

July 5, 2017, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on July 5, 2017, 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. Noto, Mr. MacBeth, and President Lapinto. Mr. Aaron was absent. Mr. Colosimo, Chief Peck IV, Mr. Preston, Mayor Parker, Solicitor Marshall, Mr. Sharrar, and Ms. LaVan were also present.

Before beginning, President Lapinto congratulated Mr. MacBeth on his marriage to his lovely bride, Sarah, and also to Mr. Zerfoss for being named an honorary fireman.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth, approving the June 6, 2017, Council Meeting, minutes, was carried with a vote of six yeas.

CITIZEN COMMENTS: Agenda Items Only

Despite this being the time for Citizen Comments: Agenda Items Only, President Lapinto received a call late this afternoon from Mr. James Crooks and asked for his comments to be given now rather than waiting until the end. There is a 5-minute time limit.

Mr. James Crooks, 321 Wood Street, thanked Council for all he/she does for the Main Street Central Business District, as it is one of the gateways to Cook Forest. A customer from out-of-town asked him recently what is with all the dead trees on Main Street. Every day, people driving through the Borough get used to seeing the same thing and block out the ugly things. Mr. Crooks passed out pictures, which are attached to the Official File Copy of these minutes. The last time some trees were replaced Mr. Crooks raised the money. However, a couple of them didn't make it. It's just really ugly. Also, Mr. Crooks commented Paul A. Weaver's clock hasn't worked for a long, long time.

President Lapinto informed everyone the problem with the clock is the water underground. Clancy Weaver had it fixed, and it just will not continue to work. It might be a good idea to see if it could be converted to solar.

Mr. Crooks pointed out Fallers' have just spent a fortune of their own money to repair their building and he has spent a lot of money on their Downtown and personal property to make them look good. Mr. Crooks voiced concern on buildings along Main Street, like the old Haskell Building. Unfortunately only 2 or 3 business owners in the Central Business are interested in creating a strong Merchant Organization. It's very tough. Mr. Crooks commented replacing trees is not a lot of money and the Borough has a great Maintenance Department that could plant the trees. It's not about the money; it's about Council having a commitment to getting things done. Mr. Crooks pointed out Brookville was given great reviews in the Pittsburgh Post-Gazette and all Clarion gets in for is the University issue.

President Lapinto doesn't see what's so great about Brookville but added that's her opinion.

Mr. Crooks stressed Clarion Borough needs leadership and positive reinforcement. One other thing is that several bars along Main Street don't clean up their properties. Thousands of cigarette butts are all over the sidewalk and bar frontage. Mr. Crooks, who cleans his property every day, voiced irritation and stated it's disgusting. The smell walking by these areas is horrible. There should be an ordinance to handle this problem. Mr. Crooks doesn't have a problem with having a beer and some fun, but if bars are on Main Street, the smoking issue must be controlled. A container could be placed outside the establishment to handle that problem. Mr. Crooks stated his business really depends on the people from out-of-town to come in from Cook Forest and the Gateway area more than ever. Retail is being hit from all sides, and it cannot be stopped. Mr. Crooks feels everybody needs to join together and circle the wagons around the Borough and do what can be done to make it the best place possible.

President Lapinto thinks whatever Council does with the trees the same kind planted while Greg Mashank was here should not be used. It just doesn't seem to work in this location.

Mr. Crooks pointed out the Penn State Forest people should be able to assist the Borough with the type of tree that would thrive in the business district. Other areas like Toronto and Montreal have real winters too, but their trees and flowers are just gorgeous. Punxsutawney is breathtaking as well. Clarion Borough needs leadership and a commitment.

President Lapinto reported the CDBG grant has been changed from using the money at the park to being used in the Downtown area. Until the Borough finds out what type of tree is recommended, trees should not be replaced. It's just good sense.

Mr. Crooks offered to serve on any kind of committee to help with this situation.

Mr. Sharrar commented letters will be sent out to the bars asking them to clean up the sidewalks.

President Lapinto asked Mr. Sharrar to visit each establishment.

As far as the Paul A. Weaver clock, Mr. Zerfoss guaranteed Paul that clock would continue to be maintained and stated the Borough will take care of it somehow.

President Lapinto verified from Mr. Preston the problem is the water.

Mr. Preston agreed the water at the base interferes with the electric.

Mr. Ron Wilshire, writer for exploreClarion, suggested the University has one almost identical to that one by the dining hall.

President Lapinto noticed that but doesn't think it was work either. Ms. Weaver had someone from Clearfield fix it before.

When it comes to leadership, Ms. Elizabeth Fulmer asked what is happening with the Blueprint Committee and asked if they were supposed to be leading and developing the Downtown?

Dr. Sanders Dédé commented the Committee have submitted several projects and are working on the strategic plan, which is posted on the website. If Ms. Fulmer has any questions or would like to add something to it, Dr. Sanders Dédé encouraged her to send the information in.

Ms. Fulmer doesn't see much follow through.

Dr. Sanders Dédé understands but commented the Committee needs money to be able to complete the projects.

Mayor Parker, Chairman of the Blueprint Committee, added the Committee is in the recertification part of the program currently. The first part was to get the plan developed. Once it's recertified, funding will be given to the Committee to help complete the action items.

Ms. Fulmer suggested taking down the Autumn Leaf Capital signs, because with all the trees being cut down, there aren't any more autumn leaves.

Due to the heavy rains in the past month or so, Mr. Kris Cosby, 315 Liberty Street, commented there are some really major problems with the storm water drainage. All of Liberty Street floods. Water goes into the property owners' yards and basements. Mr. Cosby questioned who's responsible for this problem? It's a serious issue.

President Lapinto stated it's the Borough.

Now that Council's aware of it, Mr. Cosby asked how long it will take to rectify this problem.

Mr. Noto agreed it floods in that vicinity where Mr. Cosby lives.

Mr. Cosby added the whole street fills up and water goes over to the other side. Most of the time, the drain handles it. It just seems as though water goes into residents' basements if it rains over an inch.

Mr. Noto reported the Borough is trying to develop a Storm Water Authority. What the Borough has is an aging non-capacity system to be able to handle the amount of storm water. There is less green area, which created more run off. Their system is not sufficient to handle the flow of water. This is exactly why the Borough is working on the Storm Water Authority. Hopefully, when Borough residents here of the fee, his/her thought isn't that the Borough is trying to find another way to hit his/her wallet. That's not the answer. The Borough is creating revenue to be

able to replace an aging system. There are a couple of spots that the Borough is aware of already; Center Place, Liberty Street, and University Manor. It's a global problem.

Mr. Cosby asked the timeframe on that? Mr. Cosby isn't trying to make an issue but is just wants to know what to expect. This isn't only his problem but for all residents along Liberty in that area.

Mr. Noto stated this Authority would be instituting a fee on everyone, including the University, schools, and churches, which is based on the amount of area where he/she have water running off and into the Borough's system. This money will be used to start replacing the lines.

President Lapinto stressed the bottom line is money.

Mr. Noto agreed. Just to replace one piece of pipe on Center Place from South Street to Boundary Street is estimated to cost about \$300,000.

President Lapinto asked if the drains along Liberty Street could be clogged?

Mr. Cosby thinks there may be a pipe that is filled with cement.

Mr. Preston doesn't know how it would be filled with cement unless someone else did it. The Department will check it.

Mr. Cosby commented he didn't come to get anybody in trouble but wants to learn about what is going on and see if something is in the works to be done.

Mr. Noto relayed it's not in the short-term but long-term.

Mr. Wilshire asked if CDBG money could be used for this type of thing?

President Lapinto commented Liberty Street doesn't qualify. Students do not count in an income survey.

Mr. Colosimo reported income surveys are necessary to qualify a district and only homeowners' income can be use not students'.

President Lapinto pointed out that's why the Borough scrambles to figure out where to use the CDBG funds. The Paul A. Weaver Community Park qualifies, but so does the Main Street District because it benefits everybody.

On Frampton Street between East Eighth Avenue and Greenville Avenue where there is a curve, Ms. Janice Horn, 32 Barber Street, reported there is a large area that is quite deep and asked if it would be repaired.

President Lapinto asked if this is a pothole?

Ms. Horn stated yes.

Mr. Preston commented the Department will try to patch that the next time they have material. Part of that goes onto Brian Acey's property. The Department has fixed it before, but it keeps washing out.

Ms. Fulmer asked if that's what the problem is with the holes at Seventh Avenue and Wood Street.

Mr. Preston stated yes around the drains. That's the reason the cones are there until they can be patched.

#### ADMINISTRATION

On a motion by Mr. Zerfoss with a second by Mr. MacBeth to approve the appropriations for the month of July. The motion carried with a vote of six yea.

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

President Lapinto reported the United Way of Clarion County submitted their special event request for their 5K/10K race and asked Chief Peck for comments?

Chief Peck stated the United Way submitted three routes. However, after much discussion, Chief Peck suggests to go back to the original route on Wood Street.

Dr. Sanders Dédé inquired if this is the one they wanted to do on Main Street.

Chief Peck agreed.

Mr. Noto verified they didn't want to go with a different date and time as suggested by Council?

If they are going to do that, Chief Peck reported that will have to wait until next year.

On a motion by Mr. MacBeth with a second by Dr. Sanders Dédé to approve the United Way of Clarion County's special event request for 5K/10K race to be held on September 30, 2017. The motion carried with a vote of six yea.

On a motion by Mr. Zerfoss with a second by Mr. Noto, approving the Clarion Chamber of Business & Industry's special event request for Autumn Leaf Festival to be held September 30 through October 8, 2017, was carried with a vote of six yea.

President Lapinto stated Council needs to approve Resolution #2017-402, approving a modification to the Borough's FFY 2015 Community Development Block Grant Program and asked Mr. Colosimo for more.

By approving this resolution, Mr. Colosimo reported this will remove the park improvement project and switch it to the Main Street Project, which will include benches, trash cans, and trees.

President Lapinto added the new wireless P.A. system.

On a motion by Mr. Noto with a second by Ms. Roberts to approve Resolution #2017-402, approving a modification to the Borough's FFY 2015 Community Development Block Grant (CDBG) Program and authorizing Clarion County to file the modification with the Pennsylvania Department of Community and Economic Development (DCED). The motion carried with a vote of six yea.

President Lapinto asked Dr. Sanders Dédé to handle the next item.

When the paperwork was sent into the State for the LGUDA on the purchase of the new Public Works truck, Dr. Sanders Dédé commented it was discovered that the line of credit is not appropriate for the Borough to have open. Therefore, the Borough needs to close this as soon as possible.

On a motion by Dr. Sanders Dédé with a second by Mr. Noto to approve to close the line of credit at S & T Bank as soon as possible. The motion carried with a vote of six yea.

President Lapinto asked Solicitor Marshall to discuss the next item in reference to inter-municipal transfer of a liquor license by Sheetz.

Solicitor Marshall reported Sheetz has requested the Borough to consider this matter. The initial step is to advertise and hold a public hearing to hear testimony, gather comments, and ask questions on whether the transfer into the Borough should occur. After the public hearing, Council will most likely take action at the Council Meeting, which will follow, on whether or not to allow the inter-municipal transfer of a liquor license. Solicitor Marshall reminded everyone this is similar to what Clarion River Brewery did a year or so ago.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth, giving permission for Solicitor Marshall to advertise public hearing in re to inter-municipal transfer of a liquor license by Sheetz to be held prior to August 1, 2017, Council Meeting, was carried with a vote of six yea.

On a motion by Mr. Noto with a second by Ms. Roberts to give permission for Linda LaVan to attend the 58<sup>th</sup> Annual Pennsylvania Association of Municipal Administrators' Conference to be held August 16-19, 2017, at Kalahari Resort, Pocono Manor (registration fee \$300; hotel registration \$519.93, and mileage reimbursement \$250). The motion carried with a vote of six yea.

### BLUEPRINT COMMITTEE

Mayor Parker reiterated a consultant of the PA Downtown Center contacted the Committee to complete an evaluation of work progress to date to determine if the Committee is recertifiable. A meeting will be held next Wednesday.

Dr. Sanders Dédé asked Mayor Parker to discuss the support letters the Committee has been asked to submit on behalf of a number of projects.

Being part of a Blueprint Community, Mayor Parker announced if the organization gains approval of his/her project, their project will be given points throughout the grant process. The Committee provided support letters for the proposed senior housing project on Fifth Avenue and for the Clarion County Housing Authority for the rehabilitations of previous student-occupied rentals to convert them into single-family homes.

### PUBLIC WORKS

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

Mr. Zerfoss commented the cost for Clean-Up Day was \$2,323.27 this year and included one more dumpster than the past year.

President Lapinto added businesses were included this year as well.

Mr. Zerfoss announced the paving bids were opened at 10:15 a.m., and everyone received a copy of the results. A total of four bids were received.

Mr. Noto commented a representative from Shields Paving actually attended the bid opening and are a new paving operation in the area. The bid was prepared with two options; the second one included a road leading into University Manor. Fortunately, the bid came in at a price to be able to do all the streets.

On a motion by Mr. Zerfoss with a second by Mr. Noto, accepting the apparent low bid of Glenn O. Hawbaker, Inc. for Option 2 for the 2017 Paving Project in the amount of \$49,689.53, contingent upon review and approval of all required paperwork and bid bonds, was carried with a vote of six yea.

### STORM WATER AUTHORITY

Mr. Noto had nothing to report at this time.

### PUBLIC SAFETY

On a motion by Mr. MacBeth with a second by Dr. Sanders Dédé to adopt Ordinance #2017-823, amending Chapter 205 of Clarion Borough's Code of Ordinances titled "Vehicles and Traffic" amending Article III, Section 205.22, Parking Prohibited at All Times, Scheduled XV (§205.77) in reference to West Wood Street.

Chief Peck stated this is being done on a request of one of the residents to give them more adequate parking.

The motion carried with a vote of six yea.

Mr. MacBeth commented permission to approve a Memorandum of Understanding between the Clarion Police Department and Riverview Intermediate Unit is next and asked the Chief to explain.

Chief Peck reported Riverview Intermediate Unit has a classroom in Immaculate Conception Church School and a working agreement with the Police Department is necessary. After reading it, there are no issues with it. Chief Peck recommends Council approve it.

Mr. Noto asked if this is similar service to what the Department provides at Clarion Area School District? It is just being extended to Immaculate Conception School.

Chief Peck confirmed that's correct.

On a motion by Mr. MacBeth with a second by Mr. Noto, approving the Memorandum of Understanding between the Clarion Borough Police Department and Riverview Intermediate Unit, was carried with a vote of six yea.

On a motion by Mr. MacBeth with a second by Mr. Noto to approve the agreement between the Borough of Brookville and the Borough of Clarion providing law enforcement aid to each other.

Chief Peck stated this would be in the case of a large scale incident, like a natural disaster or emergency situations that would require a large police presence, the Departments could assist each other.

The motion carried with a vote of six yea.

#### LIBRARY REPORT

Mr. Noto announced the Borough did look at some of the drainage problems at the Library. Some of the roof drains need repaired. EADS is going to make some recommendations on how to address some issues. Mr. Noto cautioned this unfortunately requires funding as well. The front steps of the library are shifting. An estimate to repair those was \$7,300. If some of these projects don't start being completed, they are going to continue to get worse and worse.

Mr. Noto pointed out the following funds received or raised recently: tax millage from the Borough, which the Library is grateful for; the annual appeals raised \$18,000, which is wonderful; Clarion Wine Walk raised \$300; and guest bartender at CRBC raised \$2,800.

Mr. Noto commented Council is going to have to think about maintaining the Library building and the structure of it as far as redoing the bathrooms and replacing the furnaces, which have been

repaired numerous times and it's just a matter of time. Things start to need repaired before it's too far gone.

#### HOUSING AND ZONING

Dr. Sanders Dédé commented the Housing and Zoning Report is in the packet for everyone's review. The Committee continues to work on the following two locations: the old gas station at 2<sup>nd</sup> and Main and the house located in Clarion Township on Eastwood Drive by Borough-owned properties. The conditions are not good and hopefully things will improve.

Mr. Sharrar added the Borough has been receiving a lot of calls and complaints in reference to the grass along Main Street in front of the new dorms. Just so everyone knows, this is an ornamental grass that was put in to help with the erosion of the bank. It is not supposed to be trimmed. The University Foundation doesn't like the looks of the grass either and is trying to come up with different ideas of a ground cover to help erosion from happening. However, Mr. Sharrar stated the ordinance allows ornamental grass, so unfortunately nothing can be done at this point.

#### PARKS AND RECREATION

Ms. Roberts announced the pool has been very busy. The pool manager and YMCA director have been doing a phenomenal job advertising new ideas to bring new participants into the facility. Ms. Roberts commented the water was at perfect temperature on July 4<sup>th</sup>, and it was very busy.

#### SECRETARY'S REPORT

Secretary LaVan informed everyone the Administration Committee attended two exit audit meetings this week; one for the Highway Aid 2014 through 2016 and the other the 2016 audit. There were no audit findings. Everything was in order and reported to be in good shape.

Mr. Noto doesn't think that's necessarily a fair assessment to say there were no findings. The findings were they didn't have anything negative to say but stated Ms. LaVan had all the records prepared, was very efficient and easy to work with.

President Lapinto agreed and thanked Ms. LaVan.

#### MAYOR'S REPORT

Mayor Parker had nothing to report.

#### OLD BUSINESS

There was none.

#### NEW BUSINESS

There was none.

#### CITIZEN COMMENTS: Non-Agenda Items

Ms. Janice Horn, 32 Barber Street, reported Pennsylvania is one of the 10 worse states in the country for redistricting for its election districts. A group is working towards getting the legislature to change the constitution so there will be a citizens' committee to draw election maps. A meeting will be held in Clarion on July 27, 2017, at 7 p.m. at the Main Street Center about redistricting.

#### CORRESPONDENCE

Secretary LaVan read a thank you letter, dated May 30, 2017, from Mr. Theron L. Miles, Miles Brothers L.L.C., for Council's support of the Glass Works Business Park. The Miles Brothers recently received news that the \$4,256,952 BIOS Loan and the \$1,033,214 BIOS grant were approved by the CFA Board. Now that the funds are available, Mr. Miles commented the site will be developed into the new Glass Works Business Park, which is designed to meet the needs of light industry and warehousing. The Miles Brothers L.L.C. take pride in the community and have a strong desire for the economic success of the region.

On a motion by Mr. MacBeth with a second by Ms. Roberts, the meeting was adjourned at 7:40 p.m.

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Linda M. LaVan, Borough Secretary