

August 6, 2019, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on August 6, 2019, 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, Ms. Logue, and President Lapinto. Mr. Noto was absent. Chief Peck, Mr. Preston, Mr. Colosimo, Mayor Miller, Mr. Sharrar, Solicitor Marshall, and Ms. LaVan-Preston were also present.

President Lapinto asked for a motion to amend the agenda to include under Administration a motion to approve the Cub Scout Pack 51's special event request to block off South Jefferson Place between the Park and S & T Bank from Main Street to Grant Street for an event on Sunday, September 15, 2019, from Noon until 5 p.m. and asked Secretary LaVan-Preston for any comments.

Secretary LaVan-Preston commented this request was dropped off yesterday, and it was delayed due to the insurance certificate. This was held before and will not create any overtime costs to the Borough. The barricades will be dropped off for their use to block the street.

On a motion by Dr. Sanders Dédé with a second by Mr. Aaron, amending the agenda to include under Administration a motion to approve the Cub Scout Pack 51's special event request, was carried with a vote of six yea.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve the minutes of the July 2, 2019, Council Meeting. Dr. Sanders Dédé stated there are two corrections necessary. One on page 2 in reference to the time of the Executive Session beginning and ending; both were the same. Secretary LaVan-Preston noticed that after the packets were prepared, and it has been corrected. Dr. Sanders Dédé commented the second is on page 8 under Public Safety where she noted last month motorists drive right through the stop sign on Fourth Avenue and Elss Street. That should be Fourth Avenue and Pine Street. Secretary LaVan-Preston will make that correction. The motion carried with a vote of six yea.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts, approving the minutes of the July 16, 2019, Council Meeting, was carried with a vote of five yea with Mr. Zerfoss abstaining as he was absent.

CITIZEN COMMENTS: Agenda Items Only

There was none.

ADMINISTRATION

On a motion by Mr. Aaron with a second by Ms. Roberts to approve the appropriations for the month of August. The motion carried with a vote of six yea.

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

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts, giving permission for Todd Colosimo to drawdown CDBG Funds to reimburse the General Fund for Todd Colosimo's CDBG wages from February 23, 2019, through July 27, 2019, in the amount of \$2,467.92, postage in the amount of \$2.00, and advertising fees in the amount of \$1,375.95, was carried with a vote of six yea.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve FFY 2019 CDBG Activity – South Sixth Avenue Reconstruction.

President Lapinto asked Mr. Colosimo for a report.

Mr. Colosimo commented this will be a complete rebuild of Sixth Avenue between South Street and Boundary Street. Depending on the amount of funding, this will be at least a 2-year Community Development Block Program activity. The Borough is in the process of qualifying it right now for LMI. Mr. Colosimo stated the most recent project similar to this one would be the reconstruction of South Street itself. The work would include road reconstruction from the base up, storm water, and curbs/sidewalks where needed.

Mr. Aaron questioned if the Borough will be working with the Storm Water Authority so all issues are handled at once to eliminate the need to tear up the roads once redone?

Mr. Colosimo agreed all work will be coordinated with the Authority.

The motion carried with a vote of six yea.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts to approve the Cub Scout Pack 51's special event request to block off South Jefferson Place between the Park and S & T Bank from Main Street to Grant Street for an event on Sunday, September 15, 2019, from Noon until 5 p.m., was carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Mr. Aaron, approving the VFW Post 2145 Ross A. McGinnis' special event request for Patriots Day Service to be held September 11, 2019, from 6-8 p.m., was carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé to approve United Way of Clarion County's special event request for 5K & 10K race to be held September 28, 2019, from 9 a.m. to 12 p.m. The motion was carried with a vote of six yea.

President Lapinto commented the next event is a new one from Clarion County Broadcasting to close 6th Avenue from Main Street to Wood Street and to hold a concert with Downtown businesses to welcome back the students on September 6, 2019.

On a motion by Ms. Roberts with a second by Mr. Aaron to approve Clarion County Broadcasting's special event request for a street closure of 6th Avenue from Main Street to Wood Street and hold a concert with Downtown businesses to be held September 6, 2019, from 5-9 p.m.

President Lapinto asked Chief Peck for additional comments?

Chief Peck contacted Clarion County Broadcasting to see why the area was so big and if it could be smaller; however, they are planning to get some play equipment for kids and want a bigger area. Chief Peck noted there are no problems with this event.

The motion carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé to approve the Alzheimer's Association's special event request for a charitable walk to be held October 5, 2019, from 8-10 a.m.

President Lapinto believes this has been held for several years, but this is the first time the Borough has received the request.

The motion carried with a vote of six yea.

President Lapinto reported next is permission to move forward with a pedestrian signal button project at 6th Avenue and Main Street.

On a motion by Mr. Aaron with a second by Ms. Roberts to give permission to move forward with a pedestrian signal button project at 6th Avenue and Main Street.

President Lapinto asked Secretary LaVan-Preston for additional comments.

Secretary LaVan-Preston reported the Borough received a request from an individual that is legally blind for an accessible pedestrian signal at 6th and Main. The Borough has been working on it for a little while to see if any kind of grants were available or how the process actually works. The first step is to send a letter to PennDOT requesting what the Borough is asking for, the location, and that the Borough is financially able to support the cause. Secretary LaVan-Preston commented the Borough will be able to use Highway Aid money to pay for that project. After Council approves the motion, the letter will be sent to PennDOT, and go forward from there.

The motion carried with a vote of six yea.

BLUEPRINT COMMITTEE

Dr. Sanders Dédé stated the Committee received their grant check today in the amount of \$22,000 and will continue moving forward with grants to form projects in their strategic plan. One of the main things that will be looked at is a job description for hiring a part-time Main

Street Manager. Dr. Sanders Dédé reported the Committee also received their 501(c)3 designation from the State, which will help get grants.

PUBLIC WORKS

Mr. Zerfoss commented the Public Works Report is in the packet. Any questions can be directed to Mr. Preston. Mr. Zerfoss asked Mr. Preston for anything additional.

Mr. Preston reported Hager Paving is getting ready to mill Arnold Avenue tomorrow with paving on Friday. The final two streets for this year's project, Campbell Avenue and Fern Street, will be completed at another time, which Hager Paving hasn't provided a date on yet.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve Teresa McNitt, 131 South Fourth Avenue, storm sewer agreement to tie into Borough's storm water system.

Mr. Zerfoss asked Mr. Colosimo to explain this a little bit.

Mr. Colosimo explained this is a request from a citizen to connect to the middle inlet on Franklin Street. To do this, the owners will begin the project on their property and cross their neighbors' property in order to make the connection. Mr. Colosimo believes the neighbors are here tonight and have given their permission for that connection.

Mr. Joshua Fontenot (later identified) stated he has agreed.

Mr. Tucker Copenhaver (later identified) reported he has not given permission yet.

Mr. Colosimo stated that's why the project right now is confined to the McNitts' property and 1 other property on Franklin Street. This is basically through an agreement.

Dr. Sanders Dédé inquired this request is in line with the new rules and regulations of the Storm Water Authority?

Mr. Colosimo agreed that this is the Borough's policy and the agreement with the McNitts would cover the point of connection. Anyone asking to connect to the Borough's system is responsible for obtaining other peoples' permission in order to cross his/her property before the agreement is finalized.

Ms. Roberts asked the two gentlemen if they have already agreed; and, if not, why?

Mr. Copenhaver stated he has not, because it will not benefit him or his property at all. The original proposal he received showed a drainage basin on his property but didn't drain water from his property at all. Mr. Copenhaver commented there is just no benefit to allow someone to dig on his property.

President Lapinto asked what this does to her request?

Mr. Colosimo understands the project can still be constructed. The inlet will be placed on the McNitt property not on the adjacent property. It will still connect through the other property at Franklin Street.

President Lapinto asked for any other questions?

Mr. Fontenot inquired if they need a formal easement for this process?

Mr. Colosimo prefers to see that. Right now, the Borough basically has a written agreement.

Solicitor Marshall asked Mr. Colosimo if the easement is going to be with the Storm Water Authority or the Borough?

Mr. Colosimo commented right now it is going to the Borough.

Solicitor Marshall stated if the Borough is getting the permission to go across the property or have their line there, then an easement is definitely needed. Solicitor Marshall suggested it between private parties as well.

Mr. Colosimo pointed out the Borough's agreement covers the actual connection in the Borough's right-of-way at the inlet. The Borough is not constructing the line up to that point or any of the other facilities involved like the inlet or anything.

Solicitor Marshall questioned if the Borough will assume responsibility for maintaining it?

Mr. Colosimo reported only at the connection point. That is after a year's guarantee from the installer. Then the Borough takes over. Basically that means if that connection point at the Borough's box becomes damaged or out of repair, the Borough will repair it. If the Borough goes through there to install new storm water infrastructure, then it will be hooked back up during construction. Mr. Colosimo commented the Borough certainly would not venture out of its right-of-way as far as the pipe goes or the drainage inlet that the property owners are going to be installing on their property. The Borough would not be responsible per the policy for those items.

Solicitor Marshall verified the landowners will be responsible to the point of connection with the Borough's system.

Mr. Colosimo stated yes.

Solicitor Marshall suggested the owners do a written easement between the landowners, but it really doesn't have anything to do with the Borough then.

Mr. Colosimo thinks that would be the standard way of the owners to do that.

Solicitor Marshall stated yes and pointed out the Borough can't require it but would be a good idea to protect everyone that is involved.

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

STORM WATER AUTHORITY

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé, approving HRG's invoice #135790 in the amount of \$5,361.95 for GIS Development Services (through PennVEST drawdown process), was carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to approve The EADS Group Invoice #225848 in the amount of \$2,659.98 for Center Place Storm Sewer Project.

Mr. Aaron asked what that invoice was for and thought it may be for the additional work.

Mr. Colosimo thinks this is just for continuing engineering on Center Place and not the change order yet.

The motion carried with a vote of six yea.

Mr. Aaron asked if Mr. Colosimo had anything to add tonight?

As for the Center Place Project, Mr. Colosimo added the Borough is proceeding with the Change Order to armor and reinforce the ditch line the whole way to Boundary Street to take care of the last two properties. There are a few issues with water flowing along that area. The inlet is working fine, but the Borough is trying to channel the water a little bit better than what it is now. This will deter erosion.

Mr. Aaron clarified this is adding to the project nothing will be removed.

Mr. Colosimo reported there will be minimal excavation to construct the project. No actual roadwork will be completed, it will be tied in.

PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. Zerfoss, giving permission to advertise for a regular part-time police officer eligibility list from the Civil Service Commission,

Mr. Aaron commented this ties back to the resignation from Officer Fox.

The motion carried with a vote of six yea.

Chief Peck informed Council the new police car is in and will be picked up tomorrow.

Also, Chief Peck announced, on Friday, the Department had a domestic/shooting incident and isn't sure if everybody was aware of that. Chief Peck gave a little shout out to the University

Police and State Police. The officers had to do a search in the woods for the weapon, and Chief Peck thanked them for their help. The officers did a good job.

LIBRARY REPORT

There was none.

HOUSING AND ZONING

On a motion by Ms. Roberts with a second by Mr. Zerfoss to accept recycling contract from Advanced Disposal Services Western PA, Inc., in the amount of \$3,273.40 per month, beginning January 2020 for a 5-year period. The motion carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé to give permission for Pennsylvania American Water Company-Wastewater to close the sidewalk on the south side of North Fifth Avenue and Liberty Street for possibly 3 weeks and that the Borough will send them a bill afterwards.

Anytime a sidewalk is closed longer than 14 days, Ms. Roberts stated Council must give permission.

The motion carried with a vote of six yea.

RECREATION

Ms. Roberts announced the pool will close on August 25, 2019. In her opinion, Ms. Roberts thinks it's been a fantastic season and has had a higher amount of traffic. The staff has been on top of everything. Ms. Roberts feels it's been a good year and hopefully it will be seen in the numbers.

Ms. Roberts thanked Limestone Township Supervisors for a donation of \$250 for Paul A. Weaver Community Park contribution. Limestone sends this contribution to Clarion Borough every year to offset some of the costs at the park. It is much appreciated.

SECRETARY'S REPORT

Secretary LaVan-Preston had nothing to report.

MAYOR'S REPORT

Mayor Miller had nothing to report.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

CITIZEN COMMENTS: Non-Agenda Items

Ms. Elisabeth Fulmer, 21 South Seventh Avenue, asked if any consideration has been given on a Shade Tree Commission.

President Lapinto commented no.

Ms. Fulmer really feels Council needs to do something soon and asked what the citizens can do to jump start this process. Several people have approached her about this.

President Lapinto suggested a meeting could possibly be set up for interested citizens?

Ms. Fulmer thought maybe the Mayor might have some knowledge?

Mayor Miller informed everyone Council discussed with another group at a meeting about Main Street trees, which is a productive start. Mayor Miller suggested if letters were sent to the editor to get more people on board then perhaps a meeting could be set up with Council.

Ms. Fulmer thanks him for those comments and really thinks this needs to be considered. It seems like every week there are more blank spaces.

President Lapinto stated Secretary LaVan-Preston and she drove around town today and saw more trees that have been cut down. President Lapinto thinks Ms. Fulmer has been very helpful in having some of the trees that were removed along Fifth Avenue replaced. The credit has been given to Ms. Fulmer and Dr. Sanders Dédé.

Ms. Fulmer is glad to hear that news.

CORRESPONDENCE

There was none.

On a motion by Ms. Roberts with a second by Mr. Aaron, the meeting was adjourned at 7:30 p.m.

Linda LaVan-Preston, Borough Secretary