

February 2, 2016, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on February 2, 2016, 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, and President Lapinto. Mr. Noto and Mr. Bartley were absent. Chief/Secretary/Treasurer Hall, Mayor Walters, Solicitor Marshall, Mr. Colosimo, Mr. Sharrar, Mr. Preston, and Ms. LaVan were also present.

Mr. Aaron made a motion to amend the agenda to include accepting a resignation of one of the Councilmembers and to put that at the end of Administration. Ms. Roberts seconded the motion. The motion carried with a vote of five yea.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to approve the January 4, 2016, Public Hearing, minutes. The motion carried with a vote of three yea with Ms. Roberts and Dr. Sanders Dédé abstaining as they were absent.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to approve the January 4, 2016, Reorganization Meeting, minutes. The motion carried with a vote of three yea with Ms. Roberts and Dr. Sanders Dédé abstaining as they were absent.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to approve the January 4, 2016, Council Meeting, minutes. The motion carried with a vote of three yea with Ms. Roberts and Dr. Sanders Dédé abstaining as they were absent.

CITIZEN COMMENTS: Agenda Items

President Lapinto asked for the Glasswork Business Park Presentation.

Ms. Jamie Lefever, representing the Clarion County Economic Development Corporation and Industrial Development Authority (IDA), stated individuals are present tonight to present Glassworks program on what their project is about and introduced Mr. Theron Miles to discuss further.

Mr. Theron Miles thanked everyone for allowing them to present their project, Glassworks Business Park, which they intend to build within Clarion Borough on the former Owens-Illinois Site Plant 17 on Grand Avenue. The project size is 28 acres of land with 24 buildable acres of property. Mr. Miles commented this is less the roads for infrastructure. The land is currently zoned business and industrial zoning. Currently, Clarion Industries is using the warehouse that was formerly the Owens-Illinois plant. This project's main demographic is to create a business park that spaces for warehousing industrial needs; machining, tooling and dying distribution; electrical generation of facilities; liquid propane compression station; and light industrial and retail supply. Mr. Miles stated that's just a general idea of what this park could possibly house. Since it was designed for Owens-Illinois Glass Plant, the location has a wealth of infrastructure

around it. This is mentioned, because light industrial warehousing needs use a lot of electricity, infrastructure for road access, adequate water and natural gas supplies, which is currently on this site. Mr. Miles pointed out there is a 12" water main that runs directly through the land, supplying any business needs with an adequate water pressure and water supply for anything they would need throughout the business process. Also, there is a 12" sewer line that runs directly through the property. As far as gas supply, the former glass plant used a lot of gas and was serviced with a high pressure line that ran directly through the property, which provides 4 million mcf per day. This would be more than enough for any possible business needs that could fit within this park. Also, there are low and medium pressure gas lines that runs through the park as well, which meets a lot of heating and business needs throughout. The Miles' plan to have everything 100% site ready. This idea is to put in all the roads and the infrastructure so the only thing left is for the business to come in, dig out their footer, and start building from Day 1. All utilities will be run to every single site making this the most convenient place for a business to move into and build. The Miles' hope that this site breeds off the Clarion Industries Warehouse located right next to the site. This area has always been infrastructure in this area and hopefully it will continue to be infrastructure. A couple years back, Mr. Miles stated his brothers and he purchased this property with the idea that their business would grow onto this land. After a couple months of owning it, it was realized that it's left a hole in the Clarion community. Without a business park on this land, the town is losing jobs directly and tax revenue. By creating this and turning it back into a business park, the entire town will benefit from top to bottom. Having stated all that, Mr. Miles introduced the team as follows: Ryan and Curt Miles, owners of Miles Brothers; Mike McKegg and Brian Long, members of Janney Montgomery; and Jeff Mills, Reed Smith and Associates. Mr. Miles turned it over to Attorney Mills at this point.

Attorney Jeff Mills, a partner of the law firm of Reed Smith, commented the Miles Brothers engaged him to help them with an economic incentive tool that is used quite a bit in western Pennsylvania but is totally new to Clarion County called Tax Increment Financing, TIF. Prior to the meeting, a handout was given to Councilmembers, which was reviewed as follows. There is an aerial photo indicating the old glass plant facility and what it looks like now, an aerial photo of a site comparison, and one showing a site plan of proposed buildings for the Glassworks Industrial Park. Attorney Mills pointed out the next couple of pages give everyone an idea of some projects where the TIF has been utilized as an economic incentive tool, which are as follows: Target in East Liberty, Pittsburgh; a brand new skyscraper called Millcraft Investments Tower Two-Sixty Pittsburgh; Kohl's in Hermitage, Mercer County; Station Square in the City of Pittsburgh; The Mall at Robinson; Tanger Outlets in Washington County; Bakery Square in the East Liberty area of Pittsburgh; and Southside Works, which reminds him a lot of this property, because it was an environmental site that was remediated and retail and office space was put in. All states, except Arizona, authorize use of TIF's and the Statue in Pennsylvania was created right around 1990. Attorney Mills stated essentially it's a method of financing improvements in connection with development. TIF benefits are used for environmental remediation, utilities, roadway improvements, traffic improvements, lighting, sanitary sewer, water lines, storm sewers, demolition, and parking facilities; many of which, the Miles Brothers propose to use here at this site. A breakdown of estimated costs of public infrastructure improvements are \$2

million plus in site work and remediation; \$1,463,000 in site utilities; \$931,750 in roads and infrastructure; and \$475,000 in engineering. Attorney Mills reported the general benefit of the TIF is to revitalize and rehabilitate an economically depressed area. On this particular 28-acre site, at one time, 1,500 were employed. Today there is nothing there but environmental issues. This essentially fits right in the TIF purpose of encouraging development of otherwise undesirable properties, increase the property values, and create spin-off benefits to surrounding areas. Right now, the Borough and County are receiving \$3,697 in real estate taxes annually. As a result of the TIF, the Borough will continue to receive that. After it's filled out and full based off the estimated assessments, an estimated tax revenue annually would be about \$103,000 a year just real estate property tax. The difference of \$99,000 is what is called the increment, which is diverted over a 20-year period that is used to finance the TIF improvements that will be funded via the Clarion County IDA through a TIF note. The same goes for the County as well as the School District. Attorney Mills commented Delta Development Group was hired to do a study of the project and are estimating 181 construction jobs will be created with an average compensation of \$49,000 and roughly 203 new employees once developed with an annual compensation of \$52,000 will be created. It obviously will not reach the 1,500 employee level, but the hope is there will be spin-off jobs created in the area as well. If the Borough decides to raise the millages, all tax rate increases will be received 100% and will not go towards the TIF. Procedurally, Attorney Mills pointed out the Clarion County IDA adopted a Resolution on December 21<sup>st</sup> to serve as the conduit with the developer for the TIF. Clarion County IDA has been working with the developer to come up with what's called the TIF Plan. Tonight, the Borough is not being asked to vote on this at all but to appoint a member of Borough Council to the TIF Committee. Attorney Mills reported Ted Tharan, Clarion County Commissioner, was appointed by the Clarion County today as well as Tod Bauer, Clarion School District Board Member, was appointed by the Clarion Area School District. Once a member is appointed, everyone (the developer, IDA, and representatives of the entities) will get together to formalize the TIF plan. Once everybody's in agreement, Attorney Mills commented the developer will ask each respective taxing body to participate. After that's complete, the Borough will hold a public hearing regarding the TIF Plan. The Borough then designates the 28+ acres as what's called blighted in accordance with the TIF Act itself. Once the TIF District is officially designated and TIF Plan is effectuated by the Borough, the IDA will issue these TIF bonds or notes, which those proceeds are then used to finance the public infrastructure improvements. Essentially more information will be given later on as everyone gets into the TIF Plan but for now, the Borough is being asked to designate a member to the committee.

President Lapinto stated she will be the member and will bring Secretary Hall with her as well. President Lapinto asked if Council will have to pass an ordinance?

Attorney Mills commented no. Once the TIF Plan is devised, Attorney Mills will work with the Borough Solicitor in preparing a resolution for the Clarion Borough to adopt the Plan in order to participate.

President Lapinto reported Dan Parker, Dr. Sanders Dédé, and she are members of the Blueprint Committee. This handout will be taken to a future meeting.

Mr. Parker announced the Blueprint Community Initiative feels it's a very positive project and would like to work closely with the Miles Brothers and the Borough in any way helpful.

#### ADMINISTRATION

On a motion by Mr. Zerfoss with a second by Mr. Aaron, approving the appropriations for the month of February, carried with a vote of five yea.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to give permission for Todd Colosimo to drawdown CDBG Funds to reimburse the Borough for: 1) his wages for the period of January 17, 2015, to December 19, 2015, in the amount of \$4,113.77 and 2) postage in the amount of \$50.35 for mailing ERR copies to DCED. The motion carried with a vote of five yea.

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

President Lapinto reported Ordinance #2016-813, amending the General Employees' Pension Plan, needs adopted and asked Secretary Hall to explain.

Secretary Hall stated Council gave permission to advertise this ordinance for adoption tonight. The ordinance will allow Council to reduce the pension rate from 5% to 2.5% by resolution. If it needs raised or changed in the future, Council can change it by resolution.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to give permission to adopt Ordinance #2016-813, an ordinance to amend the General Employees' Defined Benefit Pension Plan by resolution of Council to state the reduced rate of participant contributions and the period of such reduced rate shall apply. The motion was carried with a vote of five yea.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, adopting Resolution #2016-389, a resolution to reduce general employees' contributions for 2016 from 5% to 2.5% of compensation from January 1 to December 31, 2016, was carried with a vote of five yea.

President Lapinto asked Secretary Hall to discuss the special event request from the Advisory Board for Leadership & Engagement.

Secretary Hall believes this is the third year for this event. This request is for the road to be closed as in the past from Main Street on Sixth Avenue. The race starts on the other side of Sixth Avenue and runs is an approved race route through the Borough. All the paperwork has been received, and there are no problems with it.

On a motion by Dr. Sanders Dédé with a second by Mr. Zerfoss, approving Advisory Board for Leadership & Engagement's special event request for Come Together Clarion Community Event to be held April 23, 2016, and 5K Race, was carried with a vote of five yea.

President Lapinto asked Secretary Hall to discuss the First Baptist Church's request for a road closure, which is a new request.

Secretary Hall commented the Church wants to close Seventh Avenue from Main Street to Madison Road, the same location as they do for Vacation Bible School, to hold a Disaster Relief Training. A truck of some type will be set up to have classes. Secretary Hall stated this shouldn't be a problem.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve First Baptist Church's special event request for closure of 7<sup>th</sup> Avenue from 649 Main Street North to Madison Road for Disaster Relief Training. The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Zerfoss, appointing Eads Group as Borough Engineer for 2016 and fee schedule, was carried with a vote of five yea.

President Lapinto announced the agenda was amended, because Council received a letter from Chuck Bartley resigning from Borough Council due to his work schedule. Mr. Bartley stated he enjoyed working with everybody during the years and appreciates all the hard work each one of the Borough employees have done and will continue to do. President Lapinto asked for a motion to accept the resignation.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts to accept Chuck Bartley's resignation from Clarion Borough Council, effective February 2, 2016. The motion carried with a vote of four yea with Mr. Zerfoss voting nay.

President Lapinto asked Secretary Hall to outline the necessary steps.

Secretary Hall provided Councilmembers with the procedure that Council must follow as set by the Borough Code, which will be given to the newspaper as well. Council has to fill this position within thirty (30) days. The next Council Meeting is March 1<sup>st</sup>, which meets that requirement. Secretary Hall asked the following be put in the newspaper: 'Clarion Borough Council will be accepting resumes and letters of intent for the vacancy of the Councilmember. These letters and resumes should be submitted no later than February 22, 2016, by 11 a.m. at the Borough Offices. Appointment will be for a period of less than two years, to include the remainder of 2016 and 2017. This person, or any other registered voter of Clarion Borough, would then be eligible to run in the May 2017 primary and the November 2017 general election for a 2-year term to complete the 4-year term of the Councilmember that resigned.'

In order to serve on Council, President Lapinto added you have to be registered voter and live in the Borough for one (1) year.

Mr. Zerfoss asked if a motion to advertise is necessary?

Secretary Hall stated no.

If a vote was required, Mr. Zerfoss stated he would have voted no again to remain consistent.

Secretary Hall commented this will be put on the website and other areas.

#### BLUEPRINT COMMITTEE

Dr. Sanders Dédé reported the Blueprint Committee is now on Wednesday afternoon at 4:30 p.m. General public is welcome to attend the meetings. The Committee is continuing to go out and meet with community organizations, which there have been 5 different meetings so far. Dr. Sanders Dédé commented the Committee received a grant and is looking for more money. At the last meeting, a young man from Clarion High School wants to partner with the Blueprint Community to correspond with the grant that was received for signage.

#### PUBLIC WORKS

Mr. Zerfoss asked Secretary Hall to handle the bank results.

Secretary Hall reported the Borough solicited the banks in town to finance the front-end loader that will be purchased. S & T Bank provided the lowest interest rate at 2.30% with a \$100 documentation fee. This would be for a 36-month period. Council is asked to ratify acceptance.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to ratify acceptance of S & T Bank to finance the Front-End Loader at the rate of 2.30%. The motion carried with a vote of five yea.

Mr. Zerfoss stated next Council needs to give permission to advertise for a part-time Public Works employee at a rate of \$12.50 per hour. In the advertising process, the Borough has to get the word out that students can apply for summer help. In the winter, he/she will not be able to work because of being in school; however, some of the best part-time summer helpers were from students that returned 2-3 years. Mr. Zerfoss reported he/she can mow grass and help with pothole patching as they have in the past. It worked really well.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to give permission to advertise for part-time Public Works Employees at the rate of \$12.50 per hour.

President Lapinto questioned how many the Borough is looking for?

Secretary Hall stated two.

Mr. Zerfoss feels it is a part-time position and should be similar to the part-time police officers where there are a number of individuals that the Borough calls down through the line to find someone to work.

The motion carried with a vote of five yea.

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

President Lapinto asked Mr. Preston if he had anything?

Mr. Preston informed everyone the Department actually started patching potholes yesterday.

#### CONSTRUCTION REPORT

Mr. Colosimo had nothing to report.

#### PUBLIC SAFETY

Mr. Aaron asked Chief Hall to discuss the financing of the police car.

Chief Hall reported the results were identical to the front-end loader. Again, S & T Bank offered to finance for 36-months the Ford Explorer and equipment at a rate of 2.30% and \$100 documentation fee. Again, this just needs ratified by Council.

On a motion by Mr. Aaron with a second by Mr. Zerfoss, ratifying acceptance of S & T Bank to finance the 2016 Ford Explorer and equipment at the rate of 2.30%, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Zerfoss to give permission for the Solicitor to advertise Ordinance #2016-814, amending Chapter 205 titled "Vehicle and Traffic" to add no parking areas.

Chief Hall stated three streets will be added to the no parking anytime due to some issues the Public Works Department has been having while plowing in those areas.

Ms. Roberts asked if this will be all the time?

Chief Hall verified that is correct.

Ms. Roberts inquired if this will create a hardship for a property owner that can park there now leaving them with no choice but to park far away and walk to his/her residence?

Chief Hall commented it shouldn't. For instance, adding Penn Avenue is due to the fact the Department has real issues in the wintertime, because it is parked solid and the trucks with the plow cannot get through. It's also creates a fire safety issue. The rest of the streets in the area are already no parking on both sides. This particular area was not.

Mr. Zerfoss stated the Public Works Committee discussed it, and it's a hardship for maintenance in the winter with plowing and in the summer for fixing potholes.

The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Ms. Roberts, giving permission to advertise for a part-time Meter Enforcement Officer at the hourly rate of \$9.23, was carried with a vote of five yea.

#### LIBRARY REPORT

In the absence of Mr. Noto, President Lapinto asked Mr. Dan Parker if he had anything to report, which he did not.

#### HOUSING AND ZONING

Dr. Sanders Dédé commented the Housing and Zoning Report is in the packet for everyone's review.

On a motion by Dr. Sanders Dédé with a second by Mr. Aaron, accepting the resignation of Gary Purinton as an alternate from the Zoning Hearing Board, was carried with a vote of five yea.

#### PARKS AND RECREATION

Ms. Roberts had nothing to report.

#### SECRETARY'S REPORT

Secretary Hall had nothing to report.

#### MAYOR'S REPORT

Mayor Walters had nothing to report.

#### OLD BUSINESS

Dr. Sanders Dédé pointed out everyone should look at the pictures on the walls that came from the primary school students in a drawing contest in reference to Martin Luther King Day's theme "King Legacy and Justice for All". The 2<sup>nd</sup> and 3<sup>rd</sup> place winners are in the room. This year there was excellent participation by the community to honor the legacy of Martin Luther King's birthday, or rather on the holiday that everyone celebrates his birthday.

Mr. Parker added these students are from all over Clarion County School Districts.

#### NEW BUSINESS

President Lapinto announced the new Committees as follows: Housing and Zoning: Brenda Sanders Dédé, Chair, Rachel Roberts, Member, Scott Sharrar; Blueprint Committee: Brenda Sanders Dédé; Public Safety: Ben Aaron, Chair, vacancy until a new Councilmember is appointed, and Dave Walters, Mayor; Recreation: Rachel Roberts, Chair, Ben Aaron, Member, Todd Colosimo; Public Works: Earl Zerfoss, Chair, Jason Noto, member, and Doug Preston; and a new committee as it starts to proceed is Storm Water Authority: Jason Noto, Chair, and Earl Zerfoss, Member. No changes were made to Administration: Jason Noto and Brenda Sanders Dédé and she.

CITIZEN COMMENTS: Non-Agenda Items

There were none.

CORRESPONDENCE

There was none.

On a motion by Mr. Aaron with a second by Mr. Zerfoss, the meeting was adjourned at 7:42 p.m.

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Mark E. Hall, Borough Secretary