

August 6, 2025, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on August 6, 2025, 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 Ms. Whitling, Mr. Garbarino, Ms. Logue, Ms. Roberts, Mr. Montana, and President Lapinto. Mr. Aaron was absent. Mr. Preston, Mr. Colosimo, Mayor Fulmer Vinson, Chief Peck, Mr. Wolf, Solicitor Marshall, and Chief Administrative Officer/Borough Secretary LaVan-Preston were also present.

On a motion by Mr. Garbarino with a second by Ms. Roberts, approving the July 1, 2025, Council Meeting, minutes, was carried with a vote of six yeas.

CITIZEN COMMENTS: Agenda Items Only

Mr. Kevin Salandra, co-owner of Ace Hardware, 624 Main Street, commented they are having issues with rain water and was actually at a Council Meeting about a year ago with the same issue. A lot of the roof water from the Dan Smith's building is going into the Ace Hardware parking lot to the point that where Mr. Salandra parks his truck means he has to walk through a small pond after a rain storm. In fact, one of his customers stated will not park in the parking lot anymore due to the water issue. This is affecting Ace Hardware's business. The former zoning officer contacted the owners of Dan Smith, and they connected a pipe that ran to about 2' shy of the road. That didn't work, because the water came out the end of the pipe and ran onto the Salandras' property instead of making it to the road and into the storm drain. So, the owners of Dan Smith then put a plastic drain that you connect to your spouting to push the water away from a person's house to get it to the road. Mr. Salandra has a copy of the letter that the prior zoning officer wrote, which stated it was a solution but it will probably get run over by a snowplow or whatever. That's exactly what happened. Back in March of this year, Mr. Salandra approached the new zoning officer to discuss the situation. Since it was raining that day, the new zoning officer came out and stated he would take care of it. After several months and inquiries on the status with no correction of the problem and no return of phone calls, Mr. Salandra decided to attend the Council Meeting. The problem is the pipe was not glued and has come apart, resulting in the water running onto the Salandras' property rather than the roadway. At the end of the road, it has created a hole. Mr. Salandra offered to show some pictures of the area. The plastic is smashed, creating a hole about 4" deep underneath it, and causing the water to run onto their property. If the owners of Dan Smith would have concreted the area, it would have resolved the problem. This is what the prior zoning officer suggested. That would make it low enough not to be hit by a snowplow or break if someone drives over it. When the Salandras bought the building, Mr. Salandra informed Council they put concrete between the u-shaped part of the building and installed a drain to connect the existing pipe that was there to get it to the storm drain. Also, the Salandras put gravel in the parking lot as well. After the first rain storm and since there was no pipe on the property next door, the gravel was washed out. The Salandras purchased 5-ton more of gravel, put it in, which was washed out with the next storm. It was so bad that their forklift got buried in it when they tried to do something. The parking lot was so soft and remains that way to this day. You have to be very careful how you move pallets or put

a dumpster on the property. Mr. Salandra feels for 2 bags of concrete and a container of pipe lube, about \$30 worth of materials, it would solve the problem. The Salandras spent hundreds, if not thousands, of dollars on the parking lot. The owners of Dan Smiths will not fix the problem. In an email, it indicated this problem was a civil matter. According to the ordinance, Mr. Salandra doesn't feel it is a civil matter, because it says the water has to either be put in the storm drain or directed to the roadway. It's not getting to the roadway. Council should have a lot of leverage, because every day is a violation or summary offense. If the new zoning officer notified the owners back in March that this was a problem, that's 4 ½ months and a potential fine of \$600 a day. Mr. Salandra stressed this should have been fixed. At some point, Ace Hardware would like to pave their parking lot. However, nobody wants to pave it, because it isn't going to hold up until the water issued is resolved because the ground is too soft. Being a township supervisor for 6 years, Mr. Salandra voiced frustration that a call to the Borough couldn't have solved this problem. This is the third meeting to discuss something relatively minor. If there's an ordinance, it's law.

Solicitor Marshall reported this issue was brought to his attention. Previously, the discussion was the pipe had to be repaired; however, Council cannot direct people how they make their connection. The only thing to do is notify them to repair the pipe to forward the water to the roadway and go from there. Solicitor Marshall cannot address why it has taken so long for this to be done.

Mr. Salandra hoped the Ace Hardware parking lot could be paved this year and that's why he notified the Borough in March. The pipe is definitely separated, and pictures are available if Council wishes to see them of the condition just this morning. Mr. Salandra thinks people are bumping the pipe with their care as they pull in that area. When the former zoning officer addressed the repair, both he and Mr. Salandra knew that was not a long-term fix before the pipe and plastic tray by the road would be damaged. The former zoning officer proved the water coming into Ace's parking lot was coming from the lot next door.

Once a letter is sent indicating that they are not following the ordinance and fail to make the repair, Solicitor Marshall commented a citation will be issued; however, it's not his forte to know how long it will take them to fix it. Thirty days should be more than enough time but doesn't want to speak for the Borough Maintenance crew or the zoning officer.

President Lapinto asked if the Salandras have talked to the owners next door?

Mr. Salandra reported they tried that when they first opened; however, one of the owners doesn't get along with his brother so it didn't work out. All the businesses need to work together to help each other out. Unfortunately, it just doesn't seem like someone will spend \$30 to fix a problem that the Salandras have spent hundred to a couple thousand dollars to fix. Mr. Salandra appreciates any help that can be provided to resolve this problem.

#### ADMINISTRATION

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

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

President Lapinto commented the second meeting will be held on August 19, 2025, at 7 p.m. in the Assembly Room of the Clarion Free Library, if necessary. There could possibly be a need to move on a pension provider for the Borough's plans. President Lapinto commented the Borough had to bid out the services due to Act 44.

Chief Administrative Officer/Borough Secretary LaVan-Preston doesn't believe there will be enough time to make a decision that quick as the last interviews are being conducted August 14, 2025.

President Lapinto announced the Clarion Borough Offices will be closed August 18, 2025, for office changes.

On a motion by Mr. Garbarino with a second by Ms. Roberts, approving Clarion County Coalition for Suicide Prevention's special event request for their annual suicide walk to be held on September 18, 2025, from 3 – 8 p.m., was carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Ms. Whitling to approve the purchase for a new physical domain controller (server) from Computer Support at the cost of \$20,818. The motion carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Mr. Garbarino, approving Resolution #2025-506, approving submission of a Community Development Block Grant (CDBG) application to Clarion County in the amount of \$75,000 for the Paul A. Weaver Community Park Playground Improvements Project and committing Clarion Borough funds in the amount of \$7,500 as the local share for the application.

President Lapinto reminded everyone that the Borough has to apply to the County since the borough is no longer eligible due to the census. This will be for a different playground at the park.

The motion carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Ms. Logue to approve the request of the Clarion Free Library for a support letter to Dr. and Mrs. Arthur Williams Philips Trust, managed by Bridge Builders Community Foundation, for funding for the Library's Roof Replacement Project.

President Lapinto asked Mayor Fulmer Vinson for additional comments?

Mayor Fulmer Vinson stressed the Library absolutely appreciates Council for approving the support letter and really needs to get this grant.

The motion carried with a vote of six yea.

On a motion by Mr. Garbarino with a second by Ms. Logue, approving the request from Clarion County Economic Development Corporation for a support letter for Clarion County Regional Façade Improvement Program (Main Street Matters), was carried with a vote of six yea.

On a motion by Ms. Logue with a second by Ms. Whitling to approve to advertise for a replacement for the Administrative/Stormwater Assistant at a rate to be determined. The motion carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Ms. Logue to table the next motion to approve the public bidding and procurement of services to complete Clarion Borough Contract 2025-1 Fire Department Building Roof Replacement Project. The motion carried unanimously.

#### EMERGENCY MEDICAL SERVICES AUTHORITY COMMITTEE

Mr. Montana had nothing to report, and no meeting has been scheduled.

#### BLUEPRINT COMMITTEE

There was none.

#### DESTINATION CLARION DOWNTOWN

President Lapinto stated Summer Fest was great and asked if a final total has been determined from the Bingo Bonanza event.

Ms. Logue commented it was a really fun time.

Mayor Fulmer Vinson stated not yet, but as soon as it is available, it will be provided so everyone will know.

Ms. Whitling thinks a lot of money was raised, which is very exciting being the first time for the event. Again, this money will be used for Christmas decorations.

#### PUBLIC WORKS/STORM WATER AUTHORITY

Mr. Montana announced again anyone interested in completing the vacant term on the Clarion Borough Stormwater Authority Board to expire the first Monday in January 2028 to contact the Borough Office. If anyone knows anybody, please direct their name to the Borough.

On a motion by Mr. Montana with a second by Mr. Garbarino, giving permission to send a letter to Clarion Borough Stormwater Authority Board requesting \$12,500 towards the purchase of the server from Computer Support, carried with a vote of six yea.

On a motion by Mr. Montana with a second by Mr. Garbarino to give permission to send a letter to Claron Borough Stormwater Authority for an additional \$12,000 towards the engineering fees for the TASA Project on 2<sup>nd</sup> Avenue. The motion carried with a vote of six yea.

#### PUBLIC SAFETY

Ms. Roberts reported National Night Out was last night and was successful.

Chief Peck added it was a nice turnout.

Chief Administrative Officer/Borough Secretary LaVan-Preston believes there were 10 more people this year that registered than last year but cannot recall the exact number.

President Lapinto thinks it was really great and was the fourth year for the event. This is her favorite day of the year. All organizations come out and participate in this event.

Mr. Garbarino noted 515 ice cream cones were given out, and the Knights of Columbus gave away more popcorn than last year. It was a wonderful job.

Chief Peck feels the best part is seeing the kids and their parents pick up their gifts, just to see their faces.

Ms. Roberts asked for an update on the eligibility list.

Chief Peck stated one police officer application was received. The deadline was August 5<sup>th</sup> at 3 p.m. The testing is scheduled in the next few weeks.

Chief Administrative Officer/Borough Secretary LaVan-Preston informed everyone the Civil Service Commission indicated the eligibility list should be presented to Council September 1<sup>st</sup>. However, that will be after the September 2<sup>nd</sup> Council Meeting agenda and packets have been prepared. Due to the Sunshine Law, it cannot be added to the agenda. If there is a need to move faster, the second September Council Meeting may be held.

#### LIBRARY REPORT

Mayor Fulmer Vinson provided a shout out to Susan Slike, who has adopted the Library recently. Ms. Slike did a lot of decorating the last year and painting the doors, railings, and other things that need fixed up this year. The Library is very lucky to have her on the Committee as it is and appreciate all that she is doing for the Library.

#### HOUSING AND ZONING

Ms. Logue had nothing to report.

#### RECREATION

Ms. Roberts had nothing to report.

### SECRETARY'S REPORT

Chief Administrative Officer/Borough Secretary LaVan-Preston stated the draft of the 2024 Audit for Clarion Borough and Clarion Borough Stormwater Authority has been received, but she did not have a chance to review. In conversation with Sam Lynch, Jr., everything appears to be in order. As soon as she lets Zelenkofske Axelrod know it is good, the report will be received. As usual, an Exit Audit Meeting will be scheduled with the Administration Committee as well as CBSA.

### MAYOR'S REPORT

Mayor Fulmer Vinson voiced appreciation for Chief Peck, the Public Works Department, and the Fire Department for all their work for National Night Out as well as Summer Fest.

### OLD BUSINESS

President Lapinto asked Chief Administrative Officer/Borough Secretary LaVan-Preston for an update on the signal on Greenville Avenue for the crosswalk by Marwick Boyd. It's not an easy process.

Chief Administrative Officer/Borough Secretary LaVan-Preston stated the Borough and University met a couple months ago to discuss the signal at this crosswalk. The University has agreed to purchase, install, and pay for everything as far as the installation and all future needs. Right now, the Borough is just waiting on an agreement from the University's legal department stating just that to protect the taxpayers and residents of the Borough. Once that is received, Council will need to approve it at a Council Meeting and then there will be a couple steps with PennDOT. Nothing is official yet, but it's getting there.

### NEW BUSINESS

There was none.

### CITIZEN COMMENTS: Non-Agenda Items

Mr. Andy Lambert, 202 South Seventh Avenue, submitted an appeal to a building permit issued to the County for a generator at their building next door in March and wondered the status.

Mr. Wolf received the letter and asked if he submitted an application.

Mr. Lambert commented that Mr. Wolf has the letter, which he has a copy as well. That was the formal appeal.

If anyone appeals the Zoning Officer's decision, Chief Administrative Officer/Borough Secretary LaVan-Preston thinks the individual has to file a variance request, consisting of an application and then there is a whole process to notify everyone, publish and post the property, and a hearing held. Mr. Wolf contacted the County that day Mr. Lambert came into the office with the letter and discussed that as well as the adjusting of lights. Chief Administrative Officer/Borough Secretary LaVan-Preston doesn't know where it went from there.

Mr. Lambert stated the lighting is a whole separate issue. The Lamberts had 30 days to appeal the decision on the issuance of a permit for the generator. The generator has been installed before that time period was even over. Mr. Lambert just wants to know the status of the appeal.

When Mr. Lambert brought the letter into the office, Mr. Wolf wasn't sure how to proceed and asked Mr. Lambert to come into the office to discuss this further.

President Lapinto asked if the County is involved in this somehow?

Mr. Wolf agreed it is the County's building.

Mr. Lambert agreed to go into the office tomorrow to meet with Mr. Wolf.

Mr. Wolf asked if the light issue has been resolved?

Mr. Lambert commented nothing has been done. It looks like a football stadium as their backyard and the entire area is flooded with lights. The lights are extremely bright. Mr. Lambert understands security issues but thinks the candle power needs to be reduced. The problem did not exist before the shrubs were cut between the two properties. If anything can be done, Mr. Lambert would appreciate it.

Solicitor Marshall pointed out the Zoning Hearing Board has its own attorney and is separate from this Council. Council can't interject in that process. Council appoints people on the Zoning Hearing Board.

Ms. Logue agreed the appeal would be before the Zoning Hearing Board.

Chief Administrative Officer/Borough Secretary LaVan-Preston explained the process to apply for a variance. It would be a zoning application against the Zoning Officer's decision for issuing the permit. Whenever a building permit or any kind of zoning permit is issued, the Borough has to notify all the neighbors so that they know what is going on. This is a requirement set in the Municipalities Planning Code.

Ms. Roberts added that would be for the generator not the lights.

Mr. Wolf agreed and the County agreed to address the lights.

Ms. Stephanie Lambert cannot even begin to explain how bright it is and it is directly across from their window. At night, it looks like daylight. After multiple calls to the Borough Office with no return call, Mrs. Lambert commented that's why they are here tonight as well.

Solicitor Marshall informed the Lamberts the ordinance is in place and is in the hands of the Zoning Officer and his decision. If the Lamberts are unhappy, they can appeal to the Zoning Hearing Board. Council cannot have any influence or interfere with the process.

Chief Administrative Officer/Borough Secretary LaVan-Preston reported the Zoning Hearing Board meets the third Tuesday of every month. However, advertising requirements need to be met. Once the Lamberts would file the application, fee, and required paperwork, and it's deemed complete, the Zoning Officer will notify the Zoning Hearing Board, publish an advertisement in the paper, post the property, notify all the residents, as well as the applicants. The hearing will be held, the meeting is taped and typed up, with a decision to be made that night unless it would be delayed for some reason. Everything is separate from Council.

Mr. Lambert doesn't know if that whole process would be necessary.

Ms. Logue commented the Lamberts could attend a Commissioner's Meeting, which the next one will be held on August 12<sup>th</sup> at 9:30 a.m. at the County Administration Building.

President Lapinto feels that would be best as it is their building, and needs addressed.

Mayor Fulmer Vinson added their meeting is a matter of public record.

Solicitor Marshall thinks it should be resolved through discussion but doesn't want the Lamberts to assume that and not pursue their appeal.

#### CORRESPONDENCE

There was none.

On a motion by Mr. Garbarino with a second by Ms. Roberts, the meeting was adjourned at 7:35 p.m.

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Linda LaVan-Preston, Chief Administrative Officer/Borough Secretary