

August 1, 2017, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on August 1, 2017, in the Assembly Room of the Clarion Free Library. President Pro Tem Noto called the meeting to order at 7:00 p.m. President Pro Tem Noto called for a moment of silence on the loss of Officer Nick Trombetta, who recently passed away. President Pro Tem Noto announced the visitation for Officer Trombetta will be Thursday, August 3, 2017, from 2-4 p.m. and 7-9 p.m. at Goble's Funeral Home on Wood Street and the funeral will be on Friday, August 4, 2017, at 11 a.m. at the Immaculate Conception Church in Clarion.

Everyone recited the Pledge of Allegiance.

Since President Lapinto is absent, President Pro Tem Noto announced he is able to sit in for her tonight. Vice President Sanders Dédé will be acting as Mayor as Mayor Parker is absent tonight. There is a quorum so Council will be able to proceed and have a legal meeting.

Councilmembers present were Mr. Zerfoss, Ms. Roberts, Dr. Sanders Dédé, Mr. Aaron, Mr. Noto, and Mr. MacBeth. President Lapinto was absent. Mr. Colosimo, Chief Peck IV, Mr. Preston, Associate Legal Counselor Feringer, Mr. Sharrar, and Ms. LaVan were also present. Mayor Parker and Solicitor Marshall were absent.

On a motion by Mr. Zerfoss with a second by Ms. Roberts, approving the July 5, 2017, Council Meeting, minutes, was carried with a vote of four yea with Mr. Aaron abstaining as he was absent.

CITIZEN COMMENTS: Agenda Items Only

There were none.

ADMINISTRATION

On a motion by Mr. Aaron with a second by Mr. MacBeth to approve the appropriations for the month of August, including an additional invoice from Murray's Ford for the chassis of the new Public Works Truck in the amount of \$35,589, was carried with a vote of five yea.

President Pro Tem Noto commented the Treasurer's Report of Fund Totals and Budget Analysis are in the packet for review.

On a motion by Mr. MacBeth with a second by Ms. Roberts to approve the Clarion Area High School's special event request for ceremonial bonfire on August 31, 2017.

Dr. Sanders Dédé questioned, as usual, that the Fire Department will be there during the bonfire to ensure all safety issues.

Ms. LaVan stated that's stipulated in the letter that the fire department will set it up and maintain that area.

The motion carried with a vote of four yea with Mr. Aaron voting no.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, approving the Ross A. McGinnis VFW Post 2145's Patriot Day event to be held September 11, 2017, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth to approve Resolution #2017-403, approving the transfer of Liquor License No. R-16995 into Clarion Borough.

Mr. Zerfoss requested a roll call vote.

The motion carried with a vote of five yea after the following roll call vote: Mr. Zerfoss, yes; Ms. Roberts, yes; Mr. Aaron, yes; Mr. MacBeth, yes; and Mr. Noto, yes.

On a motion by Mr. MacBeth with a second by Mr. Zerfoss, approving to include the Main Street Improvements Project in the Borough's FFY-2017 CDBG Application, was carried with a vote of five yea.

President Pro Tem Noto stated next is a Mutual Release and Settlement Agreement between Apogee Telecom and the Borough of Clarion.

Ms. LaVan reported this is a result of Apogee Telecom asking the Borough to approve a novation agreement to change the name. After sending it to Cohen Law Group to make sure it was in order, it was discovered they had not been paying the franchise fees correctly. Since Cohen Law Group relayed that to them, Apogee has been paying the fees correctly. After negotiations between Cohen Law Group and Apogee to receive the total amount owed, the Administration Committee, upon recommendation by the attorney, agrees it's in the best interest to accept a settlement agreement for \$5,000 in back payment for franchise fees, which Council must act on. After approving and returning to Apogee, the Borough will receive the payment in 15 days. Ms. LaVan stated next month Council will be asked to approve a Memorandum of Understanding changing the name to Apogee and spelling out the exact way the franchise fees are to be paid to eliminate any problems in the future.

On a motion by Mr. Aaron with a second by Mr. MacBeth, approving a Mutual Release and Settlement Agreement between Apogee Telecom, Inc., and the Borough of Clarion, was carried with a vote of five yea.

BLUEPRINT COMMITTEE

Dr. Sanders Dédé reported the Blueprint Committee has been recertified by the Pennsylvania Downtown Center until 2019. The Committee will meet next Wednesday at 4:30 p.m. to discuss projects, the strategic plan, and welcome recommendations from the community to include in the plan.

PUBLIC WORKS

Mr. Zerfoss commented the Public Works Report is in the packet for everyone's review.

Mr. Zerfoss asked Mr. Preston to discuss the paving project and Center Place.

Mr. Preston informed everyone the paving project should begin tomorrow with milling of the streets and paving will be on Friday or Saturday. Notices were handed out to all the businesses and residents in the area and to the media this evening.

Mr. Preston deferred Center Place to Mr. Colosimo.

Mr. Colosimo stated the Committee is seeking Council's permission to authorize the EADS Group to begin the design and engineering work for the Center Place Storm Water Project, which will be approximately a little more than 2,100 feet of line to be replaced along with the road.

President Pro Tem Noto informed everyone that may not know that the storm sewer line that runs under Center Place is degrading to a very, very great extent. The Borough has placed metal plates on sink holes and the whole road is becoming like a wash board due to the amount of water that rushes through that pipe with such a force that not only is the pipe eroding but the entire roadway.

As far as closing a portion of Center Place, Mr. Zerfoss asked how this will be achieved, with signs and what else?

Mr. Colosimo stated it will be mostly by signs. Council is also being asked to approve a resolution to limit Center Place to local traffic only and no heavy trucks. This will begin at Boundary Street up Center Place approximately 300'. The road is deteriorating to a point where public safety is becoming an issue. Unsuspecting motorist could get into trouble. It cannot be shut down completely.

Ms. LaVan added signs will be posted on both sides of Center Place that states 'local traffic only' and garbage haulers will be notified to let them know the restriction. The Borough doesn't want it to be everyday traffic driving through there that doesn't necessarily need to be on it.

On a motion by Mr. Zerfoss with a second by Mr. Noto to approve Resolution #2017-404, approving to close a portion of Center Place beginning at Boundary Street and proceeding northeast along Center Place approximately 300 feet towards its intersection with Elss Street. The motion carried with a vote of five yea.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth to authorize the EADS Group, Inc., to complete engineering, field, design, cost estimate, and construction document tasks for the Center Place Storm Water Project.

President Pro Tem Noto asked roughly how much money this would entail?

Mr. Dave Neal, the EADS Group, wasn't sure if Council wanted EADS to do this on an hourly basis or a lump sum figure. Some of the items, such as securing easements and construction

inspections, could be paid on an hourly rate. It would be Council's preference. About 2 years ago, Mr. Neal estimated the project to cost in the \$400-600,000 range, and typically engineering fees are 8% for a project that big. A lot of the basic information is already together, which would reflect in EADS' pricing and proposal. Mr. Neal stated that's one of the reasons he was in attendance tonight to see if Council had a preference on which way the information is obtained. Surveying will probably take 3-4 days, base map construction, design, bidding, and construction management is all processes. This is a unique situation in that the line is going to be replaced in place due to a lot of different utilities and crossings. Mr. Neal commented it will be fun trying to squeeze everything into that area.

President Pro Tem Noto reported it will not be a simple project.

Mr. Neal agreed. The discussion with the Committee was to enclose the open ditch and bring the line the whole way down to the existing inlet structure at Comet's. This will probably require an extension of an easement that Solicitor Marshall's office found. The easement will need revised because it goes underneath a house now.

Mr. Colosimo added the original system outfall has been covered over and it's been extended out. Before any bids are let, this will come back to Council with a good idea of the cost of the project. This is likely the largest civil construction project the Borough has undertaken in decades, if ever.

Mr. Noto reported a great part of the Borough water funnels right down into this 30" pipe, which is inadequate to handle this much water.

The motion carried with a vote of five yea.

Mr. Zerfoss stated the Department still will need a street sweeper next year.

STORM WATER AUTHORITY

At this point, President Pro Tem Noto stated the Borough continues towards setting up the Storm Water Authority for this exact reason of the situation on what's occurring on Center Place. While Mr. Neal is present, President Pro Tem Noto asked him to discuss the amount of water going down that 30" pipe in a heavy, heavy storm.

Mr. Neal thinks the number was 196 cubic feet or 5 million gallons an hour.

President Pro Tem Noto asked everyone to think about that kind of outflow going down through that 30" piece of pipe, which is why the pipe and road around it is disintegrating. That pipe simply cannot handle that amount of water and is blowing out every crack or crevice from that pipe resulting in washing the road bed underneath it right around the pipe down with it. President Pro Tem Noto stressed this is just one piece of pipe. All the pipe under the Borough streets is of this age.

PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. MacBeth, approving to change the status of Roger Wright from Probationary Police Officer to Regular Full-Time Police Officer as of August 2, 2017, with increase of pay from \$18.09 to \$19.38 (75% of the Contract's Standard Base Rate), was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth to approve to change the status of Justin O'Neil from Probationary Police Officer to Regular Full-Time Police Officer as of August 2, 2017, with increase of pay from \$18.09 to \$19.38 (75% of the Contract's Standard Base Rate). The motion carried with a vote of six yea.

Mr. Aaron congratulated both Officers Wright and O'Neil.

LIBRARY REPORT

Mr. Noto reported the following information on the services provided by the Clarion Free Library: has over 61,000 print books, 1,400 e-books, 900 audio books, 250 e-audio books, 3,000 DVD's, 75 print magazines, and 6 lending lap tops. If you are a student and you need a lap top to do a project, you can come to the library and sign one out. There is a computer lab at the Library and 15 kindles that can be signed out and taken. President Pro Tem Noto commented over 106,000 items were borrowed in 2016, 42,000 of that were materials for children. Almost 10,000 people used a computer lab with 3,700 people connecting to the Wi-Fi. The Library had 303 programs for children, with a total attendance of 5,802 which some would be repeat people but that's still the overall attendance, 70 programs for teens, and 41 programs for adults in the past year.

HOUSING AND ZONING

Dr. Sanders Dédé commented the Housing and Zoning Report is in the packet for everyone's review. The Committee continues to work on two problem areas; the gas station at Second Avenue and Main Street and a property on Eastwood Drive that is located in Clarion Township but borders Clarion Borough properties. Dr. Sanders Dédé stated the Solicitor may have to become involved with the issue on Eastwood Drive.

Legal Associate Ferringer asked what the exact address is.

Mr. Sharrar couldn't recall the exact address but will get it to Legal Associate Ferringer.

Dr. Sanders Dédé stated the Committee is also working with the people trying to put in the senior housing project on South Fifth Avenue, which is also a Blueprint Committee project.

Mr. Neal added the EADS Group has been retained to do the design work for that project's storm water into Center Place.

When that facility is put in, Mr. Noto announced that will take all the grass away and will make it impermeable surface, meaning that water is going to go into the 30" pipe that is taking million gallons of water.

PARKS AND RECREATION

Ms. Roberts stated the pool has been very busy this year and the weather has been perfect.. The closing date will be August 20, 2017, the weekend before school starts.

SECRETARY'S REPORT

Secretary LaVan didn't have anything to report.

MAYOR'S REPORT

There was none.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

CITIZEN COMMENTS: Non-Agenda Items

Mr. Mike Shaw, Transit bus driver, drew everyone's attention to 5th and Main. Another person was hit there on Thursday evening. Being a bus driver, Mr. Shaw has some knowledge of how that light functions. Something has to be done. In Franklin at 13th and Liberty Street, Mr. Shaw pointed out there is a 4-way stop that gives people 20 seconds to go cross-to-cross or diagonal, which is plenty of time. This also is utilized in Butler. Mr. Shaw feels this is the busiest intersection in Clarion County and believes 5 people have been hit there in the last 6 years, with one fatality. This is the reason Mr. Shaw stood at the intersection of 5th and Main on Friday for a couple hours. It was not to protest, but to bring awareness to the problem. Mr. Shaw stated he doesn't usually do this but something needs to be done. There are many reasons this intersection is bad; people are idiots at times, drivers are idiots at times, but mainly Mr. Shaw feels the intersection is not done properly.

Ms. Anna Bowen stated her son is the one that was just hit at that location and doesn't know whether it was part of the traffic light or walking light issue. Prior to the meeting tonight, Ms. Bowen went to 5th and Main, pushed the button, and it was close to 3 minutes before a walk sign came up. More frightening was as she walked across 5th towards the library, the walk sign only lasted 3 seconds and the arrow to go down 5th Avenue turned green immediately. If Ms. Bowen would have stepped out, she would have been struck. Her son was struck by a vehicle coming in the other direction; however, Ms. Bowen didn't have time to check that out before the meeting tonight. Ms. Bowen voiced curiosity as to what the solution to this intersection would be. Her son had a concussion and was badly bruised but fortunately was not killed.

President Pro Tem Noto doesn't think Council disagrees with either of the speakers that it is a dangerous intersection and something needs to be done. This being part of State Route 322, however, the Borough doesn't have control over that. Council will contact PennDOT and express concern as a Council but also to relay his/her comments that is' not a safe intersection. Maybe an engineering study needs done to see what could be done to try to alleviate some of the concerns.

Mr. Shaw asked who they could contact

Mr. Neal stated that would be Penn DOT District from Oil City.

President Pro Tem Noto recommended State Representative Donna Oberlander and Scott Hutchinson.

Ms. Elisabeth Fulmer, 132 South Seventh Avenue, voiced a public safety concern too on wrong-way traffic on Wood Street. With her business right on the corner, motorists are driving the wrong way all the time. Ms. Fulmer stated there were 3 of them in 1 hour 1 day last week.

Doing the campus route, Mr. Shaw reported everyone would be amazed at the times he drives on Wood Street and there is a vehicle coming towards him the wrong way. In their eyes, they are only going one way so maybe that's okay.

Ms. Fulmer commented they have tried to run out and re-educate people as much as possible. Nothing can be done about the skateboarders that go down the middle of the street the wrong way as well. Maybe more 1-way signs at some of the intersections and alleys coming onto Wood Street need installed. Ms. Fulmer isn't sure if they are visible enough.

Ms. Roberts thinks people know it's one-way but it's easier for them to drive it the wrong way and risk it.

President Pro Tem Noto asked Chief Peck to have the officers keep an eye on the one-way streets, Wood and Liberty, to make sure motorists are obeying the laws and also for Mr. Preston to double check the signage is up and visible.

Dr. Sanders Dédé thinks it will get worse in 2½ weeks as the new parents will be coming in and trying to find any way to get his/her child to where they need to go.

CORRESPONDENCE

There was none.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, the meeting was adjourned at 7:35 p.m.

Linda M. LaVan, Borough Secretary