

July 7, 2015, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on July 7, 2015, 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, and President Lapinto. Mr. Bartley was absent. Chief/Secretary/Treasurer Hall, Solicitor Marshall, Mr. Colosimo, Mr. Preston, Mr. Sharrar, and Ms. LaVan were also present. Mayor Walters was absent.

On a motion by Mr. Zerfoss with a second by Mr. Noto to approve the June 2, 2015, Council Meeting, minutes. The motion carried with a vote of five yea with Dr. Sanders Dédé abstained as she was absent.

CITIZEN COMMENTS: Agenda Items

There were none.

HOUSING AND ZONING

On a motion by Dr. Sanders Dédé with a second by Mr. Zerfoss, approving the Simple Sub-Division request by Mr. and Mrs. Sean Connell, carried with a vote of six yea.

ADMINISTRATION

On a motion by Mr. Noto with a second by Mr. Aaron, approving the appropriations for the month of July, carried with a vote of six yea.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts to approve the Treasurer's Report of Fund Totals. The motion carried with a vote of six yea.

President Lapinto stated the Budget Analysis Report is in the packet for everyone's review.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts, adopting Ordinance #2015-806, an ordinance amending ordinances relating to Clarion Area Authority funds to be given to fire hall and library, was carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to adopt Ordinance #2015-807, an ordinance amending the Police Pension Plan in reference to survivor benefits.

Since this was not Clarion Borough's dumbness but Mockenhaupt Benefits Group's, Mr. Zerfoss asked the Solicitor if the Borough can bill them for the advertising and Solicitor fees?

Solicitor Marshall stated no.

Mr. Zerfoss commented it was worth a try.

The motion carried with a vote of six yea.

President Lapinto stated there are several special event requests. The first one is from AAA Life Services for a 5K Run/Walk to be held October 10, 2015, which is annual.

Chief Hall stated this has been done several times, and the Borough provides public safety for it. Everything is in order.

On a motion by Mr. Noto with a second by Mr. Aaron, approving AAA Life Services' special event request for the 5K Run/Walk to be held October 10, 2015, was carried with a vote of six yea.

President Lapinto commented the next one is from the United Way of Clarion County for their 5K/10K race (run/walk) to be held September 26, 2015, also an annual request.

In previous discussions with Ms. Melissa Fulton, the United Way director, Chief Hall stated they had proposed a changed route. However, they submitted the normal route, which has been done for the last 4-5 years. All the insurance documents are in order.

On a motion by Mr. Noto with a second by Mr. Aaron to approve the United Way of Clarion County's special event request for the 5K/10K Race (run/walk) to be held September 26, 2015. The motion carried with a vote of six yea.

President Lapinto reported the Clarion Area Chamber of Business and Industry for the 62<sup>nd</sup> Annual Autumn Leaf Festival sponsored by U.S. Army to be held September 26 through October 4, 2015.

On a motion by Mr. Noto with a second by Mr. Aaron to approve the Clarion Area Chamber of Business & Industry's special event request for the 62<sup>nd</sup> annual Autumn Leaf Festival sponsored by the U.S. Army to be held September 26 through October 4, 2015.

President Lapinto questioned if this one request approves everything?

Chief Hall agreed. PennDOT's approval to close all the roads for that event was received today. Everything's in order.

Ms. Roberts recalls last year Council had to approve the closure of a different street for a train ride and asked if that will have to be done later on if the Chamber decides to do it this year?

Chief Hall verified that's correct. If the Chamber wishes to do anything else that's not included in this request, they will have to receive approval from Council before doing so.

The motion carried with a vote of six yea.

President Lapinto stated there is a new request from Clarion County Coalition for Suicide Prevention's special event request for awareness walk to be held September 10, 2015.

Chief Hall stated this is the first time Council received this request. The event will not involve any public safety costs, because it is similar to the March of Dimes' request where they walk on the sidewalks.

On a motion by Mr. Noto with a second by Mr. Aaron, approving the Clarion County Coalition for Suicide Prevention's special event request for awareness walk to be held September 10, 2015, was carried with a vote of six yea.

President Lapinto commented the last request is from Spec. Ross A. McGinnis VFW Post #2145's special event request for Patriot Day Services to be held September 11, 2015.

Chief Hall added this has been an event since September 11<sup>th</sup>. The route runs from the Mall into the Borough and the services are performed in the park. There is no problem with this event.

On a motion by Mr. Noto with a second by Mr. Aaron to approve the Spec. Ross A. McGinnis VFW Post #2145's special event request for Patriot Day Services to be held September 11, 2015. The motion carried with a vote of six yea.

#### DOWNTOWN COMMITTEE

Ms. Roberts asked Dr. Sanders Dédé to give a report.

Dr. Sanders Dédé informed everyone the Blueprint Committee met last Monday and is moving forward with the 501c3 entity and incorporation. Attorney Marshall is working on setting up the corporation. As far as the 501c3 goes, the Committee will work with the individual Attorney Marshall recommended. Dr. Sanders Dédé stated this is a requirement of the Downtown Committee Center. Once incorporated, the Blueprint Committee can legitimately borrow money. The Committee designated the Borough Office as the registered office for the corporation. The official name is Clarion Blueprint Community. Dr. Sanders Dédé stated the Board of Directors is as follows: Dan Parker as Chairman; Phil Frese as Vice Chairman; Dawn Kidney as Secretary/Treasurer. Mr. Colosimo will still remain a part of the core. The Committee is trying to decide whether to have an executive director, or projects manager, and devise a job description.

Because a Blueprint Community gets priority, President Lapinto reported the first success story is that Andrea Estadt was able to secure \$180,000 loan.

#### PUBLIC WORKS

Mr. Zerfoss commented the clean-up day report is included in the packet. In 2014, the cost was \$4,781.49. This year the Borough changed the way it was handled, and the cost was \$1,969.52, quite a savings. Everything went well according to the Chief and Mr. Preston. The same

procedure will be done next year. As a reminder, Mr. Zerfoss noted businesses can bring their items as well.

Mr. Zerfoss asked Secretary Hall to report on the financing for storm sewer projects.

Secretary Hall announced the Borough mailed requests to the local banks. Five banks responded and two did not. Secretary Hall recommends Council approve the proposal from S & T Bank.

On a motion by Mr. Zerfoss with a second by Mr. Noto, to approve S & T Bank's proposal for line of credit at an interest rate of 2.130%. The motion carried with a vote of six yea.

Mr. Zerfoss stated the Public Works Report is in the packet for everyone's review. Any questions should be directed to Mr. Preston.

#### CONSTRUCTION REPORT

Mr. Colosimo stated the Borough has 4 projects underway right now. Paul A. Weaver Community Park is essentially being closed out right now. Terra Works was given a punch list of items that need to be completed. Mr. Colosimo sent their project close out paperwork out today in the mail. It should be completely done by the end of the month. The weather held them up a little bit. The Borough executed a change order so they will have until the end of the month to fix everything. Mr. Colosimo reported Terra Works turned in their Pay Request #2 in the amount of \$39,359.04 and asked approval from Council to drawdown the remaining CDBG funds to pay that. Terra Works put \$17,000 in retainage, which is actually more than required. That's aside from the \$39,000.

On a motion by Mr. Noto with a second by Mr. Zerfoss to approve a drawdown of CDBG funds in the amount of \$39,359.04.

Mr. Noto verified this amount is coming out of CDBG Funds.

Mr. Colosimo agreed. The actual bill is \$119,000, but this is what is left in this year's funding.

The motion carried with a vote of six yea.

Mr. Colosimo stated the fire department façade project is ready to go. The contractor should begin construction at the end of this week or beginning of next week. They have until July 31<sup>st</sup> to finish the project. Mr. Colosimo commented four bids were received for the 9<sup>th</sup> Avenue and Main Street storm sewer project. The bids are as follows: Eagle Contracting, \$6,400, the low bid; Rural Valley Construction, \$8,500; Mealy Excavating, \$14,364; and Terra Works, \$14,410. Eagle Contracting's paperwork is all in order, and the bid documents were filled out perfectly. Mr. Colosimo recommends that Eagle Contracting Inc. be awarded the 9<sup>th</sup> Avenue and Main Street Storm Sewer Repair.

On a motion by Mr. Noto with a second by Mr. Zerfoss to approve Eagle Contracting, Inc.'s, low bid of \$6,400 for the 9<sup>th</sup> Avenue and Main Street Storm Sewer Project.

Mr. Noto voiced amazement at the variability of the bids. Four estimates and they're not even close.

Ms. Roberts doesn't understand how can pipe be \$500 from one company and then be \$6,000 for another.

Secretary Hall stated it's interesting to see the differences. Eagle Contracting's price could be lower, because they are working right in that area at the college buildings.

Mr. Colosimo informed everyone the Borough's engineer estimated this project at \$6,500.

The motion carried with a vote of six yea.

Mr. Colosimo reported the last project is Contract #2015-4, which is Center Place Storm Sewer Project. Last month, the decision was to replace the first 28' from the inlet box. The size of the pipe will either be 42"; or, if that doesn't fit, 36". This pipe will connect the inlet box itself in Center Place to existing 36" reinforced concrete pipe. The Borough is going to try to install the 42" pipe; but if the utilities are in the way, 36" may be used. Mr. Colosimo commented the project has been designed and the specifications are at the office. Even though that's under the bidding threshold, Mr. Colosimo will send out request for proposals to the 9 area contractors to try to get better prices. The completion date is October 30<sup>th</sup> for that project.

Secretary Hall stated approval of the lowest bidder will be sought at the August 4<sup>th</sup> Council Meeting.

Mr. Noto favors the project but hopes the pipe is big enough.

Secretary Hall added the Public Works employees will be doing the one on Domenica Circle and the two holes on Sixth Avenue and South Street. Since Council approved the loan tonight, the pipe and supplies can be ordered so maintenance can start them shortly. This will be repaired before winter.

#### PUBLIC SAFETY

Mr. Aaron had nothing to report.

Mr. Zerfoss stated a year ago when Tom Corbett was the Governor the Borough sent letters to him, Representatives Scott Hutchinson, and Donna Oberlander supporting radar in the Borough of Clarion as well as all the boroughs and townships doing it. Since then, Governor Tom Wolf is in office, who is a Democrat. There is still the Republican House and Republican Senate. Mr. Zerfoss asked if this is typical politics where they forget all about it now and are just going to let it go off into the sunset somewhere?

Chief Hall reported it's in committee again. This is similar to medical marijuana; it's kind of like juggling there, too.

Mr. Zerfoss and President Lapinto both noted everyone will probably be gone before it comes back up again.

#### LIBRARY REPORT

Mr. Noto encouraged everyone to read outside.

#### RECREATION

Mr. Noto asked Mr. Colosimo for a pool report.

Mr. Colosimo stated the pool is still functioning. The Borough is collecting data on users to determine the percentage of where the pool users are from. After three years' worth of this data, the Borough can present a case to DCED for using CDBG funds at the pool. This is only if the Borough users are ½ or more than ½ of the users. Mr. Colosimo pointed out this is the only shot the Borough has to try to justify using CDBG money at the pool.

Mr. Noto asked if the contractor at the park is checking the items off the punch list?

Mr. Colosimo agreed. An unofficial copy of a certificate of completion was given to the contractor, and the official one was mailed to them today. The Borough's engineer, Dave Neal, and he walked the project on June 18<sup>th</sup> and came up with a list of items that needed corrected. The biggest one was sealing the center seam of the road itself with some asphalt material. Another big item is the restoration of the area around the softball field. However, due to it being too wet, the Borough issued a change order giving Terra Works an extra 31 days to complete the work. Mr. Colosimo reported the bollards were painted and need touched up a little bit to make them look better.

#### SECRETARY'S REPORT

Secretary Hall reported the Borough received an audit report from the Department of Labor and Industry's, which was completed a couple months ago, and asked Mr. Sharrar to explain.

Mr. Sharrar reported it was more of an accessibility audit on commercial building permits the Borough issued. The auditor picked out three permits and reviewed the paperwork to ensure it was done correctly. Then he went to the business for an on-site inspection to make sure Bureau Veritas inspected everything properly. A few minor violations were discovered; simple measurements and grab bars in the wrong spot.

Secretary Hall announced that was Bureau Veritas's oversight not the Borough.

Mr. Sharrar agreed the Borough's part was done correctly.

## MAYOR'S REPORT

In the absence of Mayor Walters, President Lapinto had nothing to report.

## OLD BUSINESS

There was none.

## NEW BUSINESS

Mr. Zerfoss noticed in the newspaper a couple weeks ago where PennDOT, along with the Commissioners, set aside some money for a study of an emergency road route to get out of the Borough of Clarion. The Borough was awarded the Blueprint Community Grant where a Committee was formed to revitalize Clarion and to keep it going. These volunteers are giving their time and attending meetings in an effort to get Clarion Borough back again where it should be. Years ago, PennDOT put in the Main Street Expressway, and Clarion Borough gave up parking meters along Fifth Avenue. Mr. Zerfoss stated this is what started the downfall. Before that, thriving businesses were in the area of Fifth, but not since then. Now PennDOT's back and want to get emergency vehicles a route in case of a disaster. The emergency vehicles are already on the other side by the mall, along with the Clarion Hospital, the ambulance garage, life flight, and the State Police. If there is an incident at the Shippenville exit, Shippenville and Knox Fire Departments are able to get there and the Clarion County Maintenance buildings are there. If there is a situation at the New Bethlehem exit, Mr. Zerfoss commented New Bethlehem, Strattanville, and Limestone Fire Departments will be able to gain access that way. If there is an emergency at any of those locations, Clarion Fire Department will be able to respond as long as they are not assisting something in the Borough of Clarion. Because the customers of the Clarion Fire Department are the taxpayers of Clarion Borough, so that's their first priority. Clarion firemen know how to get to these locations. Mr. Zerfoss doesn't feel these emergency vehicles are going to go down Riverhill and into Clarion to go down South Second Avenue. This has been discussed for 20-30 years. One of these years, Mr. Zerfoss fears they might get it. This route won't be locked off and just used for an emergency. If the Clarion Borough Police Department is available to assist, Mr. Zerfoss added they will. This grant is with PennDOT and the Commissioners. Clarion Borough hasn't been invited to any meetings so far to give input. Mr. Zerfoss reminded the Commissioners that Clarion Borough is still a part of Clarion County. When they County was going to build their annex, Clarion Borough vacated a street and caught a lot of hell for doing that but did so because the Borough wanted the building/employees to stay in Clarion Borough. Mr. Zerfoss urged the Commissioners not to abandon the Borough. This emergency roadway from South Second Avenue to Aldi's or the Mall will just allow motorist to avoid driving into Clarion Borough all together. Clarion Borough needs heard now before it's too late. Mr. Zerfoss wants to see the Mall succeed but not at the expense of putting a bypass that gives the motorists a way out of town as soon as they get into the Borough limits. If anything is fleecing of Clarion Borough, Mr. Zerfoss stressed that sure as hell is. Don't ask Mr. Zerfoss how to spell fleecing but he does know the definition of it and it sure as hell isn't good for Clarion Borough. Before this gets going, Mr. Zerfoss feels the Borough needs to meet and urge them not to do this to get the traffic out of town. Emergency vehicles have a way and know how to do it. Mr. Zerfoss suggested PennDOT and the Commissioners can make the \$100,000 check made payable to

Clarion Borough. Clarion Borough can do storm sewers, repair the roads, and maybe have enough to revitalize the swimming pool. Clarion Borough doesn't need a road from 2<sup>nd</sup> Avenue to the Mall.

President Lapinto asked if Mr. Zerfoss would like Secretary Hall to schedule a meeting with the Commissioners before it's too late.

Mr. Zerfoss agreed. Council cannot sit back and let this happen.

President Lapinto remembers fighting the last time PennDOT wanted to do a project, and they didn't listen to the Borough at all. PennDOT just wants to get traffic through town.

Ms. Roberts stated it's a little late. PennDOT probably thought about this emergency route, because of the traffic backing up on Fifth Avenue with the project that's being done there. They are sort of addressing it backwards. PennDOT did it, now they have to live with it.

President Lapinto asked Mr. Preston, as fire chief, if the department can get down Fifth Avenue during the day?

Mr. Preston commented yes.

Mr. Zerfoss added he may be a farm country boy, but PennDOT can't convince him of this project.

CITIZEN COMMENTS: Non-Agenda Items

There was none.

CORRESPONDENCE

There was none.

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

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Mark E. Hall, Borough Secretary