

April 4, 2017, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on April 4, 2017, in the Assembly Room of the Clarion Free Library. President Lapinto called the meeting to order at 7:00 p.m. Everyone recited the Pledge of Allegiance. Councilmembers present were Mr. Zerfoss, Ms. Roberts, Dr. Sanders Dédé, Mr. Aaron, Mr. Noto, Mr. MacBeth, and President Lapinto. Mr. Colosimo, Mayor Parker, Chief Peck IV, Mr. Preston, Mr. Sharrar, Solicitor Marshall, and Ms. LaVan were also present.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, approving the March 7, 2017, Council Meeting, minutes, was carried with a vote of six yea with Mr. Noto abstaining as he was absent.

President Lapinto called for an Executive Session for personnel and a potential litigation issue, including all Councilmembers, Mayor Parker, Solicitor Marshall, Chief Peck, and Secretary LaVan, leaving at 7:01 p.m.

President Lapinto called the meeting back to order at 7:40 p.m.

So the record is clear, Solicitor Marshall understands official action will be taken as a result of the Executive Session.

On a motion by Mr. Aaron with a second by Ms. Roberts to approve a settlement with the insurance company in the amount of \$20,751.20 and authorize President Lapinto to sign the release. The motion carried with a vote of seven yea.

So the record is clear, Solicitor Marshall announced this is related to the loss of the Borough from the bond for the treasurer at the time, who was Mark Hall.

CITIZEN COMMENTS: Agenda Items Only

Ms. Elisabeth Fulmer asked if she can postpone questions about the agenda items until the end of the meeting since she did not see the agenda until now.

President Lapinto agreed that was fine.

Mayor Parker read a Proclamation for Mothers Against Drunk Driving, proclaiming April 21, 2017, at PowerTalk 21[®] Day and urged all citizens to join in the local and national efforts to raise awareness of the importance of parents and teens talking together about alcohol to reduce the risks and dangers posed to teens and communities and presented it to a representative of MADD.

President Lapinto stated she is very supportive of MADD as her niece was killed by a drunk driver.

ADMINISTRATION

On a motion by Mr. Zerfoss with a second by Mr. Aaron to approve the appropriations for the month of April.

If it's possible, Treasurer Colosimo asked that Council consider another bill that's not included on that list. This is for invoices from Bauer Truck Repair that was inadvertently sent to a different vendor at a total amount \$956.74.

President Lapinto asked if another motion is necessary?

Solicitor Marshall commented a motion to add it to the bills is required.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, adding those invoices to the bills to be paid, was carried with a vote of seven yea.

President Lapinto stated the Treasurer's Report of Fund Totals and Budget Analysis are in the packet for Council's review.

President Lapinto stated there will be a lot of motions this evening that relate to budgetary transfers from one account to another because of all the changes Council's made in the last couple months.

On a motion by Mr. Zerfoss with a second by Mr. Noto, giving permission for Todd Colosimo to drawdown CDBG Funds to reimburse the General Fund for Todd Colosimo's 2017 conference expenses in the amount of \$400.50 and for the 2017 conference registration fee in the amount of \$150, was carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, giving permission to transfer \$11,992 from General Fund-Public Safety Budget Line Item 410.140.GF to General Fund-Administration Budget Line Item 400.130.GF, was carried with a vote seven yea.

President Lapinto stated next is a motion to transfer Capital Projects Plan B interest to date in the amount of \$126,004 to the Capital Projects Fund. This is the interest earned on the CD.

As of today, Ms. LaVan announced the actual amount with interest up to the end of March is \$126,238.48, which will be transferred to the Capital Projects Fund.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth to give permission to transfer the Capital Projects Plan B Interest to date to the Capital Projects Fund. The motion carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to approve the First Baptist Church's special event request for a street to be blocked from Main Street to Madison Road for Fun Fest to be held May 20, 2017.

President Lapinto commented this is a new event and asked Chief Peck if everything is in order?

Chief Peck agreed.

The motion carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to approve Clarion Christian Preschool's special event request for closure of Weaver Place for a Trike-a-Thon Fundraiser for St. Jude's Children's Research Hospital to be held April 28, 2017.

President Lapinto reported this is another new event and asked if CVS will be done by the time of the event?

Chief Peck commented Weaver Place is a north-south street and is one block away from the CVS site. They just want to block the portion that runs through their lot. Barricades will need dropped off for the event.

The motion carried with a vote of seven yea.

President Lapinto reported next is a resolution to adopt the County's Debris Management Plan. Some may have noticed in the newspapers that other communities are adopting this resolution, which piggybacks off the County's Debris Management Plan. This gives the Borough protection to receive federal and state funds in the case of a major disaster, like a tornado or flood.

On a motion by Mr. Zerfoss with a second by Dr. Sanders Dédé to adopt Resolution #2017-401, adopting the County's Debris Management Plan. The motion carried with a vote of seven yea.

On a motion by Mr. Noto with a second by Mr. MacBeth, appointing Linda LaVan to serve as the Voting Delegate during the PSAB Annual Conference, was carried with a vote of seven yea.

President Lapinto asked Secretary LaVan to give a brief report on the next item.

Secretary LaVan received a call from Apogee Telecom late February stating they were purchasing Campus Televideo. Apogee Telecom asked that Clarion Borough approve a novation agreement, which will basically change the name and everything else would remain the same. Secretary LaVan forwarded the agreement to Attorney Dan Cohen, the Borough's franchise attorney, for review. After reviewing information, Attorney Cohen doesn't believe Apogee is paying the Borough correctly and may owe up to \$9,000. Before approving the novation agreement, Attorney Cohen feels the Borough should give him permission to contact Apogee and work on recouping the money owed and clarify that in the agreement. The fee will be \$225, and Attorney Cohen relayed it shouldn't exceed 10 hours of work.

President Lapinto commented that is a reduced rate from his normal charge of \$250 per hour.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth to approve the engagement letter from Dan Cohen, Cohen Telecommunications, to go after money due from Apogee Telecom, Inc. (formerly Campus Televideo, Inc.) and prepare the novation agreement at an hourly rate of \$225 up to 10 hours. The motion carried with a vote of seven yea.

BLUEPRINT COMMITTEE

Dr. Sanders Dédé stated the Committee met to review their plan and look to moving forward and asked Mayor Parker to report on the Cool and Connected Grant.

Mayor Parker informed everyone representatives were in Clarion last Monday and Tuesday and completed a tour of the Borough, met with citizens, received public comments, and interviewed some key stakeholders in the community. Work continues on the development of the broadband plan, which should take a few weeks. Once ready, Mayor Parker commented another meeting will be held for comment and approval. Also, it will be given to Secretary LaVan to post on the Borough's website. Mayor Parker stated the Allegheny Regional Commission have made a commitment for \$15,000 towards that plan, which is a good step forward.

President Lapinto questioned if this will be run through the University?

Mayor Parker disagreed and reported this is a Blueprint project.

PUBLIC WORKS

Mr. Zerfoss announced Clean-Up Day will be held May 20, 2017, from 6:30 a.m. until 11:30 a.m. All items must be delivered to the Public Works Building. As a reminder, businesses are welcome to bring their items to the facility as well. Mr. Zerfoss stated Secretary LaVan will provide a copy of the Clean-Up Day information to all Councilmembers and the press.

Mr. Noto stressed the big thing is this is for Clarion Borough residents only, and proof of residency is required.

Mr. Zerfoss commented next is permission to purchase a truck for Public Works.

Just so everybody knows, President Lapinto pointed out Council has looked at all financial aspects of this and how the Borough will pay for this.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth, giving permission to purchase 2017 F-550 Chassis, SD Regular Cab from Murray's Ford Lincoln, DuBois, Pennsylvania in the amount of \$35,589 (CoStars pricing), was carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Mr. Noto to give permission to purchase the stainless steel body from U.S. Municipal, Huntingdon, Pennsylvania in the amount of \$23,513 (CoStars pricing).

Mr. Zerfoss verified the Borough is trading in a vehicle for this new one.

Mr. Preston agreed. That's the reason the body is needed. The Borough will be keeping the snow plow as it is compatible.

The motion carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Mr. Noto, giving permission for Todd Colosimo to request proposals for financing in the amount of \$59,102, was carried with a vote of seven yea.

STORM WATER AUTHORITY

Mr. Noto reported the Committee continues to work towards the creation of a Storm Water Authority. Mr. Colosimo has been in contact with White Township to find out how they did their authority. It's very similar to Clarion Borough. Work will continue to determine permeable surface area of the buildings. Mr. Noto stated more information will be forth coming.

PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. MacBeth, giving permission to transfer \$5,855.49 from General Fund-Public Safety Budget Line Item 410.156.GF to General Fund-Parking Meter Budget Line Item 413.156.GF, was carried with a vote of seven yea.

President Lapinto asked if the monthly report can show a comparison with the number of tickets at this time last year to the number of tickets this year and also the revenue from last year month-to-month to this year. It would be interesting to see this information.

LIBRARY REPORT

As far as the building, Mr. Noto commented two areas that need to be discussed are the conditions of the bathrooms and the front doors, which are rotting due to the water that used to sit in that area. Now that the drainage issue has been fixed, the doors need repaired.

President Lapinto asked Ms. LaVan if there is any money left over from the millage increase a year or so ago.

Ms. LaVan thinks there may be some money but probably not enough to do both these projects. This will be reviewed and brought to Council's attention later.

HOUSING AND ZONING

Dr. Sanders Dédé stated the report is in the packet for everyone's review.

Dr. Sanders Dédé reported Mr. Sharrar asked to be named the Local Emergency Management Coordinator for Limestone Township, which the Committee agrees with.

Secretary LaVan stated the Memorandum of Understanding, as discussed in Committee meeting, will be sent to Limestone Township for approval. By next month, a resolution should be ready for adoption at the Council Meeting to officially appoint Mr. Sharrar as their coordinator.

On a side note, Mr. Colosimo added the memorandum is in draft form right now and asked if the Committee would like to see it before the next meeting.

Dr. Sanders Dédé commented it can be discussed at the meeting.

PARKS AND RECREATION

On a motion by Ms. Roberts with a second by Mr. Aaron, approving the amendment to the Pool Agreement to clarify payment for lifeguard wages, was carried with a vote of seven yea.

On a motion by Ms. Roberts with a second by Mr. Aaron to approve the agreement between Clarion Borough and Clarion Little League for use of the Paul A. Weaver Community Park. The motion carried with a vote of seven yea.

SECRETARY'S REPORT

Secretary LaVan reported Mary Ammann, financial consultant with PennDOT for the Borough's Highway Aid funds, visited the office to do a monitor review of the 2016 expenses. Ms. Ammann noted everything looked in good order. This was not an audit, it was just review. Ms. LaVan pointed out Ms. Ammann is a contact person for the Borough to ask different questions.

Secretary LaVan stated the Act 13 Report, which is due April 15th, was submitted today.

Secretary LaVan commented work is still being completed on the audit.

MAYOR'S REPORT

Mayor Parker had nothing to report.

OLD BUSINESS

There was none.

NEW BUSINESS

Ms. Roberts inquired when the lines will be painted.

Mr. Preston commented the Department has to wait until the temperature gets up to at least 60 degrees.

Mr. Noto stated the crosswalks definitely need painted and pointed out a lot of pedestrians are stepping out in various places even where they are not supposed to cross anyway.

CITIZEN COMMENTS: Non-Agenda Items

Ms. Elisabeth Fulmer reported she has three questions. First one is what is the stainless steel body for?

When you buy a truck, Mr. Noto commented you buy the chassis as one piece and then the bed is a specialized piece that you have to order to be able to dump and do the different things that are necessary. The stainless steel body lasts a lot longer.

Ms. Fulmer inquired if there is a plan for the Blueprint Committee.

Mayor Parker stated the Committee is still in the development stages.

Ms. Fulmer commented it's been in the development stages for about 5 years now.

Mayor Parker reported the Cool and Connected Grant is an umbrella project to the Blueprint Committee.

Ms. Fulmer asked if the Cool and Connected has something to do with broadband?

Mayor Parker stated yes.

Ms. Fulmer asked if there's been any discussion from Council on the CDBG fund?

President Lapinto reported Clarion Borough used to receive a lot of money and asked Mr. Colosimo what it's down to?

Mr. Colosimo commented the Borough receives in the low \$90,000 per year.

President Lapinto noted the problem is a lot of projects are not eligible. Those funds cannot be used for the pool but can at the park. The Borough would have to do income surveys to do any type of storm sewer work.

Mr. Noto reported paving cannot be done either.

Ms. Fulmer thought it could be done.

President Lapinto stated it would have to be right in the Central Business District. Also, it can't just be paved. The Borough would have to considerably reconstruct the roadway. Since the Downtown District qualifies, President Lapinto stated CDBG funds were transferred from the park to be used to buy new trash cans in the Main Street District. It's hard to come up with projects.

Ms. Fulmer read somewhere about another community that did use the money to pave and questioned why it wouldn't be eligible here?

Mr. David Neal, representing The EADS Group, the Borough's engineer, works with Slippery Rock Township, who are actually able to designate some of their roads for paving because the income qualifies the roads. It is a difficult process, because income census and questionnaires to all the individuals affected need to be completed. To qualify, at least 51% must meet a certain household threshold of income, which is considerably low.

President Lapinto added a lot of people do not respond to those income surveys. It's amazing because Little Parker gets more money than the whole county because their charter states they are a city.

Mr. Neal commented in Brookville where he lives they lost their CDBG designation because their population dropped to 3,990. Certain municipalities qualify, like Strattanville Borough, because they are a low to moderate community, meaning they can potentially do any project in their area because it's a CDBG community-wide benefit.

As long as the project is Borough-wide, Mr. Colosimo agreed it qualifies; such as, Downtown and at the park.

Ms. Fulmer stated she's never been to the park.

President Lapinto pointed out the library doesn't qualify either because their patrons come from outside the Borough as well.

Mr. Colosimo reported it depends on the service area.

CORRESPONDENCE

There was none.

On a motion by Mr. MacBeth with a second by Mr. Zerfoss, the meeting was adjourned at 8:15 p.m.

Linda M. LaVan, Borough Secretary