

June 2, 2020, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on June 2, 2020, by telecommunications due to COVID-19. President Lapinto called the meeting to order at 7:00 p.m. Everyone recited the Pledge of Allegiance. Councilmembers present at the Borough Office were Mr. Aaron and President Lapinto. Participating by teleconference were Mr. Garbarino, Ms. Roberts, Mr. Noto, and Ms. Logue. Dr. Sanders Dédé was absent. Chief Peck, Solicitor Marshall, Mr. Preston, Mayor Whitling, and Secretary LaVan-Preston were also present at the Office. Mr. Rodney Sherman, Clarion News, was also present at the Office. Ms. Schwabenbauer was absent.

President Lapinto called on Mr. Aaron for some amendments to the agenda.

Mr. Aaron amended the agenda to include a request for a sidewalk closure by the University under Housing and Zoning and then a couple other items that will be brought up under the Public Safety Report.

On a motion by Mr. Aaron with a second Ms. Roberts to approve the May 5, 2020, Council Meeting, minutes. The motion carried with a vote of six yea.

On a request by President Lapinto, others participating by teleconference were Mr. Colosimo; Mr. Sharrar; Mr. Jim Crooks, Clarion Borough business owner; Mr. Bryan Smith, owner of Clarion River Brewing; and Aly Delp, exploreClarion.

CITIZEN COMMENTS: Agenda Items

Prior to the meeting, President Lapinto stated Mr. Crooks called her and asked him if he would like to address Council now?

Mr. Jim Crooks, stated that would be great and appreciates the opportunity to do so. Mr. Crooks appreciates everything that Council does for Downtown; the new waste receptacles look great and the benches will be out soon. This COVID-19 has hit all the businesses in a negative way in so many respects. Mr. Crooks, jointly with Mr. Bryan Smith, think it would be wonderful if Council could permit restaurants to be able to put tables with umbrellas out in front of his/her businesses. There are 3 or 4 that are interested in doing. Mr. Crooks feels Council might want to consider each one as a request. In many communities that Mr. Crooks goes to, restaurants have such a huge impact on the number of people that come to Downtown. Having tables in front of establishments would look awesome. Mr. Crooks thinks everybody has been really ecstatic about going green and seeing all the cars parking on Main Street again. It's a real relief. By doing this, Mr. Crooks feels it would be pro-active in helping these businesses who can technically only seat 50% of their normal occupancy inside the business to be able to go outside where 2, 3, or 4 tables would fit. Clarion Borough is blessed to have such wide sidewalks. In Chicago, restaurants have tables out and literally the pedestrians are single-file getting through the outside seating. Mr. Crooks pointed out that wouldn't be an

issue in Clarion because there is so much sidewalk space. This is the reason Mr. Crooks is asking Council to give restaurants permission to do this. The businesses are fighting for their survival. It's really, really serious, especially for some of the newer businesses that are in town.

Mr. Bryan Smith, Clarion River Brewing, piggybacked off of Mr. Crooks' comments to say how vital it is for restaurants to be able to use that extra capacity of outside as only 50% capacity is allowed indoors at this point. Mr. Smith stated he'd like this to become permanent because of how vibrant it makes Downtown feel. When you drive down Main Street and people see all the activity and people enjoying themselves outside, it will do nothing but enhance the Borough. Owners will do this and will do it responsibly within the laws of everything, especially PLCB-wise.

After her conversation with Mr. Crooks today, President Lapinto contacted Mr. Sharrar for information on the tables.

Mr. Sharrar reported Clarion Borough does permit tables out on the sidewalks as long as they don't exceed 6' of the sidewalk. A business can utilize up to 6' from the building, which will leave plenty of walk space to get through. Another stipulation is the tables will need to be taken in every night for safety. Mr. Sharrar doesn't think the tables should be permitted during Autumn Leaf Festival as the sidewalks are crowded as it is. Each business owner interested would have to ask permission, which Council has to approve.

Ms. Roberts asked what about alcohol? Some restaurants are going to want to serve, especially Clarion River Brewing will want to be able to serve their beer, and will that be allowed on the sidewalk area?

Mr. Smith actually made a request to the Pennsylvania Liquor Control Board to extend his permits to include the sidewalk. The PLCB representative stated Clarion River Brewing would be permitted to do this as long as the Borough would also permit it. Anyone serving alcohol has to follow the rules and laws of the PLCB. Mr. Smith certainly will adhere to their rules and do this safely if permitted by the Borough.

As long as PLCB approves the request and the Borough approves it, Chief Peck is fine with it as long as everything is compliant.

President Lapinto voiced concern that each restaurant will have to apply and how will this be addressed with bars? Bars will not be allowed to put tables out. President Lapinto asked Ms. Roberts if her Committee would like to discuss this at their meeting this month or how she would like to address it?

Ms. Roberts thinks the Committee should discuss the request and then bring it to Council. There will probably be questions that need to be considered prior to voting.

Chief Peck added restricting hours may be another item to consider.

President Lapinto asked Mr. Smith to send in a request, and the Housing and Zoning Committee can discuss it this month and move forward from there.

Ms. Roberts agreed that any restaurant that is interested in putting a table out to send in his/her request. The Committee will meet to discuss each one and then go from there.

Mr. Sharrar asked each one to list the hours of operation in which they wish to serve so that it can be considered as far as approving or disapproving.

Mr. Crooks thinks the hours may already be established for serving alcohol out on the sidewalks as the Loomis has had an outside seating area for years. One restriction is that alcohol be served in plastic, which is a good idea, being out on the sidewalk.

President Lapinto asked for a formal request from anyone interested for review this month.

Mr. Aaron asked for clarification that the request is to serve alcohol on the street?

Ms. Roberts stated its for dining.

Mr. Aaron doesn't feel that really needs reviewed by Committee.

Mr. Sharrar stated that any request to put a table out on the sidewalk has to be approved by the Borough. So, even if you want it just for dining, the owner still has to get permission.

Mr. Aaron asked if it specifies how it is to be approved by the Borough?

Mr. Sharrar commented it has to be brought to Council, and Council would approve the use of the sidewalk for a seating area.

President Lapinto reminded everyone that it is possible the second Council Meeting will be held this month on June 16th. If the request is in before then, the Committee may be able to meet to discuss and take action on the 16th.

Mr. Crooks and Mr. Smith both thanked Council and appreciated everyone's time.

If a request is reviewed by the Committee and the Committee approves it, Mr. Garbarino asked if it would have to come to a subsequent monthly meeting or if the Committee's approval would be sufficient for the business to start operating that day?

President Lapinto reported it would have to be approved by Council.

Ms. Roberts stressed that is why a meeting will be scheduled prior to the second Council Meeting to see if it can be done in two weeks.

ADMINISTRATION

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

President Lapinto stated the Treasurer's Report and Budget Analysis are included for Council's review.

President Lapinto announced the second Council Meeting for the month will be held June 16, 2020, at 7 p.m. at the Clarion Free Library.

President Lapinto stated Council received a copy of Resolution #2020-447, in regards to COVID-19, which was prepared while the Borough was in the yellow phase. Now that Clarion is in green, President Lapinto feels some changes are necessary and asked Solicitor Marshall to explain.

Solicitor Marshall understands Council wishes to modify Paragraph #2 to just indicate that the Borough buildings will be opened, and there will be no appointments or calling any appropriate number at the doors for service. However, Council will keep the language about all applicable social distancing guidelines and safety protocols will still be followed.

President Lapinto asked for comments and also to Solicitor Marshall how to do it this way?

Mr. Noto inquired if this means the Borough buildings will be back open as is typical with the exception for social distancing guidelines?

Solicitor Marshall stated yes. Council will need to make a motion to approve the resolution with the amendments to indicate that the buildings will be open as of June 3rd rather than limiting the way it is worded when Clarion was in the yellow phase.

President Lapinto pointed out the County is open, and it seems that Clarion Borough is the only municipality that is not being opened.

On a motion by Mr. Aaron with a second by Mr. Garbarino, approving Resolution #2020-447, in re COVID-19 with the amendment that Solicitor Marshall stated that Paragraph 2 will indicate that the Borough buildings will be opened as of June 3, 2020, and that there will be no appointments or calling any appropriate number at the doors for service, was carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Ms. Roberts, approving Immaculate Conception Parish's special event request for closing of roads on August 16, 2020, from 12 p.m. until 6 p.m. for their parish picnic, subject to the restrictions in place at the time of the event, was carried with a vote of six yea.

President Lapinto asked Mr. Colosimo to discuss the street light bid results.

Mr. Colosimo reported that one bid was received by the due date time of last Thursday. Then another bid was received Friday. In discussion with Solicitor Marshall and DCED, the decision was it would not be right to accept that late bid. Mr. Colosimo commented that leaves the Borough with the single bid from Main Street Lighting from Medina, Ohio at \$106,118. This is for 50 complete light pole assemblies with light sources. Mr. Colosimo recommends Council approve it, which is within the cost estimate. There is approximately \$40,000 plus other grant money remaining.

Mr. Noto asked what the other bid was to see if it was in the ballpark of this one.

Mr. Colosimo informed everyone the bid was not opened. By opening the bid, that may constitute accepting it.

President Lapinto thinks legally the Borough cannot open it.

Mr. Colosimo received notification DCED is allowing the Borough to accept the one bid received on time and not rebid the entire procurement.

Mr. Noto verified this company is the one that met with the Borough previously.

President Lapinto agreed.

On a motion by Mr. Noto with a second by Mr. Aaron to accept the Main Street Lighting bid for the street lights in the amount of \$106,118.

Mr. Aaron asked if this bid is for the fiberglass poles. A couple different poles were discussed.

President Lapinto stated yes.

Ms. Roberts inquired the number of poles?

Mr. Colosimo reported this is for 50 assemblies and will match the current light pole.

For argument sake, Mr. Noto inquired if Council rejected this bid what the process would be to do it again; could this company bid again?

Solicitor Marshall stated Council reserves the right to reject any and all bids and then would have to rebid it. Mr. Colosimo was absolutely correct that he is not supposed to open up any bids that were untimely.

Mr. Garbarino questioned how long of a window the contractors had to bid this initially?

Mr. Colosimo placed the bid advertisement on April 23rd and then emailed the bidding and contracting documents to approximately 30 vendors, including minority and women business enterprises and also the non-MBE/WBE. The bids were due May 28th, so, a little over a month.

The motion carried with a vote of six yea.

On a motion by Mr. Aaron with a second Mr. Noto, giving permission for Todd Colosimo to drawdown FFY 2014 CDBG funds in the amount of \$1,142.32 for wages paid for the period of December 30, 2019, through May 15, 2020, was carried with a vote of six yea.

After discussing with the Solicitor, President Lapinto commented one motion can be done for the next three items as they are all giving permission for Clarion County to drawdown funds.

On a motion by Mr. Aaron with a second Mr. Noto to give permission for Clarion County to drawdown FFY 2015 CDBG funds in the amount of \$680.30 for the Main Street Improvements Procurement #3 bid advertising, drawdown FFY 2016 CDBG funds in the amount of \$690.30 for wages paid for the period of December 30, 2019, through May 15, 2020, and drawdown FFY 2016 CDBG funds in the amount of \$495.00 for FFY 2019 CDBG application preparation expenses, was carried with a vote of six yea.

BLUEPRINT COMMITTEE

There was no report.

PUBLIC WORKS

Mr. Noto stated the report is in the packet for everyone's review and did not have anything to add at this point.

STORM WATER AUTHORITY

Mr. Noto commented the Authority did not meet last month but believes one will be held this month. There was nothing else to report at this time.

PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Ms. Roberts, appointing Darren Frederick to be an alternate member of the Civil Service Commission for a 6-year term to expire May 31, 2026, was carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Ms. Roberts to appoint BJ Wrhen to be an alternate member of the Civil Service Commission for a 6-year term to expire May 31, 2026. The motion carried with a vote of six yea.

Just for explanation, Mr. Aaron stated that is following the guidelines of the Civil Service Rules to have a couple alternates in place.

On a motion by Mr. Aaron with a second by Mr. Garbarino to approve the month of June starting tomorrow, June 3rd, through the end, June 30th, as free parking in the Borough of Clarion.

Mr. Noto asked the time frame again?

Mr. Aaron stated starting tomorrow until the end of the month.

The motion carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Mr. Noto that Council approves to donate any funds that go into the meters in the month of June to the I Love Clarion Celebration, which will be in the first week of July.

Mr. Aaron explained the Borough is absolutely allowed to put funds towards holiday celebrations, which the Fourth of July would qualify. The fact that the Chamber was unable to do the wine walk this year, which provides most of the funding for this event, is the big reason and it's another way for Council to try to help out the community and get past these last couple of months.

The motion carried with a vote of six yea.

Mr. Aaron reminded the public that come July 1st the meter enforcement officer will be back to work writing parking violations and encouraged all to feed the meters at that time.

LIBRARY REPORT

Mr. Noto had nothing to report.

President Lapinto inquired if the Library is reopened at this time?

Mr. Noto stated he does not know at this point.

HOUSING AND ZONING

On a motion by Ms. Roberts with a second by Mr. Aaron, giving permission for the Pennsylvania American Water Company to close the sidewalks on North Eighth Avenue and on the north side and south side of Second Avenue for a period to exceed 14-days, was carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Mr. Aaron to give permission for the sidewalk closure for the University to close approximately 100 feet of sidewalk along Greenville Avenue and South Street from June 8th until mid-August. The motion carried with a vote of six yea.

Ms. Roberts asked the press to announce that the Borough would like to remind the property owners to make sure to keep his/her grass cut. Ordinance #2013-798 prohibits grass and

weeds from exceeding a height of 6". Also, the Borough of Clarion would like to remind these property owners not to allow grass and debris to be blown or thrown out on to the sidewalk area or road. Ms. Roberts explained this debris is not only dangerous to walk on but could also plug the storm water inlets thus not allowing them to function properly. If anyone has any questions, Borough residents can contact the Clarion Borough Zoning Officer.

RECREATION

Ms. Roberts commented the Borough is still discussing the 2020 pool season with the YMCA and does not have anything to announce at this time.

Mr. Garbarino asked the media to publicize that the YMCA is actually looking for lifeguards, which is one of the contingencies upon opening.

SECRETARY'S REPORT

Secretary LaVan-Preston had nothing to report.

MAYOR'S REPORT

Since Clarion has been able to open, Mayor Whitling stated it has been really great to see people on Main Street just for a stroll or shopping at the businesses and personally found a little bit of enjoyment in seeing the people sitting outside the barber shop as you can tell they have not visited the barber in a while. In discussion with a few local business owners, Mayor Whitling stated it is just so encouraging to be able to see and hear these stories of people coming together to support each other during a time while not really being permitted to be together. It has been very difficult for all of the small businesses. Mayor Whitling knows Clarion is not out of the woods yet but has faith that the community will be able to get through this time. Mayor Whitling offered anyone to get ahold of him if there is something he can do to help and he will do the best of his ability to do so.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

CITIZEN COMMENTS: Non-Agenda Items

Mr. Noto thanked Secretary LaVan-Preston for another good audit. The auditor noted that Secretary LaVan-Preston does a very good job and what a gem the Borough has. Mr. Noto just wanted to point that out for the record.

President Lapinto agreed with Mr. Noto. The Borough had an exit audit for 2019 yesterday, and everything is in great shape. President Lapinto congratulated her as well.

Secretary LaVan-Preston thanked them for their comments and also thanked Council for all their help.

CORRESPONDENCE

There was none.

On a motion by Mr. Aaron with a second by Ms. Roberts, the meeting was adjourned at 7:38 p.m.

Linda LaVan-Preston, Borough Secretary