

November 15, 2016, Council Meeting  
Minutes

The second regular meeting of Clarion Borough Council was held on November 15, 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. Noto, Mr. MacBeth, and President Lapinto. Mr. Colosimo, Mr. Preston, Solicitor Marshall, and Ms. LaVan were also present. Mr. Sharrar and Mayor Walters were absent.

In the absence of Mayor Walters, President Lapinto stated she will be Acting Mayor and will not be able to vote unless there is a tie.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, approving the minutes of the November 2, 2016, Emergency Council Meeting, were carried with a vote of six yea.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to approve the November 5, 2016, Special Council Meeting minutes. The motion carried with a vote of six yea.

CITIZEN COMMENTS: Agenda Items

Vice President Sanders Dédé stated Rich Herman requested to be listed on the agenda to speak and reminded everyone the policy in place allows 30 total minutes of comments at the beginning and ending of the meeting. Each person will get 5 minutes and will be informed when 1 minute remains.

Mr. Rich Herman, 104 Still Drive, Clarion, understands that Borough Council overall has been going through a very difficult time over the last couple weeks and read into the record a statement on the issue of Mark Hall being removed from his Borough Secretary/Treasurer duties and suspended at Chief of Police, which was provided to Ms. LaVan and attached to the Official File Copy of these minutes.

On a motion by Mr. Aaron with a second by Mr. Noto, calling for an Executive Session for Personnel, was carried with a vote of six yea, beginning at 7:07 p.m., including all Councilmembers, Solicitor Marshall, and Associate Dan Ferringer.

Solicitor Marshall called the meeting back to order at 7:20 p.m. and understands anticipated official action will be taken at this time.

Mr. Aaron made a motion to uphold the Mayor's suspension of Mark Hall and also that Council removes him as Chief of Police of the Borough of Clarion and terminate him as a police officer of the Borough of Clarion.

Solicitor Marshall understands part of the motion was the Mayor's suspension without pay.

Mr. Aaron agreed without pay effective immediately. Mr. MacBeth seconded the motion. The motion carried after the following roll call vote: Mr. Zerfoss, yes; Ms. Roberts, yes; Mr. Aaron, yes; Dr. Sanders Dédé, yes; Mr. Noto, yes; and Mr. MacBeth, yes.

On a motion by Mr. Aaron with a second by Mr. MacBeth, appointing Officer Bill Peck as Acting Chief of Police, effective immediately was carried with a vote of six yea.

#### ADMINISTRATION

On a motion by Mr. Noto with a second by Dr. Sanders Dédé, accepting the letter of resignation from J. David Walters as Clarion Borough Mayor, was carried with a vote of six yea.

President Lapinto announced the Borough will accept letters of interest in filling the Mayor's vacancy until November 29, 2016. All candidates will be asked to attend the December 6, 2016, Council Meeting, to state his/her case. After that is done, Council will take action to appoint a new Mayor. All letters of interest and/or resumes can be sent to Linda LaVan at the Borough Office. Duties of the Mayor can be found on the PSAB website or be obtained at the Borough Office.

Mr. Noto reported this will only be for one year to complete the unexpired term of Mayor Walters.

President Lapinto stated next is presentation of the proposed 2017 Budget. This budget contains no tax increase. As far as Administration, the only purchase will be a copier. President Lapinto stressed this budget was completed by every member of Council, Mr. Colosimo, and a special thanks for Ms. LaVan, who the Borough is lucky to have. Council appreciates her and couldn't have gotten without her. Starting with Mr. Zerfoss, President Lapinto asked each department chair to discuss his/her portion of the budget.

As far as Public Works, Mr. Zerfoss stated there has not been any increase just the normal cost of doing business. No new equipment will be purchased and paving will not be done. In 2017, the Department will prepare a list in, priority order, of roads that need to have some attention. Hopefully, in 2018, the Borough will be able to pave some roads. Mr. Zerfoss applauded the Public Works Department on a good job they do in the wintertime with plowing and in the summertime patching and trying to keep the roads going.

Ms. Roberts reported there are no changes in Recreation and the pool fees will remain the same.

Mr. Aaron commented Public Safety will hold the line on operational costs and the pay increases are dictated by the contract.

Dr. Sanders Dédé reported everything in Housing and Zoning is pretty much the same. Permit fees for 2017 will remain the same.

As far as the Storm Water Authority, Mr. Noto announced that will be put on a brief hiatus while it's determined where everything is at and look at expenses. The Borough will not move forward or backward but will remain stationary to figure things out before proceeding.

On a motion by Mr. Aaron with a second by Mr. Zerfoss to give permission to advertise the Proposed 2017 Budget. The motion carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth to give permission to remove Mark Hall as authorized signer on behalf of Clarion Borough in reference to banking. The motion carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Mr. Zerfoss, giving permission to add Jason Noto (President Pro Tem) and Brenda Sanders Dédé (Vice President) as authorized signers for Clarion Borough in Reference to all bank accounts and safety deposit box at S & T Bank as well as execute resolutions as required by S & T bank (Note: Carol Lapinto is already an authorized signer), was carried with a vote of six yea.

On a motion by Dr. Sanders Dédé with a second by Mr. Aaron to give permission to authorize Linda LaVan and Todd Colosimo as authorized individuals to obtain account information for banking operations on all Borough bank accounts at S & T Bank. The motion carried with a vote of six yea.

On a motion by Dr. Sanders Dédé with a second by Mr. Noto, giving permission to change the mobile telephone number to access Consumer Internet Banking for purposes of viewing/transferring funds between accounts, was carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé, giving permission to open a new bank account for the Capital Projects Fund Plan B as soon as possible, was carried with a vote of six yea.

President Lapinto stated the financial consultant discovered the \$1.125 million that had been in a CD matured and was cashed out and deposited into the Borough's General Fund Plan B. However, according to the agreement pursuant to the sale of the Authority, that money was to be in a restricted account. Therefore, President Lapinto reported the financial consultant informed all Councilmembers the money needs moved to a new account as soon as possible.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to give permission to transfer from the General Fund Plan B account in the amount of \$1,125,226.04 to the Capital Projects Fund Plan B account as soon as possible. Motion carried with a vote of six yea.

On a motion by Mr. Noto with a second by Mr. MacBeth, adopting Resolution No. 2016-396, a Resolution establishing the Open Records Officer (Todd Colosimo), was carried with a vote six yea.

### BLUEPRINT COMMITTEE

Dr. Sanders Dédé had nothing to report.

### PUBLIC WORKS

Mr. Zerfoss commented the Department will be collecting leaves one more week on Monday and Tuesday. Due to the increased volume of leaves, the workers have been picking leaves up longer each week as they can. After that, citizens may take his/her leaves to the drop-off location 365 days a year. Mr. Zerfoss stated a spring leaf collection will be scheduled for a Monday and Tuesday, one-time only. After the final pick up next week, that truck becomes a snow plow.

Mr. Zerfoss reminded everyone December 1<sup>st</sup> the Snow Removal Ordinance goes into effect and people need to pay attention where he/she can park and not park.

### STORM WATER AUTHORITY

Mr. Noto had nothing more to report.

### PUBLIC SAFETY

Mr. Aaron had nothing to report.

### LIBRARY REPORT

Mr. Noto had nothing to report.

### HOUSING AND ZONING

Dr. Sanders Dédé had nothing to report.

### PARKS AND RECREATION

Ms. Roberts had nothing to report.

### SECRETARY'S REPORT

There was none.

### MAYOR'S REPORT

Acting Mayor Lapinto had nothing to report.

### OLD BUSINESS

Mr. Aaron reminded everyone that free parking during the holiday shopping season was approved at the November 1<sup>st</sup> Council Meeting and would like to have any money deposited into the meters during that time to be transferred to the Library Fund.

On a motion by Mr. Aaron with a second by Mr. Noto, approving that any meter money collected during the free parking during the holiday shopping season to be transferred to the Library Fund, was carried with a vote of six yea.

### NEW BUSINESS

There was none.

CITIZEN COMMENTS: Non-Agenda Items

Mr. Ronald Wilshire, ExploreClarion reporter, asked what the reason for the firing/suspended Chief Hall was for?

Solicitor Marshall commented Council is unable to answer at this time. Under the Civil Service Rules, Chief Hall is afforded the right to challenge Council's decision with the right of keeping things, as in Executive Session, confidential or whether he wants to have a public hearing. Solicitor Marshall stated no comment will be made, and Council will let the process run its course and deal with it that way.

Mr. Wilshire inquired if Solicitor Marshall anticipates any additional charges being filed?

To his knowledge, Solicitor Marshall commented no charges have been filed.

Mr. Wilshire questioned if charges are anticipated in being filed against him?

Solicitor Marshall cannot comment on that and repeated to his knowledge there's no criminal investigation at this time.

CORRESPONDENCE

There was none.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth, the meeting was adjourned at 7:38 p.m.

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Linda LaVan, Acting Borough Secretary