

August 4, 2015, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on August 4, 2015, 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 Ms. Roberts, Dr. Sanders Dédé, Mr. Aaron, Mr. Bartley, and President Lapinto. Messrs. Zerfoss and Noto were absent. Chief/Secretary/Treasurer Hall, Mayor Walters, Solicitor Marshall, Mr. Colosimo, Mr. Preston, Mr. Sharrar, and Ms. LaVan were also present.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé to approve the July 7, 2015, Public Hearing, minutes. The motion carried with a vote of four yea with Mr. Bartley abstaining as he was absent.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé to approve the July 7, 2015, Council Meeting, minutes. The motion carried with a vote of four yea with Mr. Bartley abstaining as he was absent.

CITIZEN COMMENTS: Agenda Items

There were none.

ADMINISTRATION

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts, approving the appropriations for the month of August, carried with a vote of five yea.

President Lapinto stated permission is necessary to pay the retainage in the amount of \$17,601.90 to Terra Works and asked Secretary Hall to explain.

Secretary Hall commented Ryan Miles submitted that amount for retainage, and the Borough is satisfied with the punch list.

Mr. Colosimo reported everything Mr. Miles has provided as far as the close-out documents have been spot on. The Borough just needs a little more information.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts to give permission to pay retainage in the amount of \$17,601.90 to Terra Works, Inc., for Contract 2015-1, contingent upon receipt of all project close-out documentation, was carried with a vote of five yea.

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

President Lapinto asked Secretary Hall to discuss Ordinance #2015-808, an ordinance amending the General Employees' Pension Plan in reference to survivor benefits.

Secretary Hall reminded everyone a couple months ago both plan ordinances had been presented for amendments. The Police Pension Ordinance was approved last month. However, due to a couple words that weren't correct, the General Employees' Pension Plan Ordinance had to be pulled. Now Council has received the corrected version. Secretary Hall asked Council for permission for Solicitor Marshall to advertise it with adoption next month.

On a motion by Dr. Sanders Dédé with a second by Mr. Bartley to give permission for the Solicitor to advertise Ordinance #2015-808, an ordinance amending the General Employees' Pension Plan in reference to survivor benefits.

Dr. Sanders Dédé asked Secretary Hall for an example of a word that was changed?

Secretary Hall stated Section 702 was rewritten as far as being an eligible spouse or person that the employee would have on their beneficiary list to receive the benefits as long as that employee was vested.

The motion carried with a vote of five yea.

President Lapinto reported Council needs to approve Resolution #2015-381, relating to the line of credit with S & T Bank.

After discussion with Solicitor Marshall, Secretary Hall commented it was necessary for Council to adopt a resolution under Section 8109, the LGUDA Act, which Solicitor Marshall prepared and is included in the packet. This is needed to finalize this line of credit for the storm sewer project.

President Lapinto confirmed the Borough doesn't have to go through the Unit Debt Act?

As long as projects and financing is under \$125,000, Solicitor Marshall stated it can be through this small borrowing proceeding.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts, approving Resolution #2015-381, relating to line of credit financing with S & T Bank, the motion carried with a vote of five yea.

President Lapinto commented permission is necessary for Secretary Hall to attend PSAB Legal Update on August 26 and 27 in Harrisburg.

As part of PSAB membership, Secretary Hall informed Council the Borough is included in the Team Program and there is no conference fee. Secretary Hall stated this is one of the best conferences he's ever attended. It's mostly attended by lawyers for their CLE credits.

On a motion by Mr. Bartley with a second by Mr. Aaron, giving permission for Mark Hall to attend the Pennsylvania State Association of Boroughs Legal Update on August 26 and 27, 2015, in Harrisburg, Pennsylvania, was carried with a vote of five yea.

DOWNTOWN COMMITTEE

Ms. Roberts asked Dr. Sanders Dédé to give a report.

Dr. Sanders Dédé commented the Committee has reviewed and passed the articles of incorporations and the bylaws. On Friday, Mr. Colosimo, on behalf of the Committee, submitted a grant application to address signage in the Borough. Dr. Sanders Dédé feels confident that the Committee will receive the \$5,000, because Mr. Colosimo prepared it and did a great job as usual. The Committee meets every other Monday. Dr. Sanders Dédé thanked Attorney John Marshall for preparing the articles for the Committee.

Solicitor Marshall asked Mr. Colosimo if that has been sent in?

Mr. Colosimo stated not yet.

PUBLIC WORKS

In the absence of Mr. Zerfoss and Mr. Noto, Secretary Hall commented the Public Works Report is in the packet for everyone's review. The Department completed the two storm sewer repairs on Sixth Avenue and South Street. Other than restoration, it's completed. Later this month, the project on Domenica Circle will begin.

CONSTRUCTION REPORT

Mr. Colosimo commented Park Project #2015-1 is essentially complete. The amount approved previously tonight was 10% retained on the overall bill. Once all the paperwork is submitted and approved, the payment can be forwarded to them.

Mr. Colosimo reported the Fire Hall Project should be completed by Friday. Their final inspection should be Friday if everything goes as planned. The mandated completion date is August 7th.

Mr. Colosimo stated the Ninth Avenue and Main Street storm sewer inlet project is to begin Thursday and should be completed that day as long as they don't run into problems.

Secretary Hall commented it has a deadline of August 14th so it's done before school starts.

At the pre-bid meeting for the Center Place storm sewer project, Mr. Colosimo commented it was decided to redesign the project. An addendum was issued to stop the bidding process until the redesign is ready. The project area is going to move up towards Sixth Avenue a few feet from the original location and then run diagonally across a Borough right-of-way and private property to Center Place. The original 24" pipe will remain in place. Mr. Colosimo stated the Borough is creating a go-around to try to relieve the flooding of that intersection.

By redesigning the project, Secretary Hall reported the Borough had to get an easement from one property owner in order to accomplish this plan. When the pre-bid meeting was held with the contractors and EADS, it was discovered all the utilities were located underground plus a telephone pole was involved. The completion date is still projected as October 31st. The contractors will have 2 months instead of 3 to get it done; however, it should only be a 2-day job so there should be plenty of time.

Before leaving Public Works, Mr. Bartley asked when the lines/crosswalks will be painted on Greenville Avenue. School will begin shortly, and it's important, especially with the new location at Heidrick Street and Greenville Avenue.

Mr. Preston commented he will try to contact the State to see when that will be done.

Mr. Bartley inquired when the Borough plans to do all the crosswalks throughout the Borough?

Mr. Preston stated the Borough completed all that up to Ninth Avenue. The State will have to repaint the ones that are in their construction areas.

Mr. Bartley stressed the crosswalks really need in before school starts.

PUBLIC SAFETY

Mr. Bartley had nothing to report.

LIBRARY REPORT

There was no report.

HOUSING AND ZONING

On a motion by Dr. Sanders Dédé with a second by Mr. Bartley, giving permission for Fred L. Burns, Inc., to extend an encumbrance permit for the sidewalk on Wood Street in front of Valley View from 14 days to 30 days, carried with a vote of five yea.

On a motion by Dr. Sanders Dédé with a second by Mr. Bartley to give permission for First United Methodist Church to extend an encumbrance permit for the sidewalk at the corner of Wood Street and South Sixth Avenue from 14 days to 30 days.

Mr. Bartley asked what the timeframe will be and when it will end?

Mr. Sharrar stated the Church only has 2 weeks left for their permit. Fred Burns hasn't started yet.

Dr. Sanders Dédé reported the orange fence is up today.

Mr. Sharrar commented it will be 30 days from today then.

Secretary Hall reported that the contract requires them to be out by August 20th.

The motion carried with a vote of five yea.

RECREATION

President Lapinto reported that Ms. Roberts and she asked Mr. Colosimo to find out anything he could on a possible Bridge Builders Grant.

Mr. Colosimo informed Council Bridge Builders Community Foundation is headquartered in the Trans Building in Oil City and is an outlet for community-based charity giving out as much as they take in. The grant President Lapinto and Ms. Roberts is referring to is open until August 31st. There may be a fall round. Mr. Colosimo thinks the Borough is an eligible applicant. The application process is online and is relatively short. The Borough has to have some preliminary work done in order to file an application. Bridge Builders also has a community wish list, which is a listing of projects that they can't fund or can't fund entirely. These projects are listed on their website and if anyone wishes to donate to them, that money will be set aside and will go towards that project. Mr. Colosimo stated this is done free of charge.

President Lapinto stated this was what the Borough had discussed originally.

Ms. Roberts added the Recreation Committee was trying to find a way not to have to obtain a 401c3 status. The Committee looked into Bridge Builders to hold the money raised to be used later. Ms. Roberts asked if this is a matching grant?

Mr. Colosimo isn't sure but will contact them directly.

Ms. Roberts reported Michelle Murray was at the pool today and seems to think this is not a matching grant. Ms. Murray believes most of the projects were under \$5,000. Ms. Roberts also pointed out this money has not been given out in 2 years. This may mean if the Borough went in with a big project, there may be money sitting there and get a larger amount than normal.

President Lapinto stated Secretary Hall indicated there are 2 projects, but neither one is under \$5,000.

Secretary Hall commented the bath house/roof and the electrical box projects are possibilities.

If it's more than \$5,000, Ms. Roberts stated those projects could be done. If it's under \$5,000, chairs and umbrellas or new playground equipment could be projects.

President Lapinto feels the electric is the most important item, because if it goes out, then the Borough is out of business.

Mr. Preston noted the electrical inspection is due next year again.

Since this is the last meeting before the application deadline, President Lapinto asked if anyone has any thoughts on whether to proceed or not.

If it's not a matching grant, Ms. Roberts feels the Borough should definitely go. However, if funds are necessary, Council will need more discussion.

Mr. Bartley inquired if the Borough has to specifically state what the grant money would be used or if it could just be general by stating the swimming pool?

To be competitive, Mr. Colosimo stated the Borough has to have it nailed down pretty good.

President Lapinto asked if there was an estimated cost to separate the electrical system boxes from the chemical building?

Mr. Colosimo stated no.

Mayor Walters asked if an electric company could be contacted to give an idea of how much this will cost to complete the project? This would at least give the Borough a general idea.

Mr. Colosimo commented a building may need constructed to house the electrical boxes.

President Lapinto asked if the Borough can submit more than one grant. That way if the electric is turned down, perhaps the chairs and umbrellas would be awarded.

Mr. Colosimo didn't see anything stating the Borough could only apply for one.

Ms. Roberts agrees the Borough could submit a big one and then a secondary one.

President Lapinto asked if the Borough needs a motion to go after this grant?

Solicitor Marshall stated yes.

On a motion by Ms. Roberts with a second by Mr. Bartley, giving permission for Todd Colosimo to apply for grants from the Bridge Builders in regards to the pool, was carried with a vote of five yea.

Mr. Colosimo asked if he needs advice from the Borough's engineer if he can contact them.

President Lapinto reported whatever Mr. Colosimo needs to get it done is fine. The main goal is to keep it open. The electric is #1.

When the electric goes out, Ms. Roberts stressed the pool shuts down. The Borough can do whatever inside the pool; but without the electric, it's pointless.

SECRETARY'S REPORT

Secretary Hall received a complaint yesterday in reference to the PennDOT construction project on Fifth Avenue. A meeting was held with PennDOT representatives at the site. The job is nearing completion with the exception for the restoration part. The residents expressed concern with the sidewalk. With this being a PennDOT project, the Borough doesn't really have an arm or leg in this battle. However, Secretary Hall thinks the residents were satisfied with what the PennDOT's supervisor had to say. The Borough did have some concerns with Franklin Street, Pine Street, and Wencil Road regarding the storm water runoff there. The supervisor assured him the area would be appropriately blacktopped so the water drains out onto Fifth Avenue.

Secretary Hall stated the audit should be completed by August 14th. If so, the Borough will try to schedule an exit audit meeting with Zelenkofske Axelrod for the 19th.

MAYOR'S REPORT

Mayor Walters received a letter from the Department of Economic Development and asked Mr. Colosimo to handle.

Mr. Colosimo stated it was a letter notifying the Borough a financial audit on CDBG controls was going to be conducted. They will be looking at how the Borough handled the money once it was received and test some of the purchasing, invoicing, drawdowns, and payrolls for the CDBG Program for years 2007 to 2012. Random information will be selected and checked.

OLD BUSINESS

There was none.

NEW BUSINESS

President Lapinto asked Mr. Sharrar to explain House Bill 809.

Mr. Sharrar stated a Senator is trying to pass a bill that overrides a municipality's control in residential areas on how many people can be housed in a house in residential areas. As long as there are enough parking spaces and bedrooms, the Senator feels it can be packed full. What this would do to Clarion Borough is take the low density residential areas and allow 10 college students in a house as long as there are 10 bedrooms. For instance, Liberty Street is an R-1 area, but as long as there are enough bedrooms, that many people can be housed there. Mr. Sharrar sent a letter relaying Clarion Borough disapproves of this idea.

President Lapinto also informed Scott Hutchinson and Donna Oberlander that Clarion Borough definitely opposes that.

President Lapinto realizes it's only August but encourages all Committees to think about anticipated large purchases for 2016. If Public Safety would like a police car, it would be good

to know now. The hard work will be in October. President Lapinto stated all Councilmembers will be involved this year as well.

CITIZEN COMMENTS: Non-Agenda Items

Ms. Rose Logue introduced herself to all Councilmembers and those present and stated she is the Borough tax collector currently and is running for Clarion County Treasurer. If anyone would like to discuss her qualifications, Ms. Logue offered to meet with him/her after the meeting.

CORRESPONDENCE

There was none.

On a motion by Dr. Sanders Dédé with a second by Mr. Bartley, the meeting was adjourned at 7:34 p.m.

Mark E. Hall, Borough Secretary