

January 4, 2016, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on January 4, 2016, in the Clarion Borough Offices. President Lapinto called the meeting to order at 7:00 p.m. Everyone recited the Pledge of Allegiance. Councilmembers present were Mr. Zerfoss, Mr. Aaron, Mr. Noto, Mr. Bartley, and President Lapinto. Ms. Roberts and Dr. Sanders Dédé 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 in 3 different areas as follows: remove Glasswork Business Park Presentation from Citizen Comments: Non-Agenda Items because they are unable to attend and to add under Administration after the Appointment of Bernie Vavrek to a 6-Year Term on Civil Service Commission to Expire at the End of 2021 the appointment of Mike Kalinowski to a 3-Year Term on the Police Pension Committee to Expire at the End of 2018 and the appointment of Mike Kalinowski to a 3-Year Term on the General Employees' Pension Committee to Expire at the End of 2018. Mr. Zerfoss seconded the motion. The motion carried unanimously.

On a motion by Mr. Aaron with a second by Mr. Noto to approve the November 17, 2015, Council Meeting, minutes. The motion carried with a vote of four yea with Mr. Zerfoss abstaining as he was absent.

On a motion by Mr. Aaron with a second by Mr. Noto, approving the December 1, 2015, Council Meeting, minutes, were carried with a vote of four yea with Mr. Zerfoss abstaining as he was absent.

Mayor Walters presented a Proclamation proclaiming January 5, 2016, as the Clarion Area Girls' Volleyball Day and encouraged everyone to join in celebration and support of the Clarion Area Girls' Volleyball Team accomplishments. The Clarion Volleyball Team and coaches were present to accept the proclamation.

CITIZEN COMMENTS: Agenda Items

There were none.

HOUSING AND ZONING

On a motion by Mr. Zerfoss with a second by Mr. Noto to approve the conditional use request from Hudson Assets Advisors LP for a senior development along South Fifth Avenue. The motion carried after the following roll call vote: Mr. Zerfoss, yes; Mr. Aaron, yes; Mr. Noto, yes; Mr. Bartley, no; and President Lapinto, yes.

ADMINISTRATION

On a motion by Mr. Zerfoss with a second by Mr. Aaron, approving the appropriations for the month of January, 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 informational purposes.

On a motion by Mr. Noto with a second by Mr. Zerfoss, approving the Council Meeting and Second Council Meeting Dates for 2016 as the first and third Tuesday of each month at the Clarion Free Library unless otherwise noted, was carried with a vote of five yea.

Mr. Noto made a motion to appoint David Sentner to a 3-year term on the Zoning Hearing Board to expire at the end of 2018.

Backing up to the motion on the Council Meetings, Mr. Aaron noted the paper included in the packet indicates the second meeting of the month will be at 5 p.m. and Council changed that to 7 p.m. the last time they reorganized.

Mr. Noto asked if that will need changed as a motion from 5 to 7 p.m.?

Solicitor Marshall agreed the time would need amended.

President Lapinto asked for a second on Mr. Sentner's re-appointment and then Council can correct the time.

Mr. Aaron seconded the motion. The motion carried with a vote of five yea.

On a motion by Mr. Noto with a second by Mr. Aaron to approve the time of the both Council Meetings for 2016 at 7 p.m. The motion carried with a vote of five yea.

On a motion by Mr. Noto with a second by Mr. Aaron, appointing Bernie Vavrek to a 6-year term on the Civil Service Commission to expire at the end of 2021, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Noto to appoint Mike Kalinowski to a 3-year term on the Police Pension Committee to expire at the end of 2018. The motion carried unanimously.

On a motion by Mr. Aaron with a second by Mr. Noto, appointing Mike Kalinowski to a 3-year term on the General Employees' Pension Committee to expire at the end of 2018, was carried with a vote of five yea.

President Lapinto stated Council has the results of the 2016 Tax Anticipation Note in the amount of \$300,000 and the resolution for same.

Secretary Hall reported 5 banks submitted proposals and recommends Council accept the lowest from S & T Bank at 1.310% with a \$100 documentation fee.

On a motion by Mr. Noto with a second by Mr. Aaron to accept the proposal from S & T Bank for the 2016 Tax Anticipation Note in the Amount of \$300,000 with an interest rate of 1.310% and the \$100 documentation fee. The motion carried with a vote of five yea.

On a motion by Mr. Noto with a second by Mr. Aaron, approving Resolution #2016-387 in reference to the 2016 Tax Anticipation Note in the amount of \$300,000 as stated above, was carried with a vote of five yea.

President Lapinto reported Council needs to give permission to increase the line of credit from \$100,000 to \$125,000 for Capital Projects.

Secretary Hall stated last year Council approved \$100,000 line of credit for Capital Projects. Solicitor Marshall researched this and, under the LGUDA Act, the Borough can go up to \$125,000. Not knowing what will happen this year, Secretary Hall would like to increase it at this time.

Mr. Noto asked if the Borough is up to \$92,000 so far.

Secretary Hall commented it was \$92,000; however, the Borough had to approve a change order for the last part of the Center Place project which amounted to \$12,000 so it will be up to \$104,000. This means there will be about \$21,000 for any collapses in 2016.

Mr. Noto doesn't feel that will be enough.

Secretary Hall noted not from what the Borough spent during 2015.

On a motion by Mr. Noto with a second by Mr. Zerfoss to give permission to increase the line of credit from \$100,000 to \$125,000 for Capital Projects. The motion carried unanimously.

President Lapinto commented permission is necessary to hire special counsel to proceed to form a Storm Water Authority and file the appropriate legal documents and noted that is Salzman/Hughes PC.

After several presentations, Secretary Hall stated this is the next step to proceed with that project.

On a motion by Mr. Noto with a second by Mr. Aaron to give permission to hire special counsel, Salzman/Hughes PC, to proceed to form a Storm Water Authority and file appropriate legal documents.

Mr. Noto supports this idea but asked how much this work will cost.

Secretary Hall stated the maximum amount would be \$15,000, but the attorney thinks he can do it for \$10,500. The engineering fee will depend on the data from the County and can fluctuate from \$45-80,000.

Mr. Noto verified the Borough's just doing the legal steps to begin the process and then get the paperwork filed.

Secretary Hall confirmed that's correct.

The motion carried with a vote of five yea.

President Lapinto asked Secretary Hall to discuss the amended Minimum Municipal Obligations.

Secretary Hall stated Colleen Deer, Vice President of Mockenhaupt Benefits Group, contacted him right before Christmas and stated the Borough could reduce the minimum municipal obligation for the general employees' and police pension plans because the stock market was better than anticipated. By doing this, the Borough will save about \$50,000. With the general employees' plan, Council has to adopt an ordinance that states the contribution rate can be set by resolution. Right now, the rate is set by ordinance. Once the ordinance is adopted, then Council will adopt a resolution reducing the employees' contribution rate from 5% to 2.5%. For the police plan, Council will just have to adopt a resolution reducing the rate because that ordinance already indicates the rate can be set by resolution.

Mr. Noto asked if the Borough will check the plans each year to make sure that the rate is where it should be?

Secretary Hall commented yes. This rate of 2.5% for each plan should be good for 2 years because the valuation reports are done on a 2-year period.

If the Borough keeps the rate at 5%, President Lapinto indicated it would actually cost the Borough money.

Secretary Hall stated yes. The State will see the Borough's plans are overfunded and won't give the Borough money.

On a motion by Mr. Noto with a second by Mr. Aaron, adopting the revised Minimum Municipal Obligation for the General Employees' Defined Benefit Pension Plan in the amount of \$40,578 retroactive to January 1, 2016, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Noto, giving permission for the Solicitor to advertise 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, was carried with a vote of five yea.

On a motion by Mr. Bartley with a second by Mr. Noto to adopt the revised Minimum Municipal Obligation for the Police Pension Plan in the amount of \$41,178 retroactive to January 1, 2016. The motion carried with a vote of five yea.

On a motion by Mr. Bartley with a second by Mr. Noto to adopt Resolution #2016-388, a resolution to reduce police participants' contributions for 2016 from 5% to 2.5% of compensation from January 1 to December 31, 2016.

Mr. Zerfoss pointed out Mockenhaupt Benefits Group will be surprised he's voting on what they are recommending at this time. Normally, Mr. Zerfoss tells them their wrong, wrong, wrong and he's right, right, right, but agrees with this opinion.

The motion carried with a vote of five yea.

On a motion by Mr. Noto with a second by Mr. Zerfoss to appoint Susquehanna Accounting Consulting as Borough's financial consultant for 2016 at a rate of \$180. The motion carried with a vote of five yea.

#### DOWNTOWN COMMITTEE

There were none.

#### PUBLIC WORKS

On request by Mr. Zerfoss, Mr. Noto reported the 2016 Budget included a new front-end loader.

On a motion by Mr. Noto with a second by Mr. Zerfoss, giving permission to seek bids to finance the front end-loader and accept the lowest responsible bidder, was carried with a vote of five yea.

Mr. Noto stated the Borough will purchase the front-end loader from the CoStars Program and asked Secretary Hall for more information.

Secretary Hall informed Council it is a Case Model 521F Tier 4, which will be purchased from Groff Tractor and Equipment from Cranberry Township, Butler County, from the CoStars Program. The cost is \$86,960.47.

President Lapinto asked Mr. Preston if this is what he wants.

Mr. Preston commented yes, it's about the same size as what the Department has now.

President Lapinto asked if the Borough's still getting a trade-in?

Secretary Hall agreed and stated the Borough is getting \$19,000 for the old one.

On a motion by Mr. Noto with a second by Mr. Zerfoss to give permission to purchase a front-end loader Case Model 521F Tier 4 through the CoStars Program from Groff Tractor and Equipment in the amount of \$86,960.47 . The motion carried with a vote of five yea.

#### CONSTRUCTION REPORT

Mr. Colosimo reported the Center Place and South Street storm sewer repair project is substantially complete as of December 16<sup>th</sup>. Restoration work will be on hold until spring of this year. Mr. Colosimo commented the deadline to complete the entire process is April 15<sup>th</sup>. The excavation and pavement is the big item that needs done.

President Lapinto noticed the agenda indicated an amount would be available for Council to approve for payment and asked what that is.

Secretary Hall stated \$36,733.05.

Mr. Colosimo noted Terra Works did not include the amount for restoration. That will be paid after everything's completed.

On a motion by Mr. Noto with a second by Mr. Aaron, approving the payment of Terra Works, Inc., Pay Request Number 1 in the amount of \$36,733.05 for work completed to date for the 2015-4 Center Place Storm Sewer Repair Project, contingent upon the Borough receiving executed certificate of substantial completion and certified payrolls for all work completed to date, was carried with a vote of five yea.

#### PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. Bartley to give permission to hire Karla Callen Deal as part-time meter enforcement officer at the hourly rate of \$9.23. The motion carried unanimously.

On a motion by Mr. Aaron with a second by Mr. Bartley, giving permission to hire Justin Miller as a part-time police officer at the hourly rate of \$15.00, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Bartley to give permission to hire Evan Maxwell as a part-time police officer at the hourly rate of \$15.00.

Mr. Bartley noted Bret Maxwell, a former Borough police officer, was Mr. Maxwell's father.

The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Bartley to give permission to seek bids to finance the purchase of the 2016 police vehicle and equipment and to accept the lowest responsible bidder.

Chief Hall explained requests will be sent to all the banks to see what financing rates the banks can provide. The lowest one will be accepted.

Mr. Noto asked if there are any leftover vehicles from last year?

Chief Hall stated no. All last year models were gone by October.

The motion was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Bartley to give permission to purchase the 2016 Ford Explorer and the equipment through the CoStars Program in the amount of \$34,859.

Chief Hall explained the vehicle will be purchased from Milham Ford and the equipment will come from Ibis Tek, both from the CoStars Program, for a total cost of \$34,859. The budgeted figure was \$35,000.

The motion carried unanimously.

On a motion by Mr. Aaron with a second by Mr. Bartley, approving a change to Section 3.5 of the Civil Service Commission Rules and Regulations regarding requirements by adding 'or graduate equivalency diploma (GED), was carried with a vote of five yea.

#### LIBRARY REPORT

Mr. Noto thanked the Clarion Chapter of Daughters of American Republic for the \$500 Giving Tree Leaf donation. Just a reminder, January 18<sup>th</sup> will be MLK Day On. There will be programs for children, teens, and adults. Dr. Steven Johnson will be there to discuss the roots of jazz. A lot of different activities are going on at the library throughout the winter, including the Documentary Film Club and the Book Club Reading of 80 Days.

#### PARKS AND RECREATION

Mr. Noto had nothing to report.

#### MAYOR'S REPORT

Mayor Walters received nothing but positive comments from residents for Council making Second Avenue a no-parking area. Buses are now able to get through without problems.

Mayor Walters stated he's heard nothing but great comments on the free parking for the season.

Mayor Walters commended the Public Works Department for the lights throughout Downtown.

#### SECRETARY'S REPORT

Secretary Hall stated the Borough applied for a grant from PennDOT to replace the crosswalk signals in early 2015, which was received. In December, the new countdown heads were

installed. People will notice instead of a double unit it's now just one. All were replaced from Second Avenue to Ninth Avenue. This is good news.

#### OLD BUSINESS

Mr. Noto asked the newspaper to remind everyone the Snow Removal Ordinance is in effect, and people need to be careful to park on certain sides of the street on certain days.

Mr. Sharrar added residents should shovel his/her sidewalk.

#### NEW BUSINESS

President Lapinto stated she has not make Committee changes yet and will probably wait a month or so before doing anything.

#### CITIZEN COMMENTS: Non-Agenda Items

There were none.

Mr. Zerfoss stated he's starting his last 4-year term to end with 30 to 40 years. The Borough as changed so many things during his years on Council. Mr. Zerfoss presented his paperwork to Ms. LaVan at the office today so she could administer him his Oath of Office. Having hired Ms. LaVan, Mr. Zerfoss saw this was fitting that she should give him his last oath and informed Mayor Walters no offense was intended. This just shows he's been here a long time.

#### CORRESPONDENCE

There was none.

On a motion by Mr. Bartley with a second by Mr. Zerfoss, the meeting was adjourned at 7:40 p.m.

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Mark E. Hall, Borough Secretary