

July 2, 2019, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on July 2, 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, Mr. Noto, Ms. Logue, and President Lapinto. Chief Peck, Mr. Preston, Mr. Colosimo, Mayor Parker, Mr. Sharrar, Solicitor Marshall, and Ms. LaVan-Preston were also present. Mr. William Miller, Storm Water Authority Boardmember, was also present.

On a motion by Ms. Roberts with a second by Mr. Aaron, amending the agenda to move Citizen Comments: Agenda Items Only to be given before the Executive Session, was carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Dr. Sanders Dédé, approving the minutes of the June 4, 2019, Council Meeting, was carried with a vote of seven yea.

CITIZEN COMMENTS: Agenda Items Only

Ms. Katie Taggart, Stoney Lonesome Road, Clarion, on behalf of Clarion Farmers' Market, stated one of their great Market customer's, Dr. Nick Bezak, passed away almost 2 years ago. His family gave the Market some money and would like them to purchase a memorial bench in his honor. Ms. Taggart stated the Market would like to request placement of that bench in front of the S & T Bank across from and diagonal to the Courthouse. The bench will be purchased from Clarion Monuments, who will also place it. Ms. Taggart attended today to ask permission from Council to place the bench in this area. The idea is to place the bench in an area of the Farmer's Market so that people can sit and see the area.

Mr. Noto asked exactly where the bench will be placed or whose property it will be on?

In discussion with Ms. Roberts prior to the meeting, Mr. Taggart understands if the bench were placed on the Courthouse side the Commissioners would need to be asked for permission. However, if the bench was across the street at the bank, Ms. Taggart asked if that would be the Borough's property?

Dr. Sanders Dédé inquired if it will be between the street and sidewalk?

Ms. Taggart agreed it would be placed where the benches are now along Main Street. It will be made of gray granite. It is not determined at this point whether it will be a regular park-style bench or a bench with a back.

Dr. Sanders Dédé inquired if Public Works would have a problem with it?

Mr. Preston reported there wouldn't be a problem for the Department. The Borough will remove all the Borough-owned benches. If that bench remains all year, people may throw snow on it. The bank would be the one responsible for shoveling and mowing that area.

Mr. Colosimo commented the area between the street and sidewalk is within the Borough's right-of-way.

Mr. Aaron asked if this will be a permanent fixture?

Ms. Taggart agreed.

If there are no other questions and no one feels it needs discussed in Committee, President Lapinto asked for a motion?

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts to give permission for the Clarion County Farmers' Market to place a memorial bench in the Borough's right-of-way along Main Street in front of S & T Bank. The motion carried with a vote of seven yeas.

President Lapinto called for an Executive Session for personnel, including Councilmembers, the Mayor, Solicitor, Secretary LaVan-Preston, Mr. Colosimo, Storm Water Boardmember Miller, beginning at 7:06 p.m.

President Lapinto called the meeting back to order at 7:26 p.m.

Solicitor Marshall asked the record reflect after the Executive Session there will be official action taken regarding the items discussed at the appropriate time in the meeting on agenda.

ADMINISTRATION

On a motion by Dr. Sanders Dédé with a second by Ms. Logue to approve the appropriations for the month of July. The motion carried with a vote of seven yeas.

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

President Lapinto announced there will be a second Council Meeting on July 16, 2019, at 7 p.m. at the Clarion Free Library.

President Lapinto commented next is Resolution #2019-431, Right-to-Know, and asked Mr. Colosimo for more.

Mr. Colosimo reported this resolution is by Council encouraging the legislature to make a few changes to the current right-to-know law in terms of defining harassment of municipal government.

On a motion by Dr. Sanders Dédé with a second by Mr. Aaron, approving Resolution #2019-431, Right-to-Know, was carried with a vote of seven yea.

President Lapinto reported next is Resolution #2019-432, Debt Refinancing Process, and asked Secretary LaVan-Preston for additional information.

Secretary LaVan-Preston stated in 2018, Sam Lynch, the Borough's financial advisor, presented to Council a resolution that listed different projects that could be paid for and then recouped later in the year through debt refinancing. The Borough didn't get a chance to go forward last year, and it was decided to remove a couple of the projects that were listed such as, the bucket truck, the lawn mower, and the police car and related accessories as they were paid for and/or have a separate loan of itself. Secretary LaVan-Preston commented this resolution includes a couple new items; mainly emergency storm water projects since the cost of those are unknown. The Storm Water Authority Board is not generating money yet, so the Borough will have to pay for these in the interim. After review by Solicitor Marshall, everything is in order.

On a motion by Mr. Aaron with a second by Ms. Roberts, approving Resolution #2019-432, Debt Refinancing Process, was carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve Clarion Area Sports Boosters' special event request for ceremonial bonfire on August 22, 2019, from 7:30-9:30 p.m.

Dr. Sanders Dédé commented, as usual, that the fire department must be present and prepare the pile to burn.

Mr. Preston stated the Department already knows about the event and will be present.

The motion carried with a vote of seven yea.

President Lapinto stated Immaculate Conception Church submitted a new request to close streets for their parish picnic and asked Chief Peck if there are any problems?

Chief Peck stated no.

On a motion by Mr. Aaron with a second by Ms. Logue to approve Immaculate Conception Church's special event request for road closures for their Parish Picnic to be held August 18, 2019. The motion carried with a vote of seven yea.

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé, approving the Next Step's special event request for a walk-a-thon to be held on October 12, 2019, from 9-11 a.m., was carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve Clarion Area Chamber of Business & Industry's special event request for Autumn Leaf Festival to be held September 28 through October 6, 2019. The motion was carried with a vote of seven yea.

On a motion by Mr. Zerfoss with a second by Ms. Roberts, approving Linda LaVan-Preston to attend the Pennsylvania Association of Municipal Administrators' Conference August 11-14, 2019, at the Pittsburgh Marriott North, Cranberry Twp., Pennsylvania at an estimated cost of \$841.82 (hotel fee, \$432.75; conference registration, \$310; and mileage, approximately \$99.07), was carried with a vote of seven yea.

President Lapinto asked Mr. Colosimo for comments on the next item.

Mr. Colosimo commented this is a follow-up to an application made last year with the Multi-Modal Program through Pennsylvania Department of Community and Economic Development. This year the County is submitting the application instead of the Borough. Street improvements will be focused on Grand Avenue instead of the four surrounding streets tried last year. This letter is to the County approving the MTF Grant.

On a motion by Mr. Aaron with a second by Ms. Roberts, approving to send a letter to the County approving the MTF Grant, was carried with a vote of seven yea.

President Lapinto thinks the next item on the Main Street trash receptacles will be tabled until the July 16th meeting.

Mr. Colosimo recommends doing that. Bids were opened yesterday and are still under review.

On a motion by Mr. Aaron with a second by Ms. Roberts to table action on the Clarion Borough #2019-3 Main Street trash receptacles. The motion carried with a vote of seven yea.

On a motion by Mr. Noto with a second by Mr. Aaron to give permission to obtain design, specifications, and cost estimate for replacement of the library boiler and related system components.

Mr. Noto reported this was preliminarily done in 2017 to get an idea of the cost, which has probably gone up since then. Council wants to see exactly what is needed now.

President Lapinto added this is one of the projects that was put off, and the Borough cannot do that any longer.

Mr. Noto agreed and stated one of these days the boiler will go out, which will cause trouble.

Mr. Sharrar informed everyone there will be a fee assessed for the boiler system through the Department of Labor and Industry. A permit will be necessary.

The motion was carried with a vote of seven yea.

On a motion by Mr. Noto with a second by Mr. Aaron to give permission to obtain design, specifications, and cost estimate for the replacement of six man doors at the fire department building.

Ms. Elisabeth Fulmer asked what man doors are?

Mr. Noto commented they are the individual person doors as opposed to the big garage doors. It is similar to the door in the back of the room.

Ms. Roberts inquired if these have been replaced previously?

President Lapinto and Mr. Noto commented no.

Mr. Preston stated this has been on the agenda for a number of years but were not done. It is getting to the point it is a safety issue as it is hard to get in and out of the doors.

The motion carried with a vote of seven yea.

BLUEPRINT COMMITTEE

Dr. Sanders Dédé reported the regular meeting is July 10th at the Seifert-Mooney Building on the Clarion University Campus. The Committee has been moving forward to get some things in place before more money can be obtained. The strategic plan is being reviewed. Earlier tonight, the bench that was requested for placement by the representative from the Farmer's Market fits right into the Blueprint Community. It supports the community and looks good. This is open to the community as well.

Dr. Sanders Dédé announced on July 22nd the Federal Home Loan Bank out of Pittsburgh will be coming to Clarion from 1:30 to 4 p.m. to do some ribbon cutting for the new housing project and upgrades in the community. A new grant was signed today for \$22,000 for capacity building, which will provide training not only for members but the community as well. There are new opportunities to apply for more money for the Clarion community to work on changing the looks and continuing to do things as a group. Dr. Sanders Dédé invited everyone to attend the July 22nd activities, which will start on Main Street with a tour. Then Representative Glenn Thompson will be here to present a check and the ribbon cutting.

President Lapinto commented it begins at the Clarion River Brewery.

Dr. Sanders Dédé reminded everyone the Brewery is there, because of the Blueprint Community enabling them to receive money to help them renovate the building and fix it up. The new housing project along 5th Avenue is also a Blueprint Community Project.

PUBLIC WORKS

Mr. Zerfoss stated the charge for Clean-Up Day services this year was received. Mr. Zerfoss shared interesting information, which Secretary LaVan-Preston provided to him earlier on the cost of Clean-Up Day services from 2012 and up. In years 2012, 2013, and 2014, Clarion

Borough actually went from house-to-house and the costs are as follows: 2012, \$3,737; 2013, \$4,461; and 2014, \$4,844. In 2015, the Borough changed the way clean-up day was handled by having residents bring his/her items to the Public Works Department. Those costs are: 2015, \$1,969; 2016, \$2,010; 2017, \$2,323; 2018, \$1,317; and, 2019, \$1,566. Mr. Zerfoss pointed out the difference in savings is considerable and well worth the change in the service.

Mr. Zerfoss asked Mr. Preston for any comments?

Mr. Preston announced the Department is going to start to paint the crosswalk now that the weather is nice enough. Also, since the paving has been completed, Wood Street and Fourth Avenue were remarked.

Mr. Noto verified with Mr. Preston that when he states the weather is nice enough to be able to paint crosswalks means it has to stay warm enough to do so and asked the temperature.

Mr. Preston agreed and stated it cannot go below 60 degrees at night.

STORM WATER AUTHORITY

On a motion by Mr. Noto with a second by Mr. Aaron to hire Jessica Schwabenbauer at a rate of \$14.50 per hour for 35 hours a week pursuant to the offer letter that Secretary LaVan-Preston will draw up with the specifics. The motion carried with a vote of seven yea.

Mr. Noto commented now that an employee has been hired the software for the accounting and storm water management billing program can be purchased. This software was written by RA Services specifically for this Authority Board to use.

On a motion by Mr. Noto with a second by Mr. Aaron, giving permission to purchase software for accounting and storm water management billing from RA Services in the amount of \$3,500 and \$1,150 annual charges, was carried with a vote of seven yea.

On a motion by Mr. Noto with a second by Mr. Zerfoss, approving HRG's invoice for #135174 in the amount of \$46,744.90 for GIS Development Services (through PennVEST drawdown process), was carried with a vote of seven yea.

On a motion by Mr. Noto with a second by Mr. Zerfoss to approve The EADS Group Invoice #225565 in the amount of \$13,225 for Center Place Storm Sewer Project. The motion carried with a vote of seven yea.

On a motion by Mr. Noto with a second by Mr. Zerfoss to approve Bison Construction's fifth pay request in the amount of \$50,636.90 for work on Center Place Project.

Mr. Noto asked Mr. Colosimo if all the items on the punch list were completed?

Mr. Colosimo stated no, but that will be paid from the retainage.

Mr. Noto inquired if that's enough to cover everything Bison Construction needed to do?

Mr. Colosimo stated yes. A little over \$80,000 remains to cover the work that is necessary. Also, the performance bond on that project covers this as well.

Mr. Noto just wanted to make sure the Borough doesn't pay the entire amount until it is completed.

The motion carried with a vote of seven yea.

On a motion by Mr. Noto with a second by Mr. Zerfoss to approve or ratify award of 2019-4 Second Avenue Storm Sewer Repair Project at the next Council Meeting. The motion carried with a vote of seven yea.

On a motion by Mr. Noto with a second by Mr. Zerfoss to authorize the EADS Group to design the Emerson Way Storm Sewer Project and complete a cost estimate.

Ms. Roberts questioned if Emerson Way is a phase already addressed in the storm water projected plan?

Mr. Noto stated no and explained it is another emergency situation.

The motion carried with a vote of seven yea.

PUBLIC SAFETY

Following the resignation of Chris Fox, Mr. Aaron asked if the next step is to contact the Civil Service Commission or if action will be coming in the future?

Last week in The Derrick, Mr. Zerfoss noticed the Senate approved radar for the boroughs, but it still has to go to the House. The House is the one that has been killing it every year. In the past, Mr. Zerfoss has reached out to Representative Donna Oberlander; however, she has been a negative vote. Mr. Zerfoss once again reached out to Representative Oberlander's office to encourage her to vote in favor of the boroughs to be able to use radar. Clarion Borough should be entitled the same as what the State Police are. The comment in the past is that the House thought boroughs would use it as a money-making tactic. Mr. Zerfoss asked what the State Police do when they use it along I-80 and stressed pressure needs to be put on the House to pass this bill to allow boroughs to use it as well.

Before addressing radar, Mr. Aaron backed up to the police officer discussion and asked what needs done at this time?

Chief Peck commented the Committee will be ready to move forward in August.

Mr. Aaron agrees a letter can be sent to Representative Oberlander's office from Clarion Borough to encourage her support for this important bill. The biggest argument in the past has

been that it would be a money-making tactic. However, the bill that the Senate has in place now has a cap on the amount of revenue that a municipality can generate using radar. Mr. Aaron sees using radar as more of a means to be able to tell the speed versus enforcing the speed limit by putting up a stop sign at every intersection. The whole goal is to slow motorists down that are driving within Clarion Borough. Also, by using radar, it would save the police officers time in court. People are less likely to fight a ticket when radar is used as it is more accurate.

Dr. Sanders Dédé added stop signs do not always work. The other day while sitting on her porch Dr. Sanders Dédé noticed two motorists drive right through the stop sign on Fourth Avenue and Pine Street.

President Lapinto asked if the letter will come from the Public Safety Committee?

Mr. Aaron agreed and informed Mr. Zerfoss could sign it as well.

Mr. Zerfoss stated he doesn't need to do that, Public Safety can sign it. On another note, Mr. Zerfoss isn't sure if the Governor's budget included the proposed fee per person for townships and borough residents that do not have a paid police force. That fee was for state police. Mr. Zerfoss feels Council needs to support this as well. Clarion Borough has a paid department and it isn't fair that the neighboring communities do not and have coverage without a fee. It's unfair.

Mr. Aaron has been following that as well and will continue to look into it closer.

Mr. Noto inquired why a municipality wouldn't dissolve their paid police force and just let the state police cover their municipality as well.

Mr. Aaron stated Borough residents aren't going to wait 45 minutes for someone to respond.

Mr. Noto agrees the Borough will not do that but just wonders what would prevent a municipality from doing that and not worrying about the costs with a paid department.

President Lapinto reported some communities are doing that. If she understands it correctly, the fee would be like a per capital charge. President Lapinto doesn't know where it stands right now either and asked Chief Peck if he does?

Chief Peck isn't sure either.

Mr. Aaron stated a big deal was made last year about it but then it disappeared. Then it came up again. As long as the same governor is in office, it will continue to be brought up.

LIBRARY REPORT

When the design specifications are being prepared for the library boiler, Mr. Noto asked that he be included. Mayor Parker and he have discussed specific things related to the boiler over the year, and the goal is to make sure the system works for the building.

Mr. Noto announced the Library Board hired Ian Snyder as the new future director of the Clarion Free Library. Mr. Snyder's first day will be August 5, 2019.

Mayor Parker informed everyone Mr. Snyder grew up in Levitts, Pennsylvania in the Lancaster area, is a 2-time graduate of Clarion University with an undergraduate and graduate degree, and is currently working at the Pottsville Public Library.

Mr. Noto added he brings a tremendous amount of energy and enthusiasm to the position. Mr. Snyder will be a good addition as director but will have tough shoes to fill.

HOUSING AND ZONING

On a motion by Ms. Roberts with a second by Dr. Sanders Dédé, giving permission to advertise for recycling services for a 5-year contract, was carried with a vote of seven yea.

RECREATION

Ms. Roberts thanked Dan Clark and his family for the donation of a basketball hoop to be used for activities at the pool. This week it is being painted.

SECRETARY'S REPORT

Secretary LaVan-Preston announced the 2018 audit was issued at the end of last week. An Exit Audit Meeting will be held with the Administration Committee next week. There were no findings.

MAYOR'S REPORT

Mayor Parker advised Council he will be resigning the Office of Mayor of the Borough of Clarion Monday, July 8, 2019, at 8 a.m. It's a cliché to say that it has been an honor and a privilege to serve, but Mayor Parker really has felt honored by the people of Clarion who trusted him to serve in the Office of the Mayor and has been a privilege every day to interact with the community and to be of service to everyone.

On a motion by Dr. Sanders Dédé with a second by Mr. Noto, reluctantly accepting the resignation of Mayor Parker, with affirmations, was carried with a vote of seven yea.

OLD BUSINESS

There was none.

NEW BUSINESS

On a motion by Mr. Noto with a second by Mr. Aaron, appointing Bill Miller to fill the vacancy of Mayor until December 31, 2019, was carried with a vote of seven yea.

President Lapinto informed Mr. Miller that he will have to be sworn in after Mayor Parker's official resignation. Arrangements will be made with District Justice Quinn's Office. President Lapinto thanked Mr. Miller for stepping up and agreeing to do this for the Borough. This process is very different, because it is an election year. Mayor Parker's letter will go to Cindy Callihan at the County Elections Office. Ms. Callihan will contact both the Democrats and the Republicans as they will caucus and submit a name to go on the ballot.

Mr. Noto understands it will not be Bill Miller's name, which is another reason Council picked someone neutral. Mr. Miller has served the community a long time, and this is another opportunity for him to fulfill.

CITIZEN COMMENTS: Non-Agenda Items

Ms. Elisabeth Fulmer, 21 South Seventh Avenue, thought of the perfect thing to say on the way home last month in reference to the sewer/water people asking residents if he/she wanted a tree. It's all in how you ask the question. It shouldn't be 'do you want a tree', but 'which tree do you want'. Ms. Fulmer stated it's all in how you ask a question. Clarion will have an ALF with no autumn leaves. Ms. Fulmer really thinks Council needs to do something about a Shade Tree Commission.

CORRESPONDENCE

There was none.

On a motion by Mr. Aaron with a second by Ms. Roberts, the meeting was adjourned at 8:00 p.m.

Linda LaVan-Preston, Borough Secretary