

September 7, 2021, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on September 7, 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. Mr. Colosimo, Mr. Sharrar, Mr. Preston, Solicitor Marshall, Mayor Whitling, and Secretary LaVan-Preston were also present. Chief Peck and Ms. Schwabenbauer were absent.

On a motion by Mr. Aaron with a second by Mr. Garbarino, approving the August 3, 2021, Council Meeting, minutes, was carried with a vote of seven yea.

CITIZEN COMMENTS: Agenda Items

There were none.

Mayor Whitling presented a Proclamation to Tracy Becker, proclaiming the month of September 2021, as Clarion County Community Bank FoodStock, and asked everybody in Clarion Area to join in support of this extremely worthwhile cause.

Mayor Whitling presented a Proclamation to Joan Kriebel, proclaiming the week of September 17-23, 2021, as Constitution Week, and asked everybody to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to everyone through this guardian of his/her liberties, remembering that lost rights may never be regained.

ADMINISTRATION

On a motion by Mr. Garbarino with a second by Mr. Aaron to approve the appropriations for the month of September. The motion carried with a vote of seven yea.

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

President Lapinto stated the second Council Meeting will be held September 21, 2021, at 7 p.m. in the Assembly Room of the Clarion Free Library, if necessary.

On a motion by Mr. MacBeth with a second by Mr. Garbarino, approving Cub Scout Pack 51's special event request for street closure to Jefferson Place (between Veterans Park and S & T Bank) on September 12, 2021, from 11 a.m. to 5:30 p.m., subject to the restrictions in place at time of the event, was carried with a vote of seven yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth to approve Clarion County Coalition for Suicide Prevention's special event request for traffic contract for their walk to be held on September 9, 2021, from 6 to 7:30 p.m.

In the absence of Chief Peck, Secretary LaVan-Preston commented Chief Peck is fine with the event and traffic control can be provided by officers, as requested.

The motion carried with a vote of seven yea.

On a motion by Ms. Roberts with a second by Mr. Aaron to approve Clarion Area Elementary PTO's special event request for closure of North 2nd Avenue from Main Street to Madison Road on September 11, 2021, from 11 a.m. until 5:30 p.m.

President Lapinto stated this is a new request and called on Ms. Roberts for more explanation.

Ms. Roberts informed everyone this is a block party that will be open to the community. Ice-O has given PTO permission to set up activities on their property, games will also be set up on the street, and there will also be a Chinese auction. Ms. Roberts commented this is the PTO's biggest fundraiser for the year.

The motion carried with a vote of seven yea.

President Lapinto reported next is a motion to approve a "Plan B" for Autumn Leaf. Mr. Sharrar and Chief Peck worked with Ms. Tracy Becker, Executive Director of the Chamber, to develop a plan in case permission to close Main Street was not granted, which PennDOT did approve the road closure. However, President Lapinto stated in today's world Council still needs to approve a "Plan B" just in case and asked Ms. Becker for more.

Ms. Tracy Becker, Clarion Area Chamber of Business & Industry, explained Plan B would cover the Autumn Leaf Festival's big event days as follows: Sunday, Car and Motorcycle Show is usually held on Main Street from 2nd to 8th Avenues and would move to the Clarion Mall; Tuesday night, Kiddies Parade is usually held on Main Street from Immaculate Conception Church down to 5th Avenue and would move to Liberty Street from the Immaculate Conception Church down to the School; Friday, Farmers and Crafters Day set up on Main Street and would move onto the sidewalks to keep Main Street open and also utilize 7th, 4th, and 3rd Avenues from Main Street to Madison Road and Main Street to Merle Road; and, Saturday, Parade Day, which was the biggest challenge, would move line up on Wood Street from 8th to 5th Avenues, use the side streets on 7th and 6th Avenues, and would go reverse on Wood Street from Wendy's down through the University to Grand Avenue to Heidrick Street. This is just in case PennDOT would have denied the request to close the streets and/or traffic from Interstate 80 for some reason has to be re-routed into the Borough.

President Lapinto stressed it is important to have a Plan B.

On a motion by Mr. Aaron with a second by Ms. Logue, approving the Clarion Area Chamber of Business and Industry's request for "Plan B" for Autumn Leaf Festival for events, was carried with a vote of seven yea.

President Lapinto asked Ms. Becker to discuss the next request from the Chamber for 2 events that were excluded from the original special event request.

Ms. Becker stated this request is to add a Cornhole Tournament on the first Saturday of ALF in front of the Courthouse, which the original request approved by Council did close Main Street from 5th to 4th Avenue each event, and to approve the sponsor reception to be held on September 29th on Seventh Avenue from Main Street down to the road that goes into CVS.

On a motion by Mr. MacBeth with a second by Mr. Aaron to approve the Clarion Area Chamber of Business and Industry's request for two events excluded from original special event request for Autumn Leaf Festival. The motion carried with a vote of seven yeas.

President Lapinto reported next are four items that are approved every September relating to the Borough's pension plans, which are figured out by the Borough's actuary, Mockenhaupt and Associates. The Borough will receive enough State Aid to pay the Minimum Municipal Obligations for each plan.

On a motion by Ms. Roberts with a second by Mr. MacBeth, approving Resolution #2021-458, a Resolution reducing the Police Pension contributions from 5% to 0% for the year of 2022, was carried with a vote of seven yeas.

On a motion by Mr. MacBeth with a second by Mr. Aaron to approve the 2022 Minimum Municipal Obligation for the Clarion Police Pension Plan in the amount of \$27,116. The motion carried with a vote of seven yeas.

On a motion by Mr. Garbarino with a second by Mr. MacBeth to approve Resolution #2021-459, a Resolution reducing the General Employees' Pension contributions from 5% to 2.5% for the year 2022. The motion carried with a vote of seven yeas.

On a motion by Mr. Aaron with a second by Mr. Garbarino, approving the 2022 Minimum Municipal Obligation for the Clarion General Employees' Pension Plan in the amount of \$60,450, was carried with a vote of seven yeas.

President Lapinto stated next Council needs to ratify approval of Change Order Number One for Clarion Borough Contract 2021-2 Clarion Free Library Building Improvements adding the replacement of the plumbing wall for the amount of \$2,679.82 and the addition of a hose bib and floor drain for the women's restroom and a bucket basin and floor drain for the men's restroom at an amount to be provided at the Council Meeting and called on Mr. Colosimo.

Mr. Colosimo informed Council that the contractor has not been able to give a firm figure on that but did state it will not exceed \$4,000.

President Lapinto asked if that could be included in the motion and would be acceptable.

Solicitor Marshall commented yes.

Mr. Colosimo explained the plumbing wall is the wall between the two restrooms and was completely deteriorated to the point it couldn't be fixed. The second part was discussed at the beginning but was not sure if it could be possible until the floor was opened up to see what was going on. Mr. Colosimo stated the floor drains are particularly important to guard against damage from any overflow from the sinks, toilets, or urinals, and would be very good add-ons. Through committee, the contractor was authorized to proceed, but this motion is the official Change Order to permit that work.

Ms. Roberts made a motion to approve that Change Order as President Lapinto stated with the amount not to exceed \$4,000 on the second part. Mr. MacBeth seconded the motion. The motion carried with a vote of seven yeas.

President Lapinto stated Council needs to award the PA Small Water and Sewer Project, which the results were received this evening and asked Mr. Colosimo to explain?

Mr. Colosimo stated this is a multi-site storm sewer project of four different locations in the Borough. The base bid for the project includes Tippin Drive and Boundary Street, an alternate for Sunset Drive, and an alternate for Whitehill Place. Not having enough funding to do all 4 projects, Council could award the base bid and then discuss through Committees on picking one of the two alternates to award at a future meeting.

Mr. Aaron thinks the Stormwater Authority Board needs consulted as well before an alternate would be selected.

Ms. Roberts and Mr. MacBeth both commented that would be fine.

On a motion by Mr. Aaron with a second by Mr. MacBeth to award the PA Small Water and Sewer Project Base Bid only in the amount of \$213,582 to Terra Works and delay action on the other two alternates for a short period of time. The motion carried with a vote of seven yeas.

President Lapinto asked Mr. Colosimo to discuss approving the service authorization for The EADS Group for the South 6th Avenue design and engineering.

Mr. Colosimo announced The EADS Group's total lump sum would be \$25,000 with an add-on of \$5,000, if necessary, meaning a possible total of \$30,000. This is for the South 6th Avenue Reconstruction Project Phase 1. Mr. Colosimo stated the hope is to get 1/3 of the entire project done with the funding that is available.

As a reminder, President Lapinto stated this project is being funded with 3 years of CDBG funds.

Mr. Colosimo noted 2021 is the final year of that funding. Construction can start in 2022.

On a motion by Ms. Roberts with a second by Mr. Aaron, approving the Service Authorization for The EADS Group for South 6th Avenue design and engineering up to the amount of \$30,000, was carried with a vote of seven yea.

BLUEPRINT COMMITTEE

If anyone drives by the 2nd Avenue property, Dr. Sanders Dédé reported he/she will notice that work has begun. Dirt is being moved and work on the infrastructure has started to tie into the stormwater system.

DESTINATION CLARION DOWNTOWN:

Mr. Jim Crooks commented the merchants are all looking forward to Autumn Leaf. There have been a lot of positive comments on the flower pots. Mr. Crooks has received a couple phone calls on who will take care of the weeds on Main Street and encouraged anyone walking on Main Street to just yank out a weed to help the appearance of Main Street. The Committee is moving onto Christmas and looking at wreaths. Mr. Crooks hopes the light poles will be up in time and questioned if Mr. Colosimo knows when that will be?

Mr. Colosimo knows the project will begin in September and be completed by Christmas.

Mr. Crooks announced the Committee is planning on redecorating some of the wreaths to be used at intersections. A meeting will be held Thursday at 6:15 p.m. Anyone is welcome to attend.

PUBLIC WORKS

On a motion by Ms. Roberts with a second by Mr. MacBeth to change the status of Eric Sharrar from probationary to regular Public Works Laborer, retroactive to August 20, 2021, contingent upon obtaining CDL and pesticide license. The motion was carried with a vote of seven yea.

On a motion by Ms. Roberts with a second by Mr. Garbarino, approving the Blueprint Committee, 2nd Avenue Neighborhood Park Project, Storm Water Agreement to tie into Borough's Storm Water System, was carried with a vote of seven yea.

STORM WATER AUTHORITY

On a motion by Mr. Aaron with a second by Mr. MacBeth to ratify approval of rental of vac truck from A & H Equipment for the cost of \$8,000 for 1 month.

Mr. Aaron pointed out that will be reimbursed to the Borough by the Stormwater Authority.

President Lapinto stressed it is amazing how that equipment works and asked Mr. Preston if he had any idea how much has been removed from the drains.

Mr. Preston stated a lot.

The motion carried with a vote of seven yeas.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to approve the repayment plan of money owed from SWA to Clarion Borough.

According to the Management Agreement, Mr. Aaron stated this repayment plan as outlined will repay the Borough for all the startup costs and money from taxpayers by the end of 2021. The initial payment will be ¼ of the startup costs and monthly invoices through August.

The motion carried with a vote of seven yeas.

PUBLIC SAFETY

Mr. Aaron had nothing to report.

LIBRARY REPORT

Mayor Whitling stated no meeting was held due to lack of a quorum.

HOUSING AND ZONING

Ms. Logue reported the Committee met in August, and the report is in the packet for everyone's review.

RECREATION

On a motion by Ms. Roberts with a second by Mr. MacBeth, approving the bidding of Clarion Borough Contract 2021-4 Paul A. Weaver Community Park Softball Field Improvements, was carried with a vote of seven yeas.

On a motion by Ms. Roberts with a second by Mr. Garbarino to approve Service Authorization for The EADS Group for C2P2/DCNR Application Technical Assistance.

Mr. Colosimo reported that particular grant is for the pool renovations. Next month, Mr. Colosimo will actually bring the service authorization from The EADS Group back for approval but wanted to make sure that Council is okay giving them permission to develop it for the Borough.

Mr. Garbarino asked if this was for the grant application itself then?

Mr. Colosimo commented it was not. It will be for The EADS Group's assistance in helping with the grant. Delta Development has been contacted for their help with the actual application. But background information and engineering work will be needed to support it. This work will begin in the fall with the application being due at some point in April 2022.

The motion carried with a vote of seven yeas.

SECRETARY'S REPORT

Secretary LaVan-Preston had nothing to report.

MAYOR'S REPORT

Mayor Whitling had nothing to report.

OLD BUSINESS

There was none.

NEW BUSINESS

President Lapinto stated the Exit Audit Meeting was held last week and commended Secretary LaVan-Preston on the good job with keeping the books in order. The auditors stated the Borough is in good condition.

Secretary LaVan-Preston thanked everyone for helping her do her job.

CITIZEN COMMENTS: Non-Agenda Items

Ms. Elisabeth Fulmer, 21 South Seventh Avenue, understands there is a fine for driving a riding mower on the street or sidewalk and asked if that is a local ordinance?

President Lapinto reported Chief Peck is not here but thinks Mr. Aaron is aware of the situation.

Ms. Fulmer voiced curiosity on how this is not permitted and noted a former Mayor should have been fined \$1,000 for plowing snow from all the sidewalks in Clarion Borough years ago.

Ms. Roberts feels the reason is the individual is riding the lawn mower as a vehicle and not mowing grass.

Ms. Fulmer asked if something needs to be done to encourage small business persons to use his/her equipment for one location to another?

If a person cannot afford a truck and trailer, Ms. Jennifer Vinson, 96 South Seventh Avenue, inquired if he/she could use the alleys to travel from job-to-job. There is a safety concern but is there some way a small local worker can get by using a riding mower if that's his/her only means.

Due to complaints by two members of the Public Safety Committee, President Lapinto understands the Chief addressed it with the person.

Mr. Crooks thinks Ms. Roberts brought up a good point and asked if the mower is used for mowing or just riding around? In other words, is the person riding from one job to the other? The gentleman he knows does this has 15 mowing jobs throughout town and also uses it in the winter to remove snow from sidewalks that cannot be shoveled by hand.

Mr. Aaron thinks the bigger issue is there is a difference between doing work with the machinery or just running it all over town without a mower deck on. Two members of Public Safety Committee did bring this up because complaints were given to each of them.

Ms. Vinson questioned if the individual is using it to travel from one job to the next?

Mr. Aaron commented it is a means of transportation and has witnessed the mower deck off. One of the biggest complaints from residents is the mower was constantly going up and down the alley all weekend long.

Ms. Becker noted there was an individual that rode up and down beside her house Friday night.

Ms. Fulmer feels \$1,000 fine seems like a lot.

Ms. Vinson stated she has used the street to go to the business at 7th and Wood and never got stopped by anyone.

Mr. Aaron is not aware of how much the fine would be and stated attitude played a part in this.

Since this is an on-going investigation, Solicitor Marshall recommends Borough Council not to comment on it until the investigation is completed. It's not proper for Council to discuss on-going criminal or other investigations.

Ms. Vinson wondered if this was a violation in the Borough Code itself or where.

Solicitor Marshall doesn't know the answer to that question and will look it up if Council wishes him to do so. Solicitor Marshall doesn't want to speak on behalf of the Chief while he's in the middle of an investigation.

Mr. Crooks stressed this needs resolved prior to winter, because it will become a big issue with snow removal from the sidewalks as it's hard to shovel the snow from them without assistance of a machine.

Not to be that person, Ms. Vinson added especially when the snow plow goes by and leaves a pile at the end of the driveways and sidewalks by the alleys. It just really needs defined what is going on; if it's a nuisance or something else.

President Lapinto referred this to the Public Safety Committee.

Moving onto trees, Ms. Fulmer feels the Borough could encourage people to plant trees such as at the new apartment complex on Fifth Avenue, in front of the Chamber building on Main Street just to name a few.

Mr. MacBeth verified Ms. Fulmer wants the Borough to tell people to go spend money on a tree?

Ms. Fulmer asked him not to get her started on the Borough not telling people what he/she can do with his/her private property.

Working for a business that sells trees, Mr. MacBeth sees it as that being Council saying to residents 'go spend your money on a tree'.

At their residence in Bradford Woods, Ms. Logue mentioned the Borough did send out a brochure and pamphlet working with a local establishment notifying residents 'here are some trees if you want to buy one, the contractor would come out and plant it'. Not many people participated with the program.

Mr. Bob Balough added it was a good price though. A tree that usually sold for \$300 was being offered for \$200 and then \$75 to have it planted. Mr. Balough suggested Borough Council could look into that.

Ms. Logue doesn't believe Borough Council organized it but helped promote it.

Mr. Crooks stated when he was on Council there was discussion about starting a Shade Tree Commission, which is very popular in many Boroughs.

President Lapinto reported the Borough has tossed this idea around, but a tax millage must be dedicated if you have one.

Mayor Whitling asked if the focus is just on planting new trees?

Mr. Crooks commented there is a big problem right now with big trees that are dead and need to be trimmed or removed as well.

Mayor Whitling pointed out one issue on South Sixth Avenue is every single maple tree has black tar disease. The only way to get rid of it is to get rid of every single leaf.

Mr. Aaron reported the Stormwater Authority is putting together a credit policy, which a common practice is having rain gardens and planting trees for a discounted fee. That can be an incentive to property owners in Clarion Borough, as trees are a fantastic way to develop stormwater mitigation naturally.

Dr. Sanders Dédé stressed what will trees do when people don't keep up his/her places aesthetically. That is a major issue.

Backing up to Destination Clarion Downtown, Ms. Fulmer commented there has been a change in the management at the Fulmer House; it is no longer owned by the Fulmers but Jennifer Vinson.

Ms. Vinson stated it's still a family business.

CORRESPONDENCE

There were none.

On a motion by Mr. Aaron with a second by Mr. MacBeth, the meeting was adjourned at 7:43 p.m.

Linda LaVan-Preston, Borough Secretary