. Mr. Rinaldi stated this cannot only be happening in our Borough it has be happening in other municipalities too. Mr. Rinaldi reminded Council about the Pollution Reduction Plan for our storm water system submitted in 2017 stating we are supposed to be cleaning those catch basins and weighing the debris. Ms. Igoe asked about what is happening with Central Park Flowers. Mr. Rinaldi the owners are deciding whether to revised their plan and re-submit to the Planning Commission.

**MOTION FOR ADJOURNMENT:** Mr. Rinaldi entertained the motion to adjourn the meeting. Mr. Curran motioned to adjourn the meeting at 8:15 P.M., seconded by Mr. Williams. All in attendance voted in favor.

  
Joanne Culbertson, Secretary/Treasurer

**CLARKS GREEN BOROUGH**  
**COUNCIL MEETING**  
**AGENDA**  
**August 17, 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 July 20, 2022
4. Public Comment
5. Police and/or Fire Report
6. 2021 Borough Audit Review – Murphy & Dougherty
7. Review of Borough Financials, Budget vs. Actual Report and Motion to pay bills.
8. Hiring of new DPW Laborer Joseph Santagato at \$18.50/hr retroactive to August 15, 2022.
9. Update on Council Chambers video and audio equipment installation delay. Consideration of termination of contract with Nexline Communications and awarding contract to HP Lilly in the amount of \$8397.00 per proposal dated January 7, 2022.
10. Discussion of Resolution No. 3 of 2022 Regarding condemnation of SCOTUS for reducing human rights in the United States. Consideration of motion tabled at July Council Meeting.
11. Consideration of proposals to purchase of new Skid Steer with necessary attachments for Borough DPW. Four proposals received: 1. Five Star Equipment, John Deere Model 330G, \$74505.04; 2. Medico Industries, Case SV280B, \$ 77036.06; 3. Cleveland Brothers, Caterpillar 262D3, \$65000.00; and 4. Barton Supply, Bobcat S76 T4, \$63661.86. Notes: Barton quote may be changed for final agenda, waiting clarification. All vendors are CoStar listed.
12. Discussion and authorization of purchase Leaf Bags for Fall 2022.
13. Discussion and acceptance of Buranich Excavating proposal to repair catch basin on Rabbit Run in the amount of \$6400.00.
14. Executive Session. Discussion regarding Borough Officials interaction with CSPD.
15. Mayor's Report.
16. Other Business/discussion. Development Updates. Discussion on 101 N. Abington Plan regarding compliance with documents provided to and approved for the Development Plan by Planning Commission and Borough Council.
17. 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.**