

May 5, 2020, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on May 5, 2020, by telecommunications due to COVID-19. President Lapinto called the meeting to order at 7:00 p.m. Due to the way everyone is spread out, the Pledge of Allegiance was not recited. Councilmembers present at the Borough Office were Mr. Garbarino, Mr. Aaron, Mr. Noto, Ms. Logue, and President Lapinto. Participating by teleconference were Ms. Roberts and Dr. Sanders Dédé. Chief Peck, Solicitor Marshall, Mr. Preston, and Secretary LaVan-Preston were also present at the Office. Mr. Rodney Sherman, Clarion News, was also present at the Office. On a request by President Lapinto, others participating by teleconference were Mr. Colosimo and Aly Delp, exploreClarion. Mr. Sharrar and Ms. Schwabenbauer were absent.

On a motion by Mr. Aaron with a second Mr. Noto to approve the April 7, 2020, Council Meeting, minutes. The motion carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Ms. Roberts to amend the agenda to add Resolution #2020-446, a Tax Resolution. The motion carried with a vote of seven yea.

CITIZEN COMMENTS: Agenda Items

There were none.

ADMINISTRATION

On a motion by Mr. Aaron with a second by Mr. Garbarino, approving the appropriations for the month of May, carried with a vote of seven yea.

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

On a motion by Mr. Aaron with a second by Mr. Noto to ratify the agreement to settle the Estadt Tax Appeal.

President Lapinto asked Solicitor Marshall for a report.

Solicitor Marshall explained the Mr. and Mrs. Estadt filed a tax appeal with the Board of Assessment Appeals regarding their building that holds the restaurant and other rentals, which was appealed then to the Court of Common Pleas. After becoming involved and reviewing everything, Solicitor Marshall along with the County Attorney and the Assessment Office felt there was not going to be a significant decrease from the appraisal the Estadts had completed by Jim Reed and another one being done. Based on his recommendation to Council and also the other attorneys' recommendations to the other boards, everyone elected to enter into a Settlement Agreement and fix the fair market value at the amount of the appraisal.

The motion carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Ms. Roberts, giving approval to solicit bids for Clarion Borough Contract 2020-3 Main Street Improvements – Installation of Main Street Replacement Light Poles, upon receipt of project specifications, drawings, and cost estimate from the EADS Group, was carried with a vote of seven yeas.

President Lapinto reported next a motion is needed to approve Resolution 2020-446, which is to implement Act 15 of 2020. Basically what this does is mirrors what the County has done with the real estate tax. That would be that the face value of the taxes will be until October 31st, and then November 1st to December 31st will be the penalty phase.

On a motion by Mr. Aaron with a second by Mr. Garbarino to approve Resolution #2020-446, a tax resolution to extend the face deadline until October 31, 2020, and then November 1st to December 31st will be the penalty phase.

Mr. Aaron commented more communication on items such as this, especially pertaining to taxes and having three taxing bodies all within the Borough, should be held before the County makes the decision and then everyone else has to go along or mirror that decision. Everyone should have input together and more cooperation would have been nice.

Mr. Noto seconded his comment.

President Lapinto stated there were several options out there, including one to extend the discount period until August 31st.

Mr. Aaron understands that but wondered if there was any correspondence on what decisions anyone else was making?

President Lapinto noted no.

Mr. Aaron stressed that's his problem, because Clarion Borough was just left to follow suit or create a little confusion.

Solicitor Marshall pointed out this seemed to be the practicable issue for the tax collectors and their ability to follow through with computerized system and doesn't know that anyone could have done something different. It was a practical issue that once somebody made a decision that they were on the same tax notice that the tax collector had an issue of how to do it if not every entity did the same. Solicitor Marshall doesn't think it was the County trying to dictate to the Borough.

Mr. Aaron feels a simple phone call would have been nice.

In looking at her own tax notice, President Lapinto feels it would have been impossible for the tax collector to collect face here and penalty there and agrees this was to streamline it.

Mr. Aaron totally agrees with the dates, but it's just that Clarion Borough isn't really making that decision. Clarion Borough is just following what someone else stated. Mr. Aaron prefers the Borough would have been more part of the decision.

Ms. Logue pointed out some of the problem is that the County would have had to reach out to all 34 taxing districts in Clarion County not just Clarion Borough.

Mr. Aaron stated that's correct.

Ms. Logue reported that would have taken a lot of work to get an idea of what everybody wanted to do.

Mr. Aaron agreed it definitely would have taken work but feels it's work worth doing.

President Lapinto commented the Administration Committee discussed this extensively but didn't know what to do until the County made a decision.

The motion carried with a vote of seven yea.

PUBLIC WORKS

Mr. Noto reminded everyone that Clean-Up Day is scheduled for Saturday, May 16, 2020, at the Public Works Building for Borough residents only. The hours are 6:30 a.m. until 11:30 a.m. Everyone is asked to wear a mask for his/her safety as well as the safety of the Public Works employees. The employees will remove the items from his/her vehicle and dispose of them in the dumpsters. Items that cannot be taken are hazardous waste materials, tires, electronics, household garbage, anything containing Freon, paint cans unless empty, dry with the lid off, and concrete products or construction materials.

Dr. Sanders Dédé asked if Secretary LaVan-Preston will send her the information.

Secretary LaVan-Preston stated it was included in the Council packet but will send it out to all Council. Also, as residents are calling the office, the information is being provided and emailed to him/her as well.

PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. Garbarino, adopting the new Civil Service Rules as presented to Council and reviewed by Solicitor Marshall that are in compliance with the guidance from PSAB in 2018, was carried with a vote of seven yea.

MAYOR'S REPORT

Mayor Whitling thanked the individuals that have been volunteering and serving the community through this pandemic. His/her dedication and devotion for being there for one another during such a difficult time is really appreciated. Mayor Whitling understands how

difficult it is for businesses to get through this and not be able to sell, see, or conduct business in many ways during this time. Despite the steady numbers with the virus, in looking at Main Street, one is reminded every day the hit the community has taken. Mayor Whitling prays every day for all the families and businesses and thanks every one for being strong and hopeful for the future. Once the order to close businesses is lifted, Mayor Whitling hopes each one can open his/her doors again.

Mayor Whitling announced the unfortunate news that the North Country Trails Association announced they were canceling this year's annual meeting, which was to be held in Clarion County. The Association's website says that 'the difficult decision was made due to the uncertainty of their ability to travel and gather in large groups in the coming months'. This is disappointing news, because it was a great opportunity for several hundred new visitors to really experience Clarion for the first time. Mayor Whitling plans to reach out to the Association to see if they are planning to reschedule to be in Clarion next year.

OLD BUSINESS

Mr. Aaron feels Council needs to address the closure of the Borough buildings from March. It was left open-ended. Mr. Aaron thinks at least taking a look at how and when on a limited basis coming the 8th of May the Borough would fall under that same thing as trying to get back to a little bit of business as usual.

President Lapinto reported there was contemplation at looking at the resolution tonight, but rather than haphazardly handle this, the Administration Committee will meet this month to put together some guidelines on how to best do that. This will be handled at the June 2nd meeting.

Mr. Aaron stated the guidelines are out there how to conduct this, and it would be more along the lines of basically right now admitting anyone in the buildings by appointment only not leaving it open to the public walking in off the street. The Borough would be following the yellow-phase guidelines as set forth for every other business.

President Lapinto asked for other Councilmembers' thoughts.

Dr. Sanders Dédé thinks the Borough should wait and look at it seriously. So far, Clarion County has gotten by pretty good without a lot of deaths. Dr. Sanders Dédé stressed Council needs to be very, very cautious of what is done, how soon to do it, and when to do it. Guidelines might be out there, but sometimes you have to use your own common sense to work things out rather than just say 'okay, we can do it, let's do it'.

Mr. Aaron suggested the common sense part is that 95% of those appointments would be made over the phone and handled that way completely without them even coming into the office. For instance, the difference would be if somebody would need to bring something to the Zoning Officer. This would be more of a soft opening or change of the restriction.

Secretary LaVan-Preston informed everyone this is already being done. As people call into the office, the phone calls are being addressed. If there is a situation where plans need delivered, the individual calls and is met at the door.

President Lapinto added the decision on when all employees return back isn't made yet either.

Mr. Noto thinks the Borough has to make sure compliance is in order before the buildings can be opened back up to ensure safety.

President Lapinto doesn't feel the Borough is ready and thought waiting until the June meeting to have a resolution would be better but asked other Councilmembers for his/her opinion.

Ms. Logue agrees with waiting and getting a guideline and procedures in place.

Dr. Sanders Dédé agrees and doesn't think there is anything wrong with waiting.

Ms. Roberts agrees on waiting as well.

As the Borough has been closed, Mr. Noto pointed out the Borough has been able to handle the items that come up. Since there is no duress to open immediately, Mr. Noto thinks there is time to be smart about doing so.

President Lapinto prefers to do it right.

NEW BUSINESS

President Lapinto announced the news media relayed to her last week that the Borough received \$63,706 for the CARES Funding, which she contacted all Councilmembers about. Mr. Colosimo had an hour webinar Friday, and that figure is not certain. Some communities are opting in and others are opting out. DCED will be revising what the actual allocation will be, which may go up or down.

If communities were opting out, Mr. Noto inquired if that means there would be an increase in the pool of money, and the communities receiving this would then get a slightly higher figure?

President Lapinto just doesn't know for sure but her personal feeling is they are making it so hard to spend the money that communities can't. Two public hearings are required. In today's Clarion News, the Borough's first hearing was published to be held in the parking lot on May 13th at 6 p.m. The second hearing will be scheduled later. President Lapinto commented the deadline for the application is July 31st with funding available until September 30, 2022. The application is not available, and DCED is waiting for HUD to get back to them. The CARES Funding use is restricted to certain activities, and the Borough is not really sure what they are. Basically, President Lapinto reported the Borough is eligible for this money but doesn't know when and what it can be used for or towards.

Mr. Noto recapped the Borough doesn't know how much it is, doesn't know how to apply for it, and doesn't know what it covers.

President Lapinto agreed and asked Mr. Colosimo if he had anything to add?

Mr. Colosimo informed Council these allocations are not expected to change up or down by more than a few thousand dollars. There were communities that opted out in the beginning that are trying to opt back in and then communities that were in but now are trying to opt out. DCED is straightening this out, but nothing has been received yet. As far as what Clarion Borough can do with the CARES Funding, Mr. Colosimo reported it has to respond to the Corona Virus somehow. It will be used as an eligible CDBG activity just as if the Borough was using the regular CDBG allocation. The two national objections out of the 3 are likely going to be low-to-moderate income or urgent needs. Mr. Colosimo pointed out urgent need in this program is almost never used, because it is very hard to qualify. However, a number of grantees in the State are making the case that this Corona Virus does constitute as an urgent need. If this is allowed, it will open up what the Borough could do, and some things that normally have to be done will not be required. The Borough needs to think about the response to Corona and what will be done going forward to prepare and prevent any further problems in the future. DCED is waiting for HUD to give them more guidance on the waivers and program guidelines. Mr. Colosimo commented there is quite a bit DCED doesn't know yet either.

President Lapinto feels the Borough is basically on hold.

Mr. Colosimo agreed but not for long. By the middle of the month, a lot of this information should be available. In discussion with Kristi Amato from the County, this application will go through the County just like the Borough's regular CDBG allocations. Clarion Township is also working with Ms. Amato. Mr. Colosimo believes that there will be three separate projects; Clarion Borough will spend its CARE Funding in the way it wishes just like a regular allocation. The joint project ideas have not really gotten off the ground yet between the three entities; the County, Clarion Township, and Clarion Borough.

CITIZEN COMMENTS – NON-AGENDA ITEMS

None.

Since the meeting was held telecommunication only, Secretary LaVan-Preston noted the advertisement asked if there were any citizen comments to either email them or mail them to the office. Secretary LaVan-Preston stated for the record no comments were received and didn't know if that needed entered or not.

President Lapinto asked for any other comments from Council?

Mr. Garbarino thanked whoever put the public dock in by the boat launch and appreciates that being there.

Secretary LaVan-Preston stated the Public Works Department does that each year.

On a motion by Mr. Aaron with a second by Ms. Roberts, the meeting was adjourned at 7:26 p.m.

Linda LaVan-Preston, Borough Secretary