

October 1, 2024, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on October 1, 2024, in 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. Logue, Ms. Roberts, and President Lapinto. Mr. Aaron and Ms. Schmader were absent. Mr. Sharrar, Chief Peck, Mr. Colosimo, Solicitor Marshall, Mr. Preston, Mayor Fulmer Vinson, and Chief Administrative Officer/Borough Secretary LaVan-Preston were also present.

At this time, President Lapinto wished to say a few words about Councilman Averill, who passed away last week. According to his Mother, Councilman Averill was very proud to have been elected to Borough Council; was anxious to serve on the EMS Task Force as he was involved in the ambulance service and fire company in Emlenton, and was a very hard worker that would have done a good job for Clarion Borough. If any member of Council or the Mayor would like to say anything, they can do so now.

In conversation with Councilman Averill a few times, Mayor Fulmer Vinson agreed he was really, really looking forward to helping Clarion Borough and making a difference. In just the few meetings that Councilman Averill attended, and in one case coming a couple hours after being released from the hospital, that's just how much it meant to him. Mayor Fulmer Vinson feels the Borough will miss what Councilman Averill could have brought to the table.

Once the minutes are approved, President Lapinto promised to send a copy to his Mother. Councilman Averill's service is on Thursday with Reverend Jacobson doing the service.

On a motion by Mr. Garbarino with a second by Ms. Roberts to approve the September 3, 2024, Council Meeting, minutes. The motion carried with a vote of four yea.

CITIZEN COMMENTS: Agenda Items

Ms. Elisabeth Fulmer, 21 South 7<sup>th</sup> Avenue, voiced a problem with Council's possibly appointing new members without any notification to the public that there were vacancies. After looking at the Borough regulations the State puts out, there are no hard and fast rules on how these positions are to be filled. However, Ms. Fulmer doesn't think that means that Borough Council itself cannot do things properly with proper public transparency and information. In a sense, it's saying the voters don't matter, Council doesn't care what residents think or care what they may know, this is how it's going to be done. Borough Councilmembers in the past have stated that, and Ms. Fulmer stressed she didn't like it then and doesn't like it now. A public announcement should have been made at this meeting that there were vacancies and anybody that was interested in filling those positions could submit their name. Ms. Fulmer stated the public would have had the chance to express their opinion and/or a statement to Council as to what their hopes and wishes are. However, that doesn't seem to be the way things are done in Clarion. Ms. Fulmer does not support that.

President Lapinto pointed out that Borough Council is down to four members.

Ms. Fulmer realizes that and noted a very small number of remaining members are replacing members with no input or comments from the public. It becomes a self-perpetuating board.

Mr. Garbarino asked when the next election is?

President Lapinto stated next year there will be five open positions.

Chief Administrative Officer/Borough Secretary LaVan-Preston added that it is getting into the budget time, and it is important to have seated councilmembers.

Ms. Fulmer also understands that, but this is a nation that was founded on the principle that citizens vote for their elected representatives and voiced her unhappiness.

Solicitor Marshall announced the law says that Borough Council has 30 days to appoint a member from the time the resignation is accepted or from the date of the passing of someone. Council is electing to appoint the people that they believe are the best for the position and that's it. That's the law.

Ms. Logue voiced confidence in the people that Council plans to appoint later in the meeting and is glad each stepped up and is willing to do it. There is no special interest in play at all. At times, it is not fun to be on Borough Council, and it takes a lot of work and time.

#### ADMINISTRATION

On a motion by Ms. Logue with a second by Ms. Roberts, approving the appropriations for the month of October, was carried with a vote of six yea.

President Lapinto commented the Treasurer's Report of Fund Totals and Budget Analysis are included in the packet for review.

President Lapinto announced the second meeting will be held on October 15, 2024, at 7 p.m. in the Assembly Room of the Clarion Free Library. The purpose will be for the LGUDA process for the PennVEST loan CBSA applied for.

President Lapinto reminded everyone the November Council Meeting will be held Wednesday, November 6, 2024, at 7 p.m. in the Assembly Room of the Clarion Free Library due to Election Day.

President Lapinto stated first was to accept the resignation from James Averill but he passed so that will not need to be done.

On a motion by Ms. Roberts with a second by Mr. Garbarino to accept the resignation from Patty Schmader, from Clarion Borough Council, effective immediately, with regrets. The motion carried with a vote of four yea.

On a motion by Ms. Logue with a second by Ms. Roberts, appointing Andrew Montana to complete a vacancy on Clarion Borough Council to expire at the end of 2025, was carried with a vote of four yea.

On a motion by Ms. Logue with a second by Ms. Roberts to appoint Kaitlyn Whitling to complete a vacancy on Clarion Borough Council to expire at the end of 2025. The motion carried with a vote of four yea.

At this time, Solicitor Marshall notarized the Affidavit of Residency for Mr. Montana and Ms. Whitling.

Mayor Fulmer Vinson issued the Oath of Office to Ms. Whitling and Mr. Montana, separately.

President Lapinto stated Ms. Whitling will be a member of the Housing and Zoning Committee and Mr. Montana will be a member of the Public Works/Stormwater Committees. Also, Mr. Montana will have to resign as a member of the Zoning Hearing Board.

#### EMERGENCY MEDICAL SERVICES AUTHORITY COMMITTEE

President Lapinto reported Mr. Montana, Ms. Logue, Chief Administrative Officer/Borough Secretary LaVan-Preston, and she attended the Township Supervisors Convention and asked anyone for comments.

Mr. Montana learned more in that 1-hour presentation on the Emergency Medical Services than attending all the EMS meetings over the last year. The speaker is looking forward to working with the municipalities once the surveys are returned, which probably won't be until early Spring of next year. It was very informative.

Since Pennsylvania is a Commonwealth, President Lapinto announced the County cannot do anything financially about the ambulance situation but called on Mr. Brett Whitling for more.

Mr. Whitling, Clarion County Emergency Management Coordinator, pointed out the ambulance agencies in Clarion County are all running in the red. One is surviving solely off weekly donations from a church, while another one is using savings with only a year remaining. Instead of monetary donations, Mr. Whitling reported donations of 100 gallons of fuel a month or another type of donation would assist the ambulance companies.

#### BLUEPRINT COMMITTEE

Ms. Logue stated a meeting will be held this month.

#### DESTINATION CLARION DOWNTOWN

Mr. Jim Crooks reported the Christmas decorations are all in and will be put together later to be put up on the 8 street lights between 4<sup>th</sup> and 3<sup>rd</sup> Avenues. A letter was sent to the 10 businesses in this area asking for donations.

President Lapinto noted it will be nice to see decorations there as well because Main Street doesn't end at 5<sup>th</sup> Avenue.

Mr. Crooks agreed. Since the last order, prices increased 40%, making the total cost a little over \$2,000. If a private individual or business would like to make a donation towards the decorations, it can be sent to Destination Clarion Downtown, PO Box 487, Clarion.

Mr. Garbarino inquired if Mr. Crooks reached out to the residents in that area as one no longer owns a business but is probably more than willing to help out.

Mr. Crooks stated anyone can donate and will get that information after the meeting.

#### PUBLIC WORKS/STORM WATER AUTHORITY

Ms. Logue announced fall leaf pick up will be every Monday and Tuesday, beginning October 14, 2024, through November 26, 2024. As a reminder, this is for leaves only and must be placed at curbside not on the roadway, around road signs/telephone poles, and/or in parking stalls. Grass, limbs, and/or branches can be taken to the Public Works Department at the drop-off location.

On a motion by Ms. Logue with a second by Mr. Garbarino, giving permission to complete an application for County Aid in the amount of \$30,000 for the milling and paving of North Sixth Avenue from Main Street to Liberty Street, was carried with a vote of six yea.

On a motion by Ms. Logue with a second by Ms. Roberts to approve the fee agreement with Marshall Law Office, LLC, for the PennVEST financing for the Grand Avenue Extension Storm Sewer Replacement Project, PennVEST Number 16789152312-CF. The motion carried with a vote of six yea.

#### PUBLIC SAFETY

Ms. Roberts announced trick-or-treat is scheduled for October 31, 2024, from 6-8 p.m. Residents wishing to participate should leave their porch light on. The parade begins at 5:30 p.m. on Main Street in the vicinity of McDonalds.

On a motion by Ms. Roberts with a second by Mr. Garbarino, adopting Ordinance #2024-846, Noise Ordinance, was carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Ms. Logue to approve Resolution #2024-495, a resolution that a parking permit may be issued and sold anywhere throughout the Borough with the exception of Main Street. The motion carried with a vote of six yea.

#### LIBRARY REPORT

Mayor Fulmer Vinson stated the Autumn Leaf Festival Reception was held upstairs on Friday and was beautiful. Susan Slike decorated the outside and inside making it extra beautiful. The Friends of the Library helped, and it was a really nice evening.

#### HOUSING AND ZONING

There was none.

#### RECREATION

There was none.

#### SECRETARY'S REPORT

Chief Administrative Officer/Borough Secretary LaVan-Preston reported the Borough received the 2023 Audit and an Exit Audit Meeting was held earlier today. Everything is in good order.

President Lapinto announced the Borough's audit was unmodified, the highest ranking an audit can get, and congratulated Chief Administrative Officer/Borough Secretary LaVan-Preston for spending so much time on it.

Chief Administrative Officer/Borough Secretary LaVan-Preston thanked everyone and Mr. Colosimo for their help as well.

Chief Administrative Officer/Borough Secretary LaVan-Preston stated work will begin this month on the 2025 Budget, and all committees will be asked for their 'wish list' items. Information will be given to the financial consultant as well.

Chief Administrative Officer/Borough Secretary LaVan-Preston welcomed Councilmembers Whitling and Montana.

#### MAYOR'S REPORT

There was none.

#### OLD BUSINESS

There was none.

#### NEW BUSINESS

There was none.

#### CITIZEN COMMENTS: Non-Agenda Items

Mr. Crooks questioned the new parking permit and inquired if that is valid anywhere throughout the Borough except Main Street and suggested the word sold should maybe be replaced to issued and utilized.

President Lapinto, along with the Mayor, feel there are many handicapped residents that are have difficulty coming out to fee the meters and thought this would make it friendly.

Chief Administrative Officer/Borough Secretary LaVan-Preston pointed out this area falls under the premium parking permit. Anyone that wishes to purchase one, will have to purchase a premium parking permit. The wording on the agenda may not be proper. This resolution was prepared using an example from the past when a street was added. A copy can be provided to Mr. Crooks.

Mr. Mark Hartle inquired if that is weekly, monthly, yearly, and what the fees are?

Chief Administrative Officer/Borough Secretary LaVan-Preston reported the permits are sold on a quarterly basis. A regular parking permit is \$40 per quarter and is good at any metered space on Liberty Street or Wood Street. A premium parking permit is \$65 per quarter and is good at any metered space on Liberty Street, Wood Street, South Street, the Fire Hall Parking Lot, the Liberty Lot, and anywhere in the Borough except on Main Street. Individuals that purchase the permits can park all day and overnight except during the Snow Removal Ordinance, which runs from December 1<sup>st</sup> to April 1<sup>st</sup>.

Mr. Crooks asked what the difference is if you can park anywhere in the Borough?

Chief Administrative Officer/Borough Secretary LaVan-Preston stated someone may buy the regular permit to save money.

Solicitor Marshall asked Mr. Crooks if he read the resolution?

Chief Administrative Officer/Borough Secretary LaVan-Preston commented the public didn't receive a copy of it but can provide it afterwards.

Solicitor Marshall noted it spells it out in there the premium and the regular.

Ms. Logue stated Council is just adding a new location to the premium parking permit.

President Lapinto stressed it's to make it better for the residents.

Mr. Crooks thinks it's a good idea.

Mayor Fulmer Vinson added Council is trying to supply a spot for them to park.

Mr. Mark Hartle, 63 East 8<sup>th</sup> Avenue, mentioned he was curious about the recycling program or lack thereof and questioned if it is correct the Borough is doing away with the program?

President Lapinto confirmed that was correct.

Mr. Hartle feels recycling is a farse to start with as only 7% of recyclables go back on the shelf while the rest goes to waste. The solution is not to produce plastic. Mr. Hartle verified part of his property taxes are currently paying for recycling.

Chief Administrative Officer/Borough Secretary LaVan-Preston agreed for this year.

Mr. Hartle inquired if he can expect to see a reduction of taxes or will the residents pay the same amount of taxes next year for less services? In discussion with all the trash collectors, the bills will increase as there will be more trash.

Being very honest with Mr. Hartle, President Lapinto started off by saying only 25% of the Borough is taxable. Council has been down this road before.

Mr. Hartle asked if that came to a surprise to anyone?

President Lapinto stressed this is just the facts. Council is going to make very difficult decisions.

Mr. Hartle feels Council is very much aware from year-to-year how much the Borough's tax base is going to be.

President Lapinto reported it changes from year-to-year with reassessments.

Ms. Logue explained the Borough was renegotiating the recycling contract, which turned out to be double. Basically, the General Fund has been paying some for recycling. The mill will probably be reallocated.

Mr. Hartle verified then Council will decide to put that same money somewhere else without any discussion? Money that is currently collected for recycling will be reallocated?

Ms. Logue stated that is not what she is saying; the millage may be.

To piggyback on that, Ms. Roberts informed Mr. Hartle Council will be advertising the proposed budget for next year, which residents will have the opportunity to address Council if they are not happy with prior to Council adopting it. Back to recycling, the Borough will continue to offer the brush pile that residents may take their items to drop off. The Public Works Department then has to haul it to a drop-off location. This is a service that is offered. Also, the Borough has a truck to do curbside leaf collection in the spring and fall. Those services will continue to be in the recycling budget.

President Lapinto added that also pays for clean-up day.

Mr. Hartle stated he wasn't asking about those services, but, again, it's at his own expense to haul the items to the Borough's drop-off location. Mr. Hartle stressed residents should be given

back a percentage that covers the plastic and cardboard currently so that they have the additional money to pay for trash collection. All this is going to do is cost him more to live in the Borough.

Chief Administrative Officer/Borough Secretary LaVan-Preston pointed out refunding wouldn't be for 2024.

Mr. Hartle isn't asking for a refund, but a reduction in his property taxes so he can pay the additional trash fee that will be incurred due to no more recycling.

President Lapinto reported that isn't going to happen.

Mr. Hartle verified that's Council's final response, that it's not going to happen.

President Lapinto guarantees that will not happen and repeated it's a very tight budget. Again, Mr. Hartle is welcome to come to the meetings where the budget will be explained so taxpayers know where their money will be going.

Mr. Hartle received pretty much the same answer the lady did earlier, 'we're going to do it, because we can do it'.

Chief Administrative Officer/Borough Secretary LaVan-Preston stated that is not true and explained this to Mr. Hartle when he was at the office last month. However, Mr. Hartle doesn't want to listen to anything being said and his mind is made up that Council is robbing him and taking a service away. Not only would have the recycling contract doubled, but less items would have been taken, meaning everyone's garbage would still be increasing. The last day for recycling is December 18<sup>th</sup>. Chief Administrative Officer/Borough Secretary LaVan-Preston understands Mr. Hartle may move out the of the Borough, which is his choice, but stressed Council is not taking any of this lightly. Mr. Hartle isn't staying up at night wondering where the money will come from for all the benefits and bills. Council hasn't raised taxes for many years. When the 2025 budget discussions begin, Chief Administrative Officer/Borough Secretary LaVan-Preston commented this is not going to be an easy year. Attending a conference earlier this year, a DCED representative pointed out that municipalities that have approved a tax anticipation note over 10 years need to raise taxes. Council has been trying to hold them as best as they can. Chief Administrative Officer/Borough Secretary LaVan-Preston informed Mr. Hartle that these Councilmembers are volunteers, and everyone should thank them for the amount of time that they spend to attend numerous meetings each month to get ready for the Council Meeting. And, the members most certainly don't sit around and think of ways to take away benefits and services from the residents. Chief Administrative Officer/Borough Secretary LaVan-Preston added Mr. Hartle can be disrespectful, but she is sticking up for her Councilmembers who do a darn good job.

Mr. Hartle stated that is her opinion.

Chief Administrative Officer/Borough Secretary LaVan-Preston agreed and feels the Borough is a pretty nice place to live. Volunteers make it a better place. The Borough cannot pay for everything when only 25% taxpayers are paying for everything.

President Lapinto reported the Borough is the largest contributor to the library and to the fire company and feels sorry if Mr. Hartle is dissatisfied, but that's just the way it is. If he doesn't like it, he can vote the members out.

Mr. Terrance Bean, 204 North 2<sup>nd</sup> Avenue, commented last year quite a few people as well as himself were rather forceful on the 2<sup>nd</sup> Avenue Project. However, driving by the park, it is nice to see it being used every day by a lot of kids. This is a positive thing. Mr. Bean stated Councilmembers have a difficult job to do, and some people don't like the way the money is being spent, but, in this case, the project has benefitted a lot of people up there. Mr. Bean thanked each one for volunteering their time.

#### CORRESPONDENCE

There was none.

On a motion by Ms. Roberts with a second by Mr. Garbarino, the meeting was adjourned at 7:38 p.m.

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Linda LaVan-Preston, Chief Administrative Officer/Borough Secretary