

July 10, 2018, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on July 10, 2018, in 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, Ms. Logue, and President Lapinto. Mr. Zerfoss and Mr. Noto were absent. Chief Peck, Mayor Parker, Solicitor Marshall, Mr. Colosimo, and Ms. LaVan-Preston were also present. Mr. Sharrar and Mr. Preston arrived at 7:06 p.m.

Before starting, President Lapinto asked for a moment of silence for Chief Peck's Mother who passed away last month. Thoughts and prayers are with him and his family.

President Lapinto then congratulated Doug Preston, Public Works Foreman, and Linda LaVan who got married two weeks ago, and wished them well.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to amend the agenda to include the following two motions: under Public Works to add to authorize the EADS Group, Inc., to complete the design and a cost estimate for the 7<sup>th</sup> Avenue and Wood Street Storm Water Repair Project and, under Housing and Zoning to add to give permission for Pennsylvania American Water to close Wood Street from South Second Avenue to South Fifth Avenue and the south side of the sidewalk to complete a water main replacement project for a period of up to 6 weeks (as required by Ordinance, anything beyond 14 days must be approved by Council). The motion carried with a vote of five yea.

On a motion by Ms. Roberts with a second by Mr. Aaron, approving the June 5, 2018, Public Hearing minutes, were approved with a vote of four yea with President Lapinto abstaining as she was absent.

On a motion by Dr. Sanders Dédé with a second by Mr. Aaron to approve the minutes of the June 5, 2018, Council Meeting. The motion carried with a vote of four yea with President Lapinto abstaining as she was absent.

CITIZEN COMMENTS: Agenda Items Only

President Lapinto reminded everyone a policy was adopted in 2011 in regards to addressing Council. Residents will be asked to stand, state his/her name, and will be given 3 minutes, which will be timed by Mr. Aaron when 30 seconds remain.

Ms. Stephanie Kalinowski, 107 Bond Drive, stated Council is making a very important decision this evening, and the decision should be made after gathering all vital information. Ms. Kalinowski hopes Councilmembers will review the document she passed out before proceeding any further and appreciates the opportunity to present the information. A copy of the document is attached to the Official File Copy of these minutes.

Mr. Sharrar and Mr. Preston arrived at 7:06 p.m.

Since this is new, President Lapinto asked if anyone on Council has any questions?

Ms. Roberts guessed the Miles' Brothers have seen this letter, which was addressed to them, from the Pennsylvania Department of Environmental Protection stating they did not obtain a permit when they encroached on wetlands?

Mr. Tharan Miles reported they have been working with the EADS Group and DEP after receiving the letter. After a walk-through with DEP to evaluate its environmental conditions, it was decided it was a wet season and will be re-evaluated in the future. But, at this time, all concerns have been addressed. Miles Brothers comply with the environmental agencies and was happy to address their concerns.

On behalf of Miles Brothers, Mr. Ryan Miles noted the area is extremely wet not just due to rain but also from the rain water discharge from man-made developments from the Troese Addition and University Manor Housing Development as well as all the other properties that the elevation is higher than their property. The Miles Brothers are working with everyone to solve these issues. One way is by putting in a detention basin for water collection.

Mr. Kris Cosby, Liberty Street, commented he has lived in Clarion for over 25 years. While that might be a very long time for some, it's been the majority of his life of which he witnessed the slow but steady decline of the economy. Mr. Cosby thinks what the Miles Brothers are doing here is the best bet for Clarion's future and offered his support for their efforts. Mr. Cosby understands they wish to get the land rezoned to commercial use and encouraged Council to do it and bring these jobs to Clarion to save the town.

Mr. Rick McKee, 1307 Robinwood Drive, stated he's lived there 7½ years ago and purchased it because it was residential. Never did he expect that there would be a chance of commercial industry moving in creating pollution or smoke from burning like there has been. Mr. McKee asked what are the health hazards going to be, what will the property values go to, and are the environmental issues with the little stream that runs through there being taken care of. Those are his biggest concerns. Council should take all these things into consideration.

Mr. T. Miles reported the stream is not on their property. It becomes a creek as it crosses Grand Avenue. Regardless, the Miles Brothers have been in contact with all environmental departments that were necessary. The layout area will not be disturbing any of the low lying area. Again, this property has collected water in the past off of the developments, making it a natural wetland. As to the burning complaints, as soon as they received word of the odor and problems, the burning ceased and the remaining was chipped.

Mr. McKee stated that burning lasted an entire week and his son took video of it.

Mr. T. Miles commented unfortunately it couldn't just be extinguished and did smolder for a while.

Mr. McKee stressed his biggest concern is his house and property value.

Mr. Rich Herman, 104 Still Drive, started by thanking President Lapinto, the Miles', and residents yesterday for trying to get together and at least look at what plans the Miles had so he/she would have some idea of what was happening. Then again today at 5 p.m., the Miles' met the people at the University Manor, which they did and it was certainly appreciated. Mr. Herman stated this isn't an issue about jobs or no jobs. The GlassWorks is already in the development. This is about land that is sitting in the back that borders two housing developments where he/she is hoping to peacefully co-exist. The residents want the jobs to come and want to work with the Miles Brothers so that everyone can live peacefully and enjoy the fruits of labor with their homes and the development both being okay. Mr. Herman pointed out the proof will come down the road whether the Miles' are in fact are good neighbors as they stated they wanted to be or not. Only time will tell. Most of the residents in University Manor feel somewhat strongly that after looking at Ms. Kalinowski's driveway today you can see all the way down to some of the equipment that is lying by the old clubhouse. The trees there will shed their leaves, meaning residents will see a lot more clearly then. On the Bond and Robinwood Drives sides, Mr. Herman feels it would be a nice gesture for the Miles to consider putting up a tree barrier. The soil is pretty acidic so pines will grow well there and very big, which would provide a good sound and sight barrier. Mr. Herman encourages them to do that to show that their intentions are good/

Ms. Arlene Troese informed everyone her husband built the Troese Addition. It was meant for families. There are young families starting all over again. It's a safe place even for handicapped people. More and more people are coming in and raising their children. Ms. Troese is unsure how good this company will be and inquired if it will decrease property values. The residents in the Troese Addition pay high taxes and deserve to have the best not the worst. If you want to do better, Ms. Troese ended by saying you have to do better.

Ms. Emily Weiser reported she is a certified Pennsylvania evaluator and worked with tax assessment for a little bit over 5 years. And I just want to basically address the crowd and let you know that nothing is going to hurt the house, the value of your home more than increased unemployment, Section 8, and that is what we are getting here. Because there are no jobs and that's what these boys are trying to do.

Mr. Herman thinks the point people are making is that the two developments shoulder the burden whenever there is a tax increase. As the jobs go down, the residents end up shouldering more of the burden. The residents of the developments are not anti-job but want to make sure their developments are protected.

Ms. Weiser understands that.

Before tonight and again tonight, Mr. Dave Sentner, 103 Bond Drive, voiced observation that the Miles' Brothers want to do a very good thing, and the residents want to trust them. Two instances today, items came up, the burning and the encroachment, where the Miles' Brothers responded or reacted when something they did was brought up or addressed. Mr. Sentner pointed out that is one of the reasons the residents of the University Manor Development have concerns is the trust issue exhibited. Mr. Sentner stated he likes Mr. Herman's idea about building a buffer zone. If the Miles' say they are going to do it, the residents want to trust that they are going to do it.

Ms. Kathy Mitrosky, 105 Bond Drive, asked the Miles' if they are willing to put the tree barrier up?

Mr. T. Miles reported they are in construction and work in peoples' backyards and rights-of-way all the time. Everyone has a preference for what he/she likes in their backyard. If the residents purchase the tree of their choice, Mr. T. Miles commented they are willing to plant the trees 1' off the property line. That is the good neighborly gesture. The Miles' do not want to plant a pine tree where someone may be allergic to it. That opens them up to a lawsuit, more complaints, and more issues. Mr. T. Miles agreed to meet with residents and will provide his cell phone number to anyone that would want it.

Mr. Mitrosky stated the view in their backyard is not as pretty as it used to be. Like Mr. Herman mentioned, pine trees will grow well there and would be great if the Miles would be willing to do it.

Mr. T. Miles again repeated they would be more than happy to plant it with residents' permission and it will need addressed on a per house basis. The Miles' will cover all the labor to get it done.

#### ADMINISTRATION

On a motion by Mr. Aaron with a second by Ms. Logue, to ratify the payments mailed July 3, 2018, approving the appropriations for the month of July. The motion carried with a vote of five yea.

President Lapinto commented 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 Todd Colosimo to drawdown CDBG Funds for the following: to reimburse the General Fund for Todd Colosimo's CDBG wages from October 23, 2017, to June 29, 2018, in the amount of \$2,822.82 and to reimburse the General Fund for 2018 CDBG conference reimbursements in the amount of \$579.41, was carried with a vote of five yea.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts to approve Linda LaVan-Preston to attend the Pennsylvania Association of Municipal Administrators' Conference August 12-15,

2018, at the Desmond Hotel in Malvern, Pennsylvania at an estimated cost of \$1,034.36 (hotel fee, \$446.22; conference registration, \$300; mileage, approximately \$288.14). The motion carried with a vote of five yea.

On a motion by Dr. Sanders Dédé with a second by Mr. Aaron, approving the Clarion Area Chamber of Business & Industry's special event request for the 65<sup>th</sup> Autumn Leaf Festival to be held September 29 through October 7, 2018, was carried with a vote of five yea.

On a motion by Ms. Roberts with a second by Ms. Logue to approve Clarion Area Bobcats' special event request for their ceremonial bonfire to be held on August 23, 2018.

Dr. Sanders Dédé stated the fire department must be present during the event and build it.

The motion carried with a vote of five yea.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé, approving Cub Scout Pack 51/Troop 51's special event request to close South Jefferson Place between Clarion County's Park and S & T Bank on August 19, 2018, from 2-5 p.m., was carried with a vote of five yea.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts to approve Ross A. McGinnis VFW Post 2145's special event request for Patriots Day Services on September 11, 2018, in the Clarion Memorial Park. The motion carried with a vote of five yea.

President Lapinto commented next is a resolution about the Hazard Mitigation Plan and asked Secretary LaVan-Preston for more.

Secretary LaVan-Preston reported the Borough has to approve a Hazard Mitigation Plan. If the Borough doesn't adopt the County Plan, then the Borough has to write its own policy. Secretary LaVan-Preston commented the Borough has approved the County's Plan for several years now. Approval of the resolution is necessary by August.

On a motion by Mr. Aaron with a second by Ms. Logue to approve Resolution #2018-420, adopting the Clarion County 2018 Hazard Mitigation Plan. The motion carried with a vote of five yea.

President Lapinto reported Dr. Sanders Dédé and she met with Zelenkofske Axelrod for the Exit Audit Report. Everything was in order, and there were no findings. Zelenkofske Axelrod commended Secretary LaVan-Preston for all the work she does.

Dr. Sanders Dédé echoed the same comments and stated the Borough is doing a good job managing the tax dollars for the residents.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts, to appoint Zelenkofske Axelrod LLC, as auditor for year 2018, 2019, and 2020 in the amounts of \$10,144, \$10,346, and \$10,554, respectively.

President Lapinto pointed out this is about a 2% increase each year.

The motion carried with a vote of five yea.

#### BLUEPRINT COMMITTEE

Dr. Sanders Dédé reported the Blueprint Committee will be at 5 p.m. tomorrow at the Borough Office. The Committee received a Capacity Building Grant, which will provide training on the Blueprint activities and projects.

#### PUBLIC WORKS

Mr. Aaron, in the absence of Chairman Zerfoss and Member Noto, stated the Public Works Report is in the packet for everyone's review.

Mr. Aaron pointed out a sheet is included on Clean-Up Day costs and is good to note the cost is half as much as last year's costs. Each year, it seems to be a steady decline.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé, authorizing the EADS Group, Inc., to complete the design and a cost estimate for the 7<sup>th</sup> Avenue and Wood Street Storm Water Repair Project, was carried with a vote of five yea.

#### STORM WATER AUTHORITY

President Lapinto asked Mr. Tom DiStefano, a member of the Storm Water Authority Board, for comments.

Mr. DiStefano announced a Public Information Meeting of the Storm Water Authority Board will be held next Tuesday (July 17, 2018) at 7 p.m. at the Main Street Center. Presentations will be made on the problems that the storm water system has, the kind of work that needs done, and initial discussion on the proposed storm water fee. Bruce Hulshizer, the engineer from HRG, Jason Noto, the chairman of the Board, and President Lapinto will be Master of Ceremonies. Mr. DiStefano reported it is open to the public and all are invited.

President Lapinto encouraged all to attend. The Borough has a major problem with no money to repair the system. Instead of raising the real estate taxes, it's a fair way to charge a fee to all entities; all the non-profits, tax exempt such as the University, the school district, the County, and churches. It is moving forward, it is just taking a long time to get everything in order.

Mr. Kris Cosby, Liberty Street resident, stated it's the best possible solution.

Mr. Aaron announced a joint meeting is scheduled with the Storm Water Authority Board for July 23, 2018, at 6 p.m. at the Clarion Free Library to discuss the lease and management agreements.

#### PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Ms. Roberts to accept the resignation from Andrew Monger as the part-time meter enforcement officer, effective July 13, 2018. The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé, giving permission to advertise for a part-time meter enforcement officer up to 29 hours per week at the rate of \$9.25 per hour, was carried with a vote of five yea.

#### LIBRARY REPORT

Mayor Parker, in the absence of Mr. Noto, voiced pleasure with the summer reading program. This program is to encourage children reading throughout the summer. Ms. Jean Smith prepared for 30 children and today 47 showed up. One mother relayed she couldn't find parking on Main Street, so this program is beneficial in bringing people to Main Street.

Mayor Parker announced on August 2<sup>nd</sup> the Library will hold the guest bartender event at Clarion River Brewing Company, which is another event that packs the parking along Main Street. A lot of people attended last year and some guest bartenders are actually in the audience tonight. Mayor Parker encouraged everyone to attend and to keep his/her eye on the Friends of the Library Facebook page for more details.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to authorize the EADS Group, Inc., to complete engineering, design, and an updated cost estimate for the Library Storm Water Project.

Mayor Parker thanked Council for addressing this issue that has been occurring the 7 years he has been librarian. Just in the 7 years along, the water has been coming into the building because of storm water issues. The Library is grateful for Council for making this a priority and for helping to mitigate that problem.

The motion was carried with a vote of five yea.

#### HOUSING AND ZONING

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé to call to bring back to the table action on the Miles' re-zoning request. The motion carried with a vote of five yea.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé, taking action on the Miles' re-zoning request from R-1 to C-1, was carried with a vote of five yea.

Ms. Roberts stated next is to give permission for the Solicitor to advertise an ordinance to amend the Zoning Ordinance and map.

Solicitor Marshall asked to go back to the prior motion that was made to take action on the Miles' re-zoning request and asked if Ms. Roberts meant to approve it?

Ms. Roberts stated yes.

Solicitor Marshall asked the record reflect that the motion was to approve it not just take action. Also, Solicitor Marshall asked if the remaining Councilmembers understood that was the case or if a revote was necessary? In other words, would anyone want to change his/her vote from approving the request? Since no one wished to change his/her vote, Solicitor Marshall commented the request passed.

Ms. Roberts stated her motion for the Solicitor to advertise an ordinance to amend the Zoning Ordinance and map still stands. Dr. Sanders Dédé seconded the motion. The motion carried with a vote of five yea.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé, giving permission for Solicitor to advertise Ordinance #2018-825, to repeal Chapter 190, Subdivision and Land Development, and Chapter 38, Planning Commission, Section 38-4(b)(3) and (5) of the Clarion Borough Code of Ordinances; and to adopt Clarion County's Subdivision and Land Development Ordinance, was carried with a vote of five yea.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé to give permission for Pennsylvania American Water to close Wood Street from South Second Avenue to South Fifth Avenue and the south side of the sidewalk to complete a water main replacement project for a period of up to 6 weeks (as required by Ordinance, anything beyond 14 days must be approved by Council). The motion carried with a vote of five yea.

#### RECREATION

Ms. Roberts thanked Eagle Contracting, Inc., for donating \$200 for Paul A. Weaver Community Park. Years ago, Eagle Contracting donated a piece of pipe for use at the Park. It was no longer being used, and someone asked to purchase it. Eagle Contracting still wanted the Borough to receive the revenue for the pipe for use towards the Park.

Ms. Roberts stated the pool has been hopping and commended the Public Works Department on the terrific job on painting the Borough pool. It is absolutely beautiful. The weather is warm and it's great. Ms. Roberts encouraged everyone to go check it out.

#### MAYOR'S REPORT

Mayor Parker had nothing to report.

#### OLD BUSINESS

There was none.

#### NEW BUSINESS

President Lapinto reported happily that Mr. Colosimo has managed to complete the Borough's environmental review for the Main Street Project. The Committee will be meeting this month to discuss the purchase of 28 new trash cans and new benches. The amount of this grant this year is \$51,000. President Lapinto state the trees are going to be an issue as some merchants do not want trees. Some kind of overall project needs developed to indicate how the Main Street project will end up. The next round will allot \$70,000.

Mr. Colosimo added there is an underlying problem with the electrical system and that needs looked into as well before replacing trees.

President Lapinto mentioned the trash cans that will be replaced that are in fairly good shape will be moved to other parts of town.

#### CITIZEN COMMENTS: Non-Agenda Items

There was none.

#### CORRESPONDENCE

Secretary LaVan-Preston read a note from Sunset Hills Medical Team thanking Council for support on their proposed development in the future.

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

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Linda LaVan-Preston, Borough Secretary