

March 5, 2019, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on March 5, 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 Ms. Roberts, Mr. Aaron, Mr. Noto, and President Lapinto. Mr. Zerfoss, Dr. Sanders Dédé, and Ms. Logue were absent. Mayor Parker, Chief Peck, Mr. Preston, Mr. Colosimo, Solicitor Marshall, and Ms. LaVan-Preston were also present. Mr. Preston left the meeting at 7:05 p.m. Mr. Sharrar was absent.

On a motion by Mr. Noto with a second by Mr. Aaron to amend the agenda to include under Storm Water Authority permission to purchase Environmental Systems Research Institute, Inc., (esri)'s quotation on ArcGIS Online Create Term License in the amount of \$2,445. The motion carried with a vote of four yea.

On a motion by Mr. Noto with a second by Mr. Aaron, approving the minutes of the February 5, 2019, Council Meeting, with a vote of four yea.

CITIZEN COMMENTS: Agenda Items Only

There were none.

President Lapinto called for an Executive Session for personnel to include all Councilmembers, Solicitor Marshall, Secretary LaVan-Preston, and Chief Peck, beginning at 7:04 p.m.

President Lapinto called the meeting back to order at 7:15 p.m.

Solicitor Marshall thinks it needs placed in the minutes that Council expects there will be action after the Executive Session.

President Lapinto announced the second Council Meeting will be held on March 19, 2019, at 7 p.m. at the Clarion Free Library.

ADMINISTRATION

On a motion by Mr. Noto with a second by Mr. Aaron, approving to pay the appropriations for the month of March, was carried with a vote of four yea.

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

President Lapinto asked if the next two relating to CDBG Funds can be done as one motion.

Solicitor Marshall stated yes.

On a motion by Ms. Roberts with a second by Mr. Noto to give permission for Todd Colosimo to drawdown CDBG Funds to reimburse the General Fund for Todd Colosimo's CDBG wages from July 2, 2018, through February 22, 2019, in the amount of \$2,218.22 and to reimburse the General Fund for postage (\$8.15) and advertising (\$353.25) in the total amount of \$361.40. The motion carried with a vote of four yea.

On a motion by Mr. Aaron with a second by Mr. Noto to approve a Memorandum of Understanding in re pension change for the Public Works Contract.

President Lapinto stated Secretary LaVan-Preston has been working on this for about a year.

The motion carried with a vote of four yea.

On a motion by Mr. Noto with a second by Mr. Aaron to approve Clarion University: UAB's special event request for a concert to be held April 26, 2019, from 5:30 – 11 p.m.

Ms. Roberts asked if anyone knows who will be playing this year and if the noise issue will be addressed.

President Lapinto didn't know who would be performing. The concert is from 5:30 – 11 p.m.

As far as the noise, Chief Peck reported it must end at 11 p.m.

The motion carried with a vote of four yea.

On a motion by Mr. Aaron with a second by Mr. Noto to approve Student Honors Association at Clarion University's special event request for a 5K Color Run for Charity to be held April 27, 2019, from 11 a.m. – 12 p.m. with a slightly different route.

Mr. Noto asked what is different with the route and if Chief Peck is okay with it.

Due to the construction on Greenville Avenue with the gymnasium, Chief Peck stated the organizers had to adjust the route, which will be on more campus streets. Chief Peck met with the organizers and is fine with this change.

The motion carried with a vote of four yea.

BLUEPRINT COMMITTEE

Mayor Parker stated there is a meeting scheduled for March 30, 2019, for training provided by the Pennsylvania Downtown Center for the new members of the group as well as some outside groups, who the Committee feels may benefit from it also.

PUBLIC WORKS

Mr. Noto, in the absence of Mr. Zerfoss, commented the Public Works Report is in the packet for everyone's review. Again some of the streets are full of potholes and in bad condition due to construction vehicles. However, Wood Street for one will be resurfaced after the project is completed.

STORM WATER AUTHORITY

Mr. Noto stated he'd like to approve an agreement for sewer line relocation with Pennsylvania American Water for Center Place Project. There is an area where the lines come in fairly close to where the Borough's project is occurring. The Borough needs to enter an agreement with the water company to be able to shift and relocate everything.

Secretary LaVan-Preston stated Mr. Colosimo has been working with the water company to see if the insurance limits could be lowered. The company contacted him today, and stated they should know by the end of the week. In light of this, Secretary LaVan-Preston and Mr. Colosimo both recommend that Council table action until the March 19th meeting.

On a motion by Mr. Noto with a second by Mr. Aaron, tabling the approval of the agreement for the sewer line relocation with Pennsylvania American Water for Center Place Project, was carried with a vote of four yea.

Mr. Noto commented the Committee would also like to purchase the Environmental Systems Research Institute's ArcGIS system, which will be used for the Borough's storm sewer and utility lines. The quote of \$2,445, which does not include sales tax, will buy the system to be able to access it and will enable Mr. Colosimo the ability to look up information.

On a motion by Mr. Noto with a second by Mr. Aaron to purchase Environmental Systems Research Institute, Inc., (esri)'s quotation on ArcGIS Online Create Term License in the amount of \$2,445 (does not include sales tax). The motion carried with a vote of four yea.

On a motion by Mr. Noto with a second by Mr. Aaron, approving Bison Construction's first pay request in the amount of \$94,437.65 for work on Center Place Project, was carried with a vote of four yea.

PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. Noto to approve the change of status of Chris Fox from probationary police officer to regular full-time officer as of March 6, 2019, with an increase of pay from \$19.37 to \$22.14 per hour (80% of the contract's standard base rate).

President Lapinto asked Chief Peck if he was satisfied?

Chief Peck agreed he was very satisfied.

The motion carried with a vote of four yea.

On a motion by Mr. Aaron with a second by Mr. Noto, approving to hire Mark Bettwy as a part-time police officer for Clarion Borough at the hourly rate of \$15.00, was carried with a vote of four yea.

Just so the public's aware, Solicitor Marshall noted that is the official action taken after the personnel Executive Session.

Mr. Aaron thanked ABATE of Clarion County for their unsolicited donation of \$250 to fund new Tasers for the Borough Police Department and believes ABATE indicated another donation will be sent next month.

LIBRARY REPORT

Mr. Noto happily announced the storm water project for the Library is moving along. Council approved the bid to Terra Works, Inc. A pre-construction meeting was held this afternoon to discuss several issues and when the project will begin. Mr. Noto stated Terra Works plans to be wrapped up by July 31st. This project will include new sidewalks from the front to Merle Road along the west side of the building, a new storm sewer system, the patio area will be redone, and the downspouts will be connected into this system as well. Everything should look very nice, especially the new sidewalk.

Mayor Parker inquired what the start date will be?

Mr. Noto stated there isn't a definite start date to give Terra Works more time for the weather to clear and be able to start and complete the project all at once rather starting and then stopping. Once the contractor begins, he estimates it will be 2-2½ weeks to complete. The downstairs' doors will be closed and the upper door will be the only way in during the project.

Mr. Aaron feels certain there will be leeway for being quiet in the library during that time.

Mayor Parker verified that and stated the company can jackhammer until their heart's content.

Mr. Noto pointed out many are not aware of how much noise that will create; however, it will be worth it in the end.

HOUSING AND ZONING

Ms. Roberts stated the Housing and Zoning Report is in the packet for everyone's review.

Ms. Roberts also reminded the public that the snow removal from his/her sidewalks is still being enforced and to continue keeping his/her sidewalks free of snow.

RECREATION

Ms. Roberts had nothing to report.

SECRETARY'S REPORT

Secretary LaVan-Preston informed everyone the audit officially started February 28, 2019. All financial documents were provided to Sam Lynch, the Borough's financial consultant. Once prepared, the information will be turned over to Zelenkofske Axelrod to complete.

MAYOR'S REPORT

Mayor Parker proclaimed the month of April 2019 as Pennsylvania 811 Safe Digging Month.

OLD BUSINESS

There was none.

NEW BUSINESS

Last week, President Lapinto received a call from Mr. Colosimo regarding not very good news about the Borough's CDBG program. The Borough has always had a low-to-moderate income, LMI, rate above 51%. However, the new data reported the LMI rate as 48.9%. What that means is that Clarion Borough can no longer do projects that benefit the entire Borough; such as Main Street improvements and/or the development of the park. After reviewing the block groups, President Lapinto commented it baffles her mind and does not know where the Borough has an influx of rich people. The Borough is really going to have to fight to find some way to fight these totals. In the future, the Borough would have to conduct income surveys for most projects. President Lapinto stressed people do not want to provide income surveys. Another way Mr. Colosimo thought would be around this is if Council did a Borough-wide income survey. Again, President Lapinto can almost guarantee there would not be a lot of participation. Council is going to have to meet and take it to the federal level, meaning Senator Casey and GT Thompson. This is not a state funding. The scary part is that this data will be used for 5 years and limits the Borough on what can be done with that money, especially since improvements to Main Street and the park have been the main focus. President Lapinto voiced concern and stressed this is really bad news for the Borough. A plan of action will need devised to see if this can be corrected. Some of the data in these block groups just doesn't make any sense.

Mayor Parker asked if they are areas where it was student housing and isn't now because the enrollment is so low.

President Lapinto asked Mr. Colosimo for comments.

Mr. Colosimo reported Clarion Borough has five block groups to make up the census track. Two of those blocks are no longer LMI block groups as of April 1st. The block group that contain the bulk of the student housing are still low-to-moderate income. Block groups 3 and 1 are no longer LMI. Block group 1 has always been the sole block group and is mostly north of Main Street. That's just a real general description. The census geography didn't change at all, meaning the 5 block groups are the same as the 5 now so you are able to compare apples-to-apples. As President Lapinto mentioned the most immediate problem for the Borough is the overall LMI rate above 51% is lost. You cannot do projects that prove to benefit the entire Borough and all future projects will need to be qualified by an income survey or if there is a way

to get the entire Borough back above 51%. Mr. Colosimo feels certain the Borough will be allowed to conduct a survey, but who knows what that will result will be.

President Lapinto noted generally you don't even get 40% respond to income surveys.

Mr. Colosimo stated the Borough has to match the margin of error and the confidence level of the American Community Survey Data that HUD based their current estimate, which will affect the sample size the Borough can draw.

President Lapinto announced the Borough received roughly \$100,000 a year so essentially the Borough will lose \$500,000 based on this criteria. Hopefully, the Borough can get a plan of action together and try to fight this information, because it is a very serious problem. Right now, there are so many needs for Main Street. The Borough was able to do the benches and will be doing the trash cans but an application for street light repair/replacement is necessary. Also, all the development at the park will no longer be allowed. President Lapinto feels maybe a committee needs devised to come up with a plan and then to reach out to the federal representatives to take it to HUD>

Mr. Aaron inquired the Borough didn't lose any funding but it just limits where the money can be used in the future?

President Lapinto stated that's correct. It just doesn't make sense how this information came up.

Mr. Colosimo agreed with Mr. Aaron the Borough will still have use of the funding but this will create an added step unless the Borough can qualify itself on a Borough-wide basis.

President Lapinto pointed out there are some projects you would not have to qualify such as housing rehab. However, that's a big undertaking itself and the Borough doesn't have the staff to handle this project. President Lapinto asked who did this survey again.

Mr. Colosimo stated HUD based the new LMI estimates on the American Community Survey of 2011 to 2015.

CITIZEN COMMENTS: Non-Agenda Items

Ms. Elisabeth Fulmer commented this probably isn't a good time to bring this up but the number of trees that are being removed in the Borough is a concern. If Mr. Zerfoss were here, he would say that trees are a liability and not an asset. But if you want to breathe, you need some trees. Ms. Fulmer asked if there is any way that there could be a requirement that if you remove a tree from your property or along the streets that you have to replace it?

President Lapinto doesn't believe there is anything right now but years ago, there was discussion on a Shade Tree Commission.

Ms. Fulmer asked what is involved with that?

President Lapinto asked Mr. Colosimo if he knows?

Mr. Colosimo stated the establishment of that Commission is provided for the Borough Code but doesn't know much other than that.

Ms. Fulmer questioned if the Borough is supposed to have one but doesn't?

President Lapinto reported no, but Council could have that Commission.

Ms. Fulmer doesn't think you can have an Autumn Leaf Festival if you cut all the trees down.

President Lapinto noted trees were going to be part of a future Main Street project with raised beds, but that will no longer be possible.

Ms. Roberts asked Ms. Fulmer if she is talking more about property owners.

Ms. Fulmer agreed residential areas.

Mr. Noto pointed out some trees being removed are because they are diseased.

Ms. Fulmer understands that but it doesn't mean it cannot be replaced. Maybe not in the same location but in another area on his/her property. For instance, the Fulmers took one down at the store, but it was not a good spot to replace a tree there so they are still thinking about it.

President Lapinto asked Secretary LaVan-Preston to put this on the agenda for discussion this month and agreed to look into what steps are necessary. Perhaps Ms. Fulmer could chair if the decision is to start one.

CORRESPONDENCE

There was none.

On a motion by Ms. Roberts with a second by Mr. Aaron, the meeting was adjourned at 7:36 p.m.

Linda LaVan-Preston, Borough Secretary