

May 4, 2021, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on May 4, 2021, as advertised, 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. Garbarino, Ms. Roberts, Dr. Sanders Dédé, Mr. Aaron, Mr. MacBeth, Ms. Logue, and President Lapinto. Solicitor Marshall, Mr. Preston, Mayor Whitling, Mr. Sharrar, Mr. Colosimo, Chief Peck, and Secretary LaVan-Preston were also present. Ms. Schwabenbauer was absent.

On a motion by Mr. Aaron with a second by Mr. Garbarino to amend the agenda to include three items, two are to award bidding contracts for the Library Project and the third is for Todd Colosimo to secure proposals under Administration. The motion carried with a vote of seven yeas.

On a motion by Mr. Garbarino with a second by Mr. Aaron, approving the April 6, 2021, Council Meeting, minutes, was carried with a vote of seven yeas.

President Lapinto called for an Executive Session for personnel, including Council, the Mayor, the Solicitor, Secretary LaVan-Preston, and Mr. Preston.

Mr. Rodney Sherman, The Clarion News, asked what specifically?

Solicitor Marshall believes it will be interviews for a position.

The Executive Session began at 7:02 p.m.

President Lapinto called the meeting back to order at 7:39 p.m.

Solicitor Marshall asked the record reflect that Council is back in the general meeting after the Executive Session and understands that official action will be taken.

On a motion by Ms. Roberts with a second by Mr. MacBeth to approve the hiring of Michael Seitz at \$17 per hour subject to pre-employment testing for the position of Public Works Laborer.

Mr. Garbarino commented both were really good candidates and very well qualified so it was not an easy decision by any means.

Dr. Sanders Dédé agreed.

The motion carried with a vote of seven yeas.

CITIZEN COMMENTS: Agenda Items

Mr. John Andreas, 28 North 8<sup>th</sup> Avenue, asked consideration be given to allow some parking on North Eighth. Since it's a residential area, it would be fine to restrict parking during business hours but maybe allow it in the evening. Winter could present an issue, because residents have to park on opposite streets and the closest place to park would be near McDonalds. Mr. Andreas understands the meters were removed, because they were needed somewhere else.

Mr. Pete Bauer, 750 Liberty Street, echoes everything Mr. Andreas stated. Even though his address is Liberty Street, Mr. Bauer parks on Eighth Avenue. There are only 3 spaces on Liberty Street, and his neighbors generally have those occupied. Mr. Bauer just put in a new driveway, and had he known this was coming up, he'd have put another one in but it's too late now. If those spaces on Eighth Avenue are taken away, there will be nowhere to park. Unfortunately most of his guests are 70+ years and cannot be expected to walk 3 blocks.

If there is no parking from 8 a.m. until 5 p.m., Dr. Sanders Dédé questioned if the residents would be okay with evening parking?

Mr. Bauer feels that would work. Parking during business hours is not a problem for the residents. It's the evening. Mr. Andreas' driveway only has room for one car and that leaves nowhere for visitors to park.

If residents can park during the day on weekends, Mr. Andreas added that would be ideal.

Chief Peck understands the residents' point and thinks the Committee should revisit the issue.

Since the ordinance is on the agenda tonight for action, President Lapinto asked if that portion could be eliminated or if the entire ordinance would need redone?

Solicitor Marshall understands the ordinance has been advertised and asked when that was done? The ordinance has to be advertised at least a week and not less than 60 days to adopt.

Secretary LaVan-Preston stated it was advertised on April 13<sup>th</sup>. The next Council Meeting is June 1<sup>st</sup>.

Solicitor Marshall stated Council could table action tonight and adopt it at the June meeting if no changes are made after further discussion. If Council would want to change that particular portion, that's a substantive amendment and would need re-advertised.

Secretary LaVan-Preston inquired if Council could adopt this ordinance tonight. After further discussion, if the decision is to permit parking on 8<sup>th</sup> Avenue for certain hours and on weekends, another amendment could be prepared, advertised, and adopted at a later date to save on advertising costs. It shouldn't be as long of an ordinance.

Mr. Aaron suggested the second Council Meeting could be held to approve the amendment, advertised prior to the June 1<sup>st</sup> Council Meeting, and adopted at that time.

Backing up, Solicitor Marshall understands Council has an ordinance that has been advertised. It either needs adopted or tabled to amend it and then re-advertised before adoption. Council can always pass the ordinance tonight, revisit the issue, and then advertise a modification to that ordinance at a later date. Solicitor Marshall stated those are the 2 choices. Either way, there will be different advertising costs involved. Unless it is adopted as-is with no changes.

Mr. Aaron commented the meters cannot be moved unless the ordinance is adopted. If the second meeting is held, Public Safety could meet prior to that to determine if another ordinance should be approved to advertise to make changes to the parking on 8<sup>th</sup> Avenue. There would be time to advertise, if so, with adoption on June 1<sup>st</sup>.

Solicitor Marshall agreed it would need advertised 7 days prior to adoption.

President Lapinto believes Council wants to approve the ordinance in total tonight and then come back with an amendment to the part prohibiting parking on 8<sup>th</sup>.

Ms. Roberts reported that would allow the Maintenance Department to move the meters.

Mr. Bauer asked for clarification as to when the meters would be moved and the parking officially gone for the residents to park?

Mr. Preston stated the meters will be removed as soon as the ordinance is passed.

Mr. Bauer commented that could be tomorrow and questioned how soon residents would be able to park there again?

Until the area is marked correctly and posted, Chief Peck stated the police cannot enforce it.

Secretary LaVan-Preston pointed out another reason to restrict parking along 8<sup>th</sup> Avenue is it bottlenecks.

President Lapinto thanked the residents for bringing this to Council's attention.

#### ADMINISTRATION

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

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

President Lapinto announced the second Council Meeting will be held May 18, 2021, at 7 p.m. in the Assembly Room of the Clarion Free Library, if necessary.

On a motion by Mr. Garbarino with a second by Ms. Logue to approve Clarion American Legion Post #66's special event request for street blocked on 2<sup>nd</sup> Avenue by cemetery and Toby Bridge for Memorial Day Services to be held May 31, 2021, from 11 a.m. until 1 p.m., subject to COVID-19 Warning and following CDC guidelines in place at the time of the event. The motion carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Ms. Roberts, approving C93 Radio's special event request for 6<sup>th</sup> Avenue to be blocked from Main Street to Wood Street for concert to be held June 4<sup>th</sup> and August 6<sup>th</sup> from 6-10 p.m., subject to COVID-19 Warning and following CDC guidelines in place at the time of the event.

Mr. Garbarino inquired if this will be any problems for the fire department.

President Lapinto stated no.

The motion carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Mr. Garbarino to approve M and B Services, LLC's Invoice #1 in the amount of \$1,905.93 for the Main Street Project Contract 2020-3. The motion carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth, giving permission for Clarion County to drawdown CDBG funds to pay M and B Services, LLC, in the amount of \$1,905.93, was carried unanimously.

President Lapinto commented next Council needs to give permission to bid the PA Small Water/Sewer Grant Project, upon receipt of design/specs, and asked Mr. Colosimo to explain.

Mr. Colosimo informed Council this is roughly a \$464,000 project improving storm water in four sites within the Borough.

On a motion by Mr. Garbarino with a second by Mr. Aaron to give permission to bid the PA Small Water/Sewer Grant Project, upon receipt of design/specs, carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth to award Clarion Borough Contract 2021-1, Clarion Free Library Boiler Replacement, to Fred L. Burns, Inc., for the lump sum price of \$61,500. The motion carried with a vote of seven yea.

Mr. Aaron stated next is the other project for the library and asked Todd to discuss, which Fred L. Burns, Inc. was also the low bidder.

Mr. Colosimo reported this contract includes the ADA sidewalk, the restrooms, and basement entry in the vestibule.

Mr. Aaron pointed out working with the same contractor on both projects should make the work move pretty smoothly.

President Lapinto added this is something that has been needed for so long.

Dr. Sanders Dédé inquired who Fred L. Burns is?

Mr. Colosimo commented it's a local contractor is from Shippenville.

On a motion by Mr. Aaron with a second by Mr. MacBeth to award Clarion Borough Contract 2021-2, Clarion Free Library Building Improvements to Fred L. Burns, Inc., for the lump sum of \$108,670.

Mr. Aaron moved onto giving permission for Todd Colosimo to secure proposals for financing for the Library and PA Small Water and Sewer Program Projects.

President Lapinto asked Solicitor Marshall to explain.

Solicitor Marshall understands that there may need to be interim financing for the projects as this is a reimbursement-type grant, meaning the Borough is required to spend the funds initially and then will receive reimbursement from the agencies. At this point, Solicitor Marshall stated financing may need to be obtained, which would be anticipated to be subject to the LGUDA process. Mr. Colosimo will just be getting bids or proposals for the financing now.

President Lapinto reported this is not an easy procedure.

On a motion by Mr. Aaron with a second by Mr. MacBeth to give permission to Todd Colosimo to secure proposals for financing for the Library and PA Small Water and Sewer Program Projects, per the financial advisor and the Solicitor's recommendations. The motion carried with a vote of seven yeas.

#### BLUEPRINT COMMITTEE

Dr. Sanders Dédé announced Janice Horn has the new rendering for the park on Second Avenue. Ground should be broken at the end of July, first of August. Dr. Sanders Dédé asked Ms. Horn for any comments.

Ms. Horn showed everyone the new rendering of the park, which includes tennis courts, a hockey rink, a playground, sand volleyball court, a skating rink that will be swapped for a splash pad, and a quarter mile walking trail around the perimeter. Ms. Horn, with Mr. Colosimo's help, posted the rendering for everyone to see.

Dr. Sanders Dédé added ample parking will be provided. The Blueprint Committee asks Council to provide a support letter to go with a proposal giving individuals tax credits for the park.

On a motion by Dr. Sanders Dédé with a second by Ms. Logue, approving the letter of support for the Clarion Multi-Generational Park Project, was carried with a vote of seven yea.

Dr. Sanders Dédé mentioned the Committee will be having a public meeting in June, which everyone will be invited to at a later date with more detailed information.

#### DESTINATION CLARION DOWNTOWN

President Lapinto asked Mr. Crooks for a report.

Mr. Crooks stated the Destination Clarion Downtown Committee has been working hard to beautify the town with flowers. If anyone goes in the back entrance to his store, he/she will see all the plants ready to be planted once it is warm enough. Again, Clarion residents have been really generous with contributions coming in; one person sent a check for \$1,900 to purchase one of the 5' wrought iron planters that will be shipped May 15<sup>th</sup>. Another group may also be donating funds to purchase one. It is really going to be beautiful, especially with the new lights that are coming, too.

At the request of the Public Works Committee, Mr. Crooks presented another project that he is asking for Council's support. It will be no cost to the Borough. In an effort of reestablishing some trees downtown, the idea is not to put them in front of entrances to buildings but in between them. One of the problems with the trees is the stamped brick not allowing enough water to get to the roots. Also, Mr. Crooks is proposing to remove the tree in front of the women's store, removing the 4' x 4' brick space and making it 8' x 4', and planting a new tree. Rick Staley of Eagle Construction will do this work and already has the specifications of any utilities underneath the stamped brick. There would be about a 4" ledge, and provided a picture to Council to give him/her an idea of what it will look like, were flowers will be planted around the tree to give a little bit of an edge. One of the Destination Clarion Downtown Committee members, Matt Wagle works for Wells Fargo and is from Pittsburgh where he is on the PA Conservancy Committee dealing with trees. The Committee feels that Clarion has lost so many trees but yet is the Autumn Leaf Festival Capital of the World. So, Mr. Crooks feels this idea is very exciting to try to develop more trees in Clarion and hopefully give initiative to get the community to replace trees. Years ago, Mr. Crooks and several Borough representatives met with a gentleman who suggested the Tree of Heaven; however, it's an evasive species. Mr. Wagle's committee recommends a new maple tree that has been cultivated so the roots don't go down nor lift up sidewalks. There are some oaks as well that are recommended for Main Street purposes.

Ms. Logue thinks a maple or oak would look nice and the leaves change colors.

Mr. Crooks, at his own expense, asked Council for permission to try this to see how it looks and if it works. If it doesn't work, Mr. Crooks will remove it and re-brick the area.

Ms. Roberts inquired if the tree Mr. Crooks will remove is actually in good condition?

Mr. Crooks pointed out the tree on the men's side of his store is an original and really a healthy tree but unfortunately needs to be removed as it's raising the sidewalk and cracking the brick. That will need to be dealt with one way or another. If permission is granted, Mr. Crooks does not plan to remove that tree.

President Lapinto inquired if Mr. Crooks would consider moving that tree after the growing season?

Mr. Macbeth stated it is too big, and heavy equipment would be needed to move it.

Ms. Roberts feels whatever tree is planted will raise the sidewalk regardless of the type.

Mr. MacBeth believes these particular trees would be better suited for street planting.

President Lapinto reported the Public Works Committee supports this project but felt it should be approved by all Council and asked if there is a motion.

On a motion by Mr. MacBeth with a second by Ms. Logue, giving Jim Crooks permission to remove the tree in front of his store, change the size of the square from 4' x 4' to 8' x 4', and plant a new tree at his own expense as discussed above, was carried with a vote of seven yeas.

#### PUBLIC WORKS

Ms. Roberts reminded everyone Clean-Up Day will be held May 15, 2021, from 6:30 a.m. until 11:30 a.m. at the Public Works Building.

On a motion by Ms. Roberts with a second by Mr. MacBeth to give permission to advertise 2021 Paving Project (streets included in packet). The motion carried with a vote of seven.

On a motion by Ms. Roberts with a second by Mr. MacBeth, giving permission to purchase a shed from Levi D. Mast Buildings, Venus, Pennsylvania in the amount of \$1,925, was carried with a vote of seven yeas.

#### STORMWATER AUTHORITY

Mr. Aaron commented the Board will be meeting on Thursday, May 13, 2021.

Mr. Aaron noted the Storm Water Authority Board endorses Jim Crooks' idea of putting trees back in Clarion and making it look greener, which is a fantastic way of mitigating rain water.

#### PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. MacBeth, approving financing from First United National Bank at 2.35% fixed interest rate for 36 months for the purchase of 2021 Dodge Charger and equipment (\$42,252) at a monthly payment of \$1,216.75, was carried with a vote of seven yeas.

On a motion by Mr. Aaron with a second by Mr. MacBeth to approve the Debt Statement pursuant to Section 8110, Local Government Unit Debt Act, as of April 30, 2021. The motion carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé, approving Resolution #2021-456, in re 2021 Dodge Charger and equipment, was carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé, adopting Ordinance #2021-835, an Ordinance amending the Traffic Ordinance, was carried with a vote of seven yea.

Mr. Aaron pointed out the Committee will revisit this as discussed earlier tonight.

Mr. Aaron commented the results of bids for 2010 police cruiser were included in the packet for everyone's review. Two were received. However, the Committee will not be taking action tonight, as the computer company has to move some equipment from that car first. This will be handled in June.

Mr. Aaron informed everyone that CVS still has the walk-in clinic for COVID vaccinations. Individuals can pre-register so he/she has the paperwork before going or can just go in.

In 1962, Mr. Aaron reported President John Kennedy signed into law that May 15<sup>th</sup> will be National Law Enforcement Memorial Day, which is included in National Police Appreciation Week. In the unique times occurring right now, Mr. Aaron thinks the Borough police officers could really use some great appreciation now.

President Lapinto seconded that statement and asked the Mayor consider a proclamation for that week. In these trying times, President Lapinto appreciates Chief Peck, all the officers, and the volunteer firemen as well.

Mr. Aaron also commended everyone on a job well done for the full Public Safety onslaught today with the bear.

#### LIBRARY BOARD

Unfortunately, Mayor Whitling the Board did not have a quorum again, which will hopefully change. Someone has agreed to fill the seat as well as the roll of treasurer.

#### HOUSING AND ZONING

On a motion by Mr. Garbarino with a second by Dr. Sanders Dédé, appointing Christy Logue as an alternate Zoning Hearing Board member for a 3-year term to expire May 4, 2024, was carried with a vote of six yea with Ms. Logue abstaining.

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



## RECREATION

On a motion by Ms. Roberts with a second by Mr. MacBeth, giving approval for the EADS Group to begin design work for the Paul A. Weaver Community Park CDBG Project, upon receiving environmental clearance, was carried with a vote of seven yeas.

Ms. Roberts reported the Recreation Committee met virtually with USA Pool Management to discuss the contract. After much work, everyone was pleased and moved on to the next step, which required a visit to the pool itself to address the requirements that USA Pool Management was going to need in order to have a contract with their company. After Mr. Sharrar completed a thorough inspection of the pool to ensure all the codes would be met, not only in Pennsylvania but in Georgia, it was discovered the pool needs an extensive amount of work that the Borough does not have the funds or the time to complete prior to the start of this pool season. Ms. Roberts understands there have always been issues with the pool; unfortunately with it sitting for an entire year without use, the issues have become too extensive to open. With that being said, Ms. Roberts commented the Committee has decided the pool will not open this year but corrections will be done so it can be ready for next year. The pool management company has been found though for the future.

President Lapinto stressed the Committee really worked hard and wanted to open the pool. Too many repairs are necessary to move forward at this point.

Mr. Aaron commented the repairs are beyond minor. The good news is there will be two years of tax money that can be put towards renovations at the pool, which includes repairing the pool bottom surface, mold inside the bathhouse that needs addressed due to a leaking roof and sitting empty last year, and much more. For health reasons, Mr. Aaron added you cannot slap some paint or band-aid the mold and would not allow his own children to go there because of the unsafe condition. Hopefully, a fundraiser effort can be held to find more funds to help complete the renovations necessary.

If the property actually belonged to the Borough, Dr. Sanders Dédé inquired if the Borough could get money to fix it? Maybe someone needs to approach the School District, if so.

Mr. ColSosimo stated the DCNR funding is the heavy lifter grant, which long-term site control is needed. The Borough has a 25-year lease now that started in 2012, which would likely be sufficient for DCNR. That is just one grant program. The CDBG funding is the other big grant but is out of play right now due to the Borough's LMI rate.

President Lapinto commented the Borough used to have a Borough-wide LMI, or low to moderate income, meaning projects could be done anywhere in the Borough. However, it was reduced to 48%. The street lights were the last project under the old LMI rate.

Mr. Colosimo agreed it used to be 64.1%. The Borough needs 51% or greater in order to have a Borough-wide benefit. The last year Clarion Borough could apply for a Borough-wide benefit

project was in 2018; anything from 2019 going forward is not. Mr. Colosimo reported a new LMI rate comes out every 5 years.

Mr. Aaron announced everyone thought the biggest problem for the pool would be finding a management company, but that has been taken care of for the future.

#### SECRETARY'S REPORT

Secretary LaVan-Preston informed Council Zelenkofske Axelrod came into the office to do some testing for the 2020 audit and continue to send questions. So, it's in the process.

#### MAYOR'S REPORT

Mayor Whitling had nothing to report.

#### OLD BUSINESS

There was none.

#### NEW BUSINESS

Ms. Roberts reminded residents that he/she is not allowed to park his/her cars on the grass. Mr. Sharrar can and will issue citations for doing that.

#### CITIZEN COMMENTS – NON-AGENDA ITEMS

Ms. Elisabeth Fulmer stated trees.

#### CORRESPONDENCE

There were none.

On a motion by Mr. Aaron with a second by Mr. Garbarino, the meeting was adjourned at 8:34 p.m.

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Linda LaVan-Preston, Borough Secretary