

January 8, 2019, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on January 8, 2019, in the Clarion Borough Offices. President Lapinto called the meeting to order at 7:00 p.m. Everyone recited the Pledge of Allegiance. Due to the absence of the Mayor, President Lapinto stated she will not be able to vote tonight. Councilmembers present were Mr. Zerfoss, Ms. Roberts, Mr. Aaron, Ms. Logue, Mr. Noto, and President Lapinto. Dr. Sanders Dédé was absent. Chief Peck, Mr. Preston, Mr. Colosimo, Solicitor Marshall, Mr. Sharrar, and Ms. LaVan-Preston were also present. Mayor Parker was absent.

On a motion by Mr. Zerfoss with a second by Ms. Roberts, approving the minutes of the December 4, 2018, Public Hearing, carried with a vote of three yea. Messrs. Aaron and Noto abstained as they were absent.

On a motion by Mr. Zerfoss with a second by Ms. Logue to approve the minutes of the December 4, 2018, Council Meeting. The motion carried with a vote of four yea with Mr. Noto abstaining as he was absent.

CITIZEN COMMENTS: Agenda Items Only

President Lapinto stated Rich Herman contacted her after the agenda was prepared and asked that he give his comments now rather than waiting until the end of the meeting.

Mr. Herman, 104 Still Drive, wished to discuss briefly the Storm Water Authority and, first off, thanked Mr. Tom DiStefano, Mr. Bill Miller, and the others that are donating his/her time to get this up and running. Everybody knows this is something that needs to be done because of the crumbling infrastructure. Being interested in how the fee structure was going to work and what the fee would be, Mr. Herman stated his understanding from the first meeting where the engineer presented information the average monthly fee for a residential customer would be somewhere between \$3-8 a month or \$36-96 a year. However, after recently discussing this with Mr. Colosimo and understanding the Board has put a lot of hard work into it, the fee for residential customers is somewhere around \$40-45 a quarter or \$160-200 a year. Mr. Herman thinks this is a little high, especially considering where it originally started. Reviewing all the articles mentioning the formulas, there never has been a follow-up as to how much the yearly fee would be. Mr. Herman realizes there is an Authority meeting in a couple days but unfortunately cannot attend it and wanted to come tonight to express his opinion this fee is too high. All along this has been called a user fee. When the amount gets this high, it looks more like tax. Mr. Herman questioned what this will do for all the churches and non-profit. Sitting on Council in 2008, Mr. Herman testified at the state government level on non-taxable property on behalf of the Borough, which is a matter of public record, and knows where the Borough stands on this problem. Trying to get money from the non-taxable properties is a way to try not to have the burden always fall on the taxpayer. Mr. Herman cautioned the Authority members to take into consideration that the fees cannot get too high, especially just starting out. Two years ago, there weren't more than 10 out of the 958 boroughs in Pennsylvania that had created a

Storm Water Authority. Since this is still in the fledgling stage, Mr. Herman again thinks it would be nice to proceed with caution instead of trying to ratchet it up as fast as possible. Mr. Herman thanked everyone for their time this evening.

Mr. Noto reported the Authority Board meets every month at the Borough Office, which is open to the public, and feels bad Mr. Herman cannot make this Thursday's meeting as the main issue will be the fee structure and coming to a final determination on what it will be.

Mr. Herman doesn't think anybody in the Borough knows what the projected fee/fees will really be. A bunch of formulas have been circulated but not necessarily what the total fee will be per year. Mr. Herman prefers to see, if possible that formula floated out first so that the public is more aware and can state how he/she feels about paying it versus just passing the fee. Also, rather than paying quarterly, the Board should consider billing it once a year and structure it like residents pay his/her taxes providing a discount, face, and penalty stage.

President Lapinto agrees with Mr. Herman and doesn't understand the formula herself. When this first began, it was supposed to be a certain amount and it just keeps getting bigger and bigger. Outside of the Committee, President Lapinto asked if anyone really knows?

Mr. Colosimo corrected his original statement on the fee to state that most residential units will pay between \$32-35 a quarter.

Mr. Herman commented that's still \$125-150 a year.

President Lapinto agrees 100% that it was supposed to be one set price for residential and, from the last meeting she attended, realizes the discussion went away from that, which she doesn't agree with. Just because you have a big house doesn't mean you can afford to pay more. There are a lot of widows living in big houses.

Mr. Herman stated the democrats are making a serious pitch towards infrastructure. The positive aspect is the Authority has been created. If money becomes available, it would be great for the Board to take advantage of that free money to complete projects. Mr. Herman prefers to wait and see and not spend money and enable other boroughs to get free money while Clarion Borough spends their own.

President Lapinto called for an Executive Session for personnel to include all Councilmembers, Solicitor Marshall, Secretary LaVan-Preston, Treasurer Colosimo, and Chief Peck, beginning at 7:14 p.m.

President Lapinto called the meeting back to order at 7:46 p.m. and called on Mr. Noto.

On a motion by Mr. Noto with a second by Mr. Aaron to end the probationary period for Emerson Hartle as the Borough's part-time meter enforcement officer. The motion carried with a vote of five yea.

On a motion by Mr. Noto with a second by Ms. Logue to add Emerson Hartle to the Borough's medical insurance plan with 67% of the medical insurance premium paid directly by Mr. Hartle to the Borough and 33% of the medical insurance to be paid by the Borough until he reaches age 65 years.

Secretary LaVan-Preston asked if the motion should state that it will begin February 1, 2019.

Solicitor Marshall agreed.

Mr. Noto added beginning February 2019. The motion carried with a vote of four yea with Mr. Aaron voting no.

ADMINISTRATION

On a motion by Mr. Zerfoss with a second by Ms. Logue, approving to pay the appropriations for the month of January, was carried with a vote of five yea.

Mr. Noto made a motion to amend the agenda to include under Administration a special event request submitted January 7, 2019, by Indivisible We Rise/West Central PA for a Women's March to be held January 19, 2019. Ms. Logue seconded the motion.

Mr. Aaron inquired why it was so late.

Secretary LaVan-Preston thinks the organization picked the form up in December and isn't sure why. There were some questions about the insurance certificate and maybe that held it up. This organization is using the sidewalks, which Chief Peck did review, and no assistance is being request. An exception was made last year for a walk similar to this, and the organization was asked to submit the request in the future.

President Lapinto asked if the insurance certificate has been received.

Mr. Noto pointed out it was noted it was in the process with the Burns Agency.

The motion carried with a vote of four yea with Mr. Aaron voting no.

Secretary LaVan-Preston verified that was just to amend the agenda.

Solicitor Marshall agreed that was to add it.

On a motion by Ms. Logue with a second by Mr. Zerfoss to approve the special event request submitted by Indivisible We Rise/West Central PA for a Women's March to be held January 19, 2019.

Since the group is just using the sidewalk, Ms. Roberts questioned if they even need to have a special request approved if they are not asking for any assistance from the Borough?

Secretary LaVan-Preston noted as long as she's worked at the Borough regardless of whether the organization is just using the sidewalk or not a request was submitted for approval. For instance, the March of Dimes' just used the sidewalks, but the request was approved and the insurance certificate named the Borough as an additional insured in case something occurred.

President Lapinto feels it would depend on the situation and if the sidewalk would be blocked or a disturbance would occur.

Ms. Roberts understands.

Keeping in mind this is a special event request that does not cost the entity anything, Mr. Noto feels the request notifies the Borough in case officers or safety precautions are necessary. It helps with coordination.

Solicitor Marshall reported he hasn't reviewed this issue; but in his opinion, it probably would be required depending on the size. Council does want a police presence and an opportunity to evaluate the request on if additional assistance or employees are necessary.

Mr. Noto requested the organization to provide the request earlier in the future so there is more time to review it but will vote yes this evening.

The motion carried with a vote of four yea with Mr. Aaron voting no.

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. Noto with a second by Mr. Aaron, approving Resolution #2019-428, approving the proposal from First United National Bank for the 2019 Tax Anticipation Note in the amount of \$300,000 at the rate of 2.65%, was carried with a vote of five yea.

On a motion by Ms. Logue with a second by Mr. Aaron, appointing Jim Geiger to a 6-year term on the Civil Service Commission to expire at the end of 2024, carried with a vote of five yea.

On a motion by Mr. Noto with a second by Mr. Aaron to approve Susquehanna Accounting Consulting as the Borough's Financial Consultant for 2019 at a rate of \$190/hour (same rate as 2019). The motion carried with a vote of five yea.

President Lapinto reminded everyone Zelenkofske Axelrod, LLC, will complete the 2018 audit for the price of \$10,144, which was approved at the July 10, 2018, Council Meeting.

President Lapinto stated the next three motions are all in conjunction with the PennVEST grant.

On a motion by Mr. Noto with a second by Mr. Aaron, ratifying the opening of a non-interest bearing checking account with S & T Bank for the purpose of receiving and disbursing the PennVEST grant and loan funds ("PennVEST Funds"), was carried with a vote of five yea.

On a motion by Ms. Logue with a second by Mr. Zerfoss to ratify the approval of Carol Lapinto (President), Brenda Sanders Dédé (Vice President), and Jason Noto (President Pro Tem) as authorized signers for the PennVEST Funds Account. The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. Noto, ratifying the approval of Linda LaVan-Preston (Secretary) and Todd Colosimo (Treasurer) as authorized individuals to obtain account information for the PennVEST Funds Account as S & T Bank, was carried with a vote of five yea.

On a motion by Ms. Roberts with a second by Mr. Aaron to approve the EADS Group agreement for professional services (non-CDBG) for 2019. The motion carried with a vote of five yea.

President Lapinto reported next permission is necessary to change the 2018 CDBG Project from Neighborhood Park Project to Main Street. The park project was a wonderful idea, except there are so many restrictions attached to it. President Lapinto asked Mr. Colosimo to state some of these issues the Borough faced?

Mr. Colosimo informed everyone what will keep the Borough from accessing the 2018 funds for this project is that a suitable site, an actual piece of real estate, was not found. At this point, the State will not pass the project until a viable piece of property has been identified.

President Lapinto pointed out that means a lot has to be under contract. Also, it cannot just be anywhere in the Borough but in a certain area.

Mr. Colosimo agreed the location is important and would have to serve the LMI, low-moderate income neighborhood.

Mr. Aaron stated the Borough will keep its eye on it.

On a motion by Mr. Noto with a second by Ms. Roberts, giving permission to change the 2018 CDBG Project from Neighborhood Park to Main Street Improvements, was carried with a vote of five yea.

BLUEPRINT COMMITTEE

President Lapinto asked Mr. Colosimo for a report.

Mr. Colosimo reported the first meeting of the new year will be tomorrow night at 5:00 p.m. at the Borough Office. The big item on the agenda is to review and discuss the revised Capacity Grant contract, which drafts have been sent to all members.

PUBLIC WORKS

Chairman Zerfoss reported the Public Works Report is in the packet for everyone's review.

Chairman Zerfoss informed everyone that had a real Christmas tree can drop it off at the Public Works facility. The Department will not be collecting them.

STORM WATER AUTHORITY

On a motion by Mr. Noto with a second by Ms. Logue, appointing Tom DiStefano to a 5-year term on the Clarion Borough Storm Water Authority to expire the first Monday of 2024, was carried with a vote of five yea.

PUBLIC SAFETY

Mr. Aaron had nothing to report.

LIBRARY REPORT

On a motion by Mr. Noto with a second by Mr. Zerfoss to give permission to advertise for bids for the Library Storm Water Improvements Project. The motion carried with a vote of five yea.

HOUSING AND ZONING

On a motion by Ms. Roberts with a second by Ms. Logue, adopting Ordinance #2018-831, amending zoning map to change a C-I, Commercial Industrial District, to R-1, Single-Family Residential District, was carried with a vote of five yea.

RECREATION

Ms. Roberts had nothing to report.

SECRETARY'S REPORT

Secretary LaVan-Preston stated the pension ordinance is still moving along. Instead of just an amendment, the entire ordinance was restated with this change included. Hopefully, Council will be able to adopt it at next month's meeting.

MAYOR'S REPORT

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

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

CITIZEN COMMENTS: Non-Agenda Items

There was none.

CORRESPONDENCE

There was none.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, the meeting was adjourned at 8:04 p.m.

Linda LaVan-Preston, Borough Secretary