

June 7, 2016, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on June 7, 2016, 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. MacBeth, and President Lapinto. Mr. Noto was absent. Chief/Secretary/Treasurer Hall, Solicitor Marshall, Mr. Colosimo, Mr. Preston, Mr. Sharrar, and Ms. LaVan were also present. Mayor Walters was absent.

Since Mayor Walters is absent, President Lapinto reminded everyone she will be acting in that capacity and will not be able to vote unless there is a tie.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to amend the agenda to table the following three items: under Citizen Comments: Agenda Items Only: formal presentation of tax increment financing (TIF) plan by Glass Works; under Administration: approve Clarion Glass Works tax increment financing (TIF) project Resolution #2016-391, opting to participate in TIF Plan; under Administration: permission authorizing publication for public hearing on the tax increment financing to be held August 2, 2016, at 6:45 p.m.; and to add under Public Safety: action on a resignation letter received from a part-time police officer. The motion carried with a vote of five yea.

On a motion by Dr. Sanders Dédé with a second by Mr. Aaron, approving the May 3, 2016, Council Meeting, minutes, were carried with a vote of four yea with Mr. Zerfoss abstaining as he was absent.

On a motion by Mr. Zerfoss with a second by Dr. Sanders Dédé, approving the May 17, 2016, Council Meeting, minutes, were carried with a vote of four yea with Ms. Roberts abstaining as she was absent.

CITIZEN COMMENTS: Agenda Items

There were none.

ADMINISTRATION

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé, approving the appropriations for the month of June, was 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 Mr. MacBeth with a second by Ms. Roberts, approving the Clarion Area Chamber of Business & Industry's special event request for the Autumn Leaf Festival to be held September 24 through October 2, 2016, was carried with a vote of five yea.

President Lapinto asked Chief Hall to explain the new request from Clarion Little League and YMCA for a walk/run to be held June 18th.

Chief Hall stated the organizations were able to use the pre-approved Council route and recommends Council approve it.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth to approve the Clarion Little League/YMCA's special event request for 5K walk and run to be held June 18, 2016. The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Zerfoss, giving permission for Linda LaVan to attend the Pennsylvania Association of Municipal Administrators' Conference August 10-13, 2016, in Pittsburgh, was carried with a vote of five yea.

BLUEPRINT COMMITTEE

Dr. Sanders Dédé reported the draft of the directional sign for the businesses and agencies in Clarion that will cover Liberty Street to Wood Street from about Second Avenue to Ninth Avenue is completed. A couple changes have to be made. The casing is completed.

Mr. Colosimo added the location will be on the pedestrian island on the 9th Avenue side.

Dr. Sanders Dédé commented it will be installed soon.

Mr. Colosimo informed everyone the money has to be encumbered by June 30th and thinks this informational sign will be great for the community and everybody involved.

PUBLIC WORKS

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

Mr. Zerfoss asked Secretary Hall to discuss the next two items.

Secretary Hall stated the first one is the Borough needs permission to solicit quotes for the Clarion Borough 2016-2 Toby Street Storm Sewer Repair Project. The project there is two storm sewer inlets made of brick that need repaired.

Mr. Colosimo added the repair will prevent further collapse and eventual replacement, which will be costly.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to give permission to solicit quotes for the Clarion Borough 2016-2 Toby Street Storm Sewer Repair Project. The motion carried with a vote of five yea.

Secretary Hall commented the second one is permission to solicit quotes for the emergency repair for Clarion Borough 2016-3 Second Avenue and Wood Street. Instead of soliciting

quotes, it's been determined by the Borough engineer, the EADS Group, that the Public Works employees can complete this job. Secretary Hall asked Mr. Colosimo for additional comments.

Mr. Colosimo recommended adding the right to reserve the ability to solicit in case something unforeseen occurs.

Secretary Hall feels that's a good idea in case it does run into more than what the engineer anticipates.

President Lapinto asked Solicitor Marshall how that should be phrased?

Solicitor Marshall understands that the motion should be that the Borough Secretary is granted permission to solicit quotes for the emergency repair in the event that the engineer determines that the current Public Works employees can't handle the work.

On a motion by Mr. Zerfoss with a second by Dr. Sanders Dédé to give permission for the Borough Secretary to solicit quotes for emergency repair for the Clarion Borough 2016-3 Second Avenue and Wood Street Storm Sewer Project in the event that the engineer determines that the current Public Works employees cannot handle the work. The motion carried with a vote of five yea.

STORM WATER AUTHORITY

On a motion by Mr. Aaron with a second by Mr. Zerfoss, adopting and enactment of Ordinance #2016-820, Storm Water Authority Ordinance, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Zerfoss to give permission to advertise the Storm Water Authority Ordinance was adopted. The motion was carried with a vote of five yea.

PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. MacBeth to accept the resignation letter from Brandon Collett as a part-time police officer, effective June 17, 2016.

Chief Hall stated Mr. Collett accepted a position with the Pennsylvania State Police for the academy and will leave on June 19th.

The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth, accepting Robert Seyler Jr.'s resignation as a police officer, effective June 2, 2016, with regrets, was carried with a vote of five yea.

Chief Hall commented Mr. Seyler has joined the U. S. Army for Special Forces.

On a motion by Mr. Aaron with a second by Mr. MacBeth to give permission to advertise for a full-time police officer eligibility list.

Chief Hall stated this will be an eligibility list according to Civil Service Rules and Regulations, the process will be advertised, and the Civil Service Commission will handle that process.

The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to give permission for Mark E. Hall to attend the Chief's Conference July 10-14, 2016, in Erie, Pennsylvania.

President Lapinto noted Chief Hall is the president this year.

On July 12th, Chief Hall announced he will be inaugurated as the 103rd President of the organization, a 1,300-member organization across the State of Pennsylvania.

The motion carried with a vote of five yea.

Mr. Aaron asked Chief Hall to discuss the Memorandum of Agreement.

Chief Hall reported everyone received a copy of a Memorandum of Agreement with Teamster's Union #110 to accept their representation of the police officers for the remaining Collective Bargaining Agreement, which is from June 7, 2016, to December 31, 2017, covering the terms and conditions of employment for the police officers by the Borough. What is happening is the officers are leaving the FOP union to join the Teamsters union. Chief Hall verified Solicitor Marshall has no problems with that agreement?

Solicitor Marshall agreed that is correct.

On a motion by Mr. Aaron with a second by Mr. MacBeth to accept a Memorandum of Agreement with Teamsters Union #110 to accept their representation of the police officers for the remaining Collective Bargaining Agreement (June 7, 2016, to December 31, 2017), covering terms and conditions of employment for the police officers by the Borough. The motion carried with a vote of five yea.

LIBRARY REPORT

In the absence of Mr. Noto, Ms. Roberts commented the Friends of the Library are working on some great workshops throughout the summer. This Friday, a mosaic fund raiser workshop has been scheduled, and all proceeds will benefit the library. Everyone is encouraged to join.

HOUSING AND ZONING

On a motion by Dr. Sanders Dédé with a second by Mr. Aaron, adopting and enacting Ordinance #2016-819, amending Section 210-29F12, Signs, of the Zoning Ordinance, was carried with a vote of five yea.

On a motion by Dr. Sanders Dédé with a second by Ms. Roberts to table action on the simple sub-division request from Ronald and Shawn Corcetti to give time to review all the materials from the previous requests and the one-way sign. The motion carried with a vote of five yeas.

PARKS AND RECREATION

Ms. Roberts announced the pool opened Saturday, June 4, 2016, and will close Sunday, August 21, 2016. So far, things are going well.

SECRETARY'S REPORT

Secretary Hall had nothing to report.

MAYOR'S REPORT

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

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

CITIZEN COMMENTS: Non-Agenda Items

Mr. Sal Mazzocchi commented he lives in Monroe Township at 498 South Second Avenue but owns an office at 538 South Street. First off, Mr. Mazzocchi congratulated Chief Hall for his position at the Pennsylvania Chiefs of Police Association. Mr. Mazzocchi wishes to discuss the May 13th ExploreClarion news release that was published. The opening line was "As Clarion Borough announces plans to enforce trash, loitering, illegal parking, and noise ordinances", which was the good part. Going on, it stated "Vice President/Chair of Housing and Zoning Committee Dr. Dédé has her sights set on some landlords in the Borough". Mr. Mazzocchi doesn't think the landlords can control his/her tenants' trash, loitering, illegal parking, and noise. Not currently a Clarion Borough landlord but having been one in the past, his philosophy was, which he shared with the neighbors, if any of my tenants' give you any issues, call the cops. That's what you do. The police department handles these issues. In the Borough, Mr. Mazzocchi realizes that many are having a difficult time economically keeping up with everything. In his opinion, it's a triple whammy created over the years by the University. First off, the University's enrollment plummeted by a large number of students. Second, the University built new housing with an equal number of beds, which as everyone's aware of, many of those beds have not been occupied for many, many years. And, third, the University requires the freshmen and sophomores, with a few exceptions, to reside on campus. This has caused a ton of empty beds. The maximum number of beds in a properly zoned Clarion Borough rental unit is 4, with 500 empty single-family residences, Mr. Mazzocchi figures there were probably 2,000 empty beds at one time. Conservatively, \$3,000 a year per student is being lost by the landlords a year. Landlords have suffered a significant budget income loss. Some landlords were forced to turn the houses into foreclosures. Being in the real estate

business for 32 years, Mr. Mazzocchi estimated there have been more investment foreclosures in Clarion over the last 2 years than in the previous 25 years. This is what the landlords are up against. The article has some very valid points; however, this is coming from a representative of the Borough slamming the landlords. Mr. Mazzocchi stressed it's not the landlords. The landlords have a different caliber clientele that he/she is working with; it's now Section 8 tenants. The tenants are here by virtue of public assistance. It's great to enforce no trash, no loitering, no illegal parking, and no excessive noise; but to say it's a landlord's problem, Mr. Mazzocchi disagrees with that comment. The Zoning Ordinance does not state the landlords are responsible for those issues. It's the actual tenant not the landlord that's responsible. Fortunately, Clarion Borough doesn't have blight issues yet and hopefully never will. Clarion Borough has dumps that are in bad condition, but the landlords are trying to pull themselves up by their bootstraps. Mr. Mazzocchi encouraged Council to read the article posted on ExploreClarion on May 13, 2016.

President Lapinto stated Council did not see the article, which Mr. Mazzocchi is referencing, and certainly didn't have anything to do with the headline. However, Council does intend to enforce these things, because Borough residents are complaining about the conditions of specific properties and shouldn't have to tolerate them. These problems need stopped.

Dr. Sanders Dédé commented she was on Wilshire's radio program and noticed the article in The Clarion News but has received nothing but positive comments, emails, and statements on the street thanking her for these comments.

Mr. Mazzocchi understands and has read some as well but disagrees with comments referring to evil, wicked, rich, and non-caring landlords.

President Lapinto stated no one on Council has ever made those comments.

Mr. Mazzocchi realizes the people who write on Facebook that have no face write anything that he/she wants. People need to understand the landlords of Clarion Borough are suddenly the underdog. This is a result of the University's new housing rules and regulations. Mr. Mazzocchi feels this might be the prime time to publicly say it's time for the University to rethink the requirement for freshmen and sophomore to live on campus or in campus housing and play fair.

President Lapinto announced Clarion Borough has no control over that and asked Mr. Sharrar if a residence has trash, who will be cited?

Mr. Sharrar reported the landowner. That's the way the ordinances are written. If a landowner receives a citation, he/she has a right to go after his/her tenants in a civil matter. The condition of the buildings themselves is not the tenants' responsibility. That is the landowners'. If there is clutter, then it's a matter of sending a letter out, notifying the landowner it must be removed and cleaned up, and if not, then a citation is issued. That gives the landowner time to have

his/her tenants take care of the issue. Clarion Borough is not the bad guy but wants everyone to keep his/her property clean.

Mr. Mazzocchi stated a landlord could provide the tenants with a dumpster.

Mr. Curt Wray informed everyone the worst part is you have neighbors putting their garbage into the dumpster; people that aren't even your tenant. The landlords do try to police his/her rentals, but it can't be done 100% of the time. A landlord doesn't have the right to go into an apartment without a 24-hour notice. Landlords don't know what the tenants are doing half the time. It's a tough situation.

When most of the tenants were students, Mr. Mazzocchi added the parents were there to check in on them, help them keep the rental in good condition, and train them. However, the tenants now are on assistance or Section 8 and are adults that come from backgrounds that were underprivileged in nature and do not have the training to keep his/her things neat.

Dr. Sanders Dédé questioned the landlords, is she required, as a homeowner, to live next to something like that?

If it's within the law, Mr. Mazzocchi stated unfortunately, yes. If it's not within the law, the rules and regulations need enforced.

Dr. Sanders Dédé stressed someone has to clean it up. Even when she was renting in Clarion, Dr. Sanders Dédé inquired why she would have to live in these conditions.

Mr. Mazzocchi agrees she shouldn't have to.

Dr. Sanders Dédé commented she's from Fifth Water in Houston, Texas and if people don't know where that is, he/she should look it up. The background of where these people come from doesn't mean that she has to continue to live like that all her life. Dr. Sanders Dédé stated something needs to tell a person you can do better.

Mr. Mazzocchi agrees 100% but still thinks the law enforcement has to enforce the rules that the tenants are breaking. It's not the landlord.

Mr. Matt Steinman introduced himself and his wife, Marcie, and informed Council they bought all the mobile home parks on South Fourth Avenue. Being outside the Borough, the Steinmans' don't really have any skin in the game but have cleaned up and seen some of the problems that Mr. Mazzocchi is discussing. Mr. Steinman believes a lot of their area has been cleaned up, and the people living there have taken a lot more pride in where he/she lives. Mr. Steinman commented they will continue to make the investment necessary to make it very nice down there.

President Lapinto commended them on an excellent job.

Backing up to Dr. Sanders Dédé comments on getting out of the Fifth Ward, Mr. Wray has dealt with these people a lot. Unlike Dr. Sanders Dédé's, they don't want to improve the way they live and just don't care. Oil City used to be the Number 1 spot in the nation for HUD. Clarion is catching up. People on assistance are approaching him all the time, because they have heard they can get so much HUD in this area. Landlords cannot discriminate and have to be very careful on how they handle them.

President Lapinto informed everyone that Clarion Borough is going to be pro-active and clean the town up. Mr. Sharrar will be out checking.

Chief Hall added the Police Department will handle the law enforcement-related items.

Mr. Wray noted Mr. Sharrar does a very good job. If he's out and notices something, Mr. Sharrar contacts his secretary to get it handled.

CORRESPONDENCE

There was none.

Dr. Sanders Dédé handed everyone a notice on the 14th Annual Juneteenth Celebration, which will be held at the University on June 17, 2016, at 10:30 a.m. in Hart Chapel. This is another Texas event. On June 19, 1865, the slaves found out they were free 2 years after the January 1, 1863. So, across the United States, Dr. Sanders Dédé stated there is a celebration every year called Juneteenth. The speaker is Albert W. Jones, from Lock Haven University, Lock Haven, Pennsylvania. Everyone is invited to attend, and there will be a free lunch following the program at Eagle Commons.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, the meeting was adjourned at 7:39 p.m.

Mark E. Hall, Borough Secretary