

October 6, 2009, Council Meeting
Minutes

A regular meeting of Clarion Borough Council was held on Tuesday, October 6, 2009, in the Assembly Room of the Clarion Free Library. President Wilshire called the meeting to order at 7:08 p.m. In addition to President Wilshire, Councilmembers present were Mss. Moore, Vavrek and Leonard and Messrs. Zerfoss, Herman and Hopkins. Also in attendance were Mayor Stroup, Messrs. Ragon and Stutzman, Mss. LaVan and Freenock, and Officer Peck.

On a motion by Mr. Zerfoss with a second by Ms. Vavrek, the minutes of three public hearings held on September 1, 2009, were approved by a vote of six yea, with Ms. Leonard abstaining as she was absent from those meetings.

Mr. Hopkins made a motion which was seconded by Ms. Moore to approve the Council Meeting minutes of September 1, 2009. The motion carried by a vote of six yea, with Ms. Leonard abstaining as she was not present at that meeting.

CITIZEN COMMENTS

Mr. Paul Grotto from InfraSource and Mr. Dana Costa from Williams Communications addressed Council. Mr. Grotto stated that his company is responsible for the construction phase of the installation of a fiber optic line from Cleveland to New Jersey. The project thus far is complete to the Pennsylvania State line. They are awaiting permits to proceed. The company hopes to be in Clarion in mid-November, and it will take approximately 2 weeks to install the line through the Borough. Directional drilling technology will be used; this will cause the least disruption to the surface. The machine operator has discretion when drilling so that if tree roots are encountered, he will go around rather than through the roots. The line will consist of 1½" pipe. The company will video the entire project area before construction commences, and a copy of that video will be given to the Borough.

Northeastern ITS is the owner of the project. Mr. Costa stated that, in essence, they are constructing a super highway. There is nothing planned at present for local use; but if a company wants to build out the system, the Borough could benefit.

Mayor Stroup stated that he is involved with the County and the Hospital in building a fiber and wireless network. He would like access to the line. He stated that there is nothing in it for the community.

President Wilshire noted that Messrs. Costa and Grotto met with residents of Liberty Street prior to the Council Meeting and the Borough has the right to require bonds to assure that no damage results from the construction.

Mr. James Smathers requested Council's permission to remove the sidewalk at his property at 6 West Main Street and to seed over the area. Mr. Smathers recently received a letter indicating that the sidewalk was in need of repair. The sidewalk ends at a tree

followed by stairs that lead down to property in Clarion Township. A motion was made by Mr. Zerfoss and seconded by Mr. Hopkins to authorize the removal of the sidewalk at 6 West Main Street to be replaced with lawn. The motion carried unanimously.

ADMINISTRATION

Ms. Vavrek made a motion, seconded by Mr. Herman, to approve the appropriations for the month of October. The motion carried by a vote of six yea with Mr. Zerfoss voting no due to the presence of invoices from Campbell Durrant, which is the law firm fighting the police. Mr. Rodney Sherman of The Clarion News and The Derrick inquired as to whether Mr. Zerfoss should be voting on this because he has a son who is a police officer. Mr. Zerfoss responded that as long as a matter relates to the police generally and not specifically to his son, then he can and should vote.

Resolution No. 2009-294, eliminating contributions to the Police Pension Plan for the year 2010, was adopted unanimously following a motion by Mr. Herman with a second by Ms. Leonard. Ms. Freenock explained that the state aid received was sufficient to cover the Borough's Minimum Municipal Obligation for 2010 for the Police Pension Plan.

Ms. Freenock was unanimously granted permission to attend the 2009 APMM Fall Managers Meeting on October 16, 2009, in Lancaster following a motion by Ms. Vavrek and a second by Ms. Moore.

Ms. Vavrek then made a motion which was seconded by Mr. Hopkins, to allow the League of Women Voters to erect two banners on October 28th and to be removed on November 4th. The motion carried unanimously.

Ms. Freenock explained that four governmental accounting firms were solicited to provide proposals to prepare the Borough's audits for 2009, 2010, and 2011. Only two responses were received with Zelenkofske Axelrod, the firm that is currently used, being the low bidder. The proposed cost is lower than what has been paid over the last three years because ZA is now familiar with the Borough's accounting system and because all of the valuation of fixed assets as required by new GASBY standards has been completed. Mr. Herman made a motion to accept the proposal of ZA to prepare the Borough's audits for 2009 at a cost of \$8,250; for 2010 for a cost of \$8,500; and 2011 at a cost of \$8,750. The motion was seconded by Mr. Zerfoss and carried unanimously.

President Wilshire then distributed a letter from Dr. Syed R. Ali-Zaidi, a member of the Clarion University Council of Trustees, requesting that the name of 9th Avenue be changed to Arnold Avenue. The matter was referred to the Public Works Committee.

DOWNTOWN COMMITTEE

Ms. Moore reported that ALF is over. The weather was the worst in anyone's memory as it rained every day and most especially on Farmer's and Crafter's Day. The local restaurants fared well as many visitors preferred to eat inside due to the inclement weather.

Ms. Moore also noted that the publication prepared by the Main Street merchants is now available, and she suggested that everyone get a copy of this informative book.

Ms. Leonard noted that she and Ms. Freenock rode in the parade. She expressed concern about the amount of candy left on the road after the parade. Mr. Stutzman stated that there was not much candy on the road. President Wilshire thanked the Student Senate at the University for its efforts to expeditiously clean up Main Street following the parade.

PUBLIC WORKS

Ms. Vavrek made a motion to move Doug Preston from a probationary to a regular full-time employee, effective October 2, 2009 with a corresponding increase in his hourly rate to \$10.00. The motion was seconded by Ms. Leonard and carried unanimously.

Ms. Vavrek noted that a 2005 pick-up truck was purchased from Voto Manufacturing for \$5,000. The purchase had to be handled expeditiously as there was competition for the truck. Mr. Herman noted that a truck was in the budget, and thus the manager had the authority to make this purchase. Nevertheless, because Liquid Fuels money was used for the acquisition, Ms. Vavrek made a motion for Council to ratify the purchase. Mr. Zerfoss seconded the motion and it carried unanimously.

Due to this acquisition, the bids received for a 2009-2010 pick-up truck must be rejected. Ms. Vavrek made a motion, seconded by Mr. Zerfoss to reject all bids received for a 2009 or 2010 pick-up truck. The motion was unanimously approved.

Ms. Vavrek then made a motion to advertise the sale of the 1994 Chevrolet pick-up truck. Mr. Zerfoss seconded the motion. Mr. Herman noted that the truck is being sold "As is"; the motion was approved by a vote of seven yeas.

Ms. Vavrek went on to thank the members of Zion Church that volunteered to paint the street poles throughout town. Mr. Stutzman noted that 150 posts were painted.

Ms. Vavrek stated that PennDOT had awarded a design and build project to replace the curb ramps along Route 322 from First to Ninth Avenues in the Borough. The contract was awarded to M and B Services. The design phase will occur over the winter with construction in the spring.

Finally, Ms. Vavrek stated that anyone in need of help raking and bagging leaves should call the Borough Office as assistance will be available the third week of October.

Mr. Zerfoss reiterated his request for a traffic light at Greenville Avenue and Corbett Street.

Mr. Stutzman thanked the Groundskeepers for their assistance during ALF.

PUBLIC SAFETY

Mr. Herman made a motion to approve Trick-or-Treat hours, as set by the Fire Company, for Wednesday, October 28th from 6 to 8 p.m., with the Kiddies Parade at 5:30 p.m. The motion was seconded by Ms. Leonard and was unanimously approved.

Mr. Herman then explained the parking situation on Sixth Avenue below Wood Street. He stated that currently there is parking on both sides of the street. The road is difficult to navigate at any time; and, in the winter, the parking on both sides makes it difficult to plow. Since there are no lines on the Church side of the street, it would be easy to eliminate that parking to allow better traffic flow. Chief Hall checked and there is no ordinance that would need to be amended to do this; Mr. Herman made a motion seconded by Mr. Zerfoss to remove parking from the southeast side of Sixth Avenue from Wood Street to Church Road. The motion was seconded by Mr. Zerfoss and carried by a vote of five yea with President Wilshire and Ms. Moore voting no.

Mr. Herman next made a motion, which was seconded by Mr. Zerfoss to advertise an amendment to Ordinance No. 2009-766, amending Chapter 205 "Vehicles and Traffic" removing no parking and adding no parking to Liberty Street. Mr. Stutzman stated that the changes are needed because when the Public Works employees worked on the storm sewers on Liberty Street, some curbing was removed and replaced and there is now a need to eliminate one parking space. He and Chief Hall measured distances according to what is currently in the Ordinance and these changes are needed. The motion carried unanimously.

Mr. Herman explained that the Borough has been working with PennDOT for about two years to make changes to the lights along Main Street. Attached to these minutes is a transcript read by Mr. Herman outlining the changes being made to the controllers. Mr. Zerfoss stated that he wanted a four-way stop on all lights. PennDOT refused this request as they wish to keep traffic moving, which was the purpose for the interconnect project undertaken several years ago.

Officer Peck thanked the State Police, the Knox Borough Police, and the University's Public Safety Department for assistance during ALF. Everything went smoothly, and all major crimes were committed in the Townships.

HOUSING AND ZONING

Mr. Zerfoss stated that the report is in the packet and noted that the Sign Ordinance must be addressed.

Mr. Ragon stated that the first deadline for completing sidewalk repairs is approaching. Extensions are not automatically granted and owners must contact the Borough if an extension is needed. Not all sidewalks have been reviewed; those on Wilson and Payne may need to wait until spring.

RECREATION

Ms. Leonard noted that there are abandoned docks and other debris left at the parking lot at the Toby boat launch. Signs have been posted stating that these materials must be

removed by October 31, 2009, or it will be removed and disposed of by the Borough. Property left in the parking lot without Borough permission is trespass. There is so much stuff down there that it is difficult for one to park.

Mr. Stutzman stated that the pier to which the dock is connected is damaged. Once the water is lowered to winter levels, it will be replaced through a joint project with Piney Dam and the Borough. Ms. Freenock secured a new dock from Fish and Boat Commission. It is in the shop and will be redecked over the winter. Next year, the public dock will be in new and good condition.

Ms. Leonard noted that the YMCA contract to manage the pool ended this year. The Committee will review the contract and will meet with the YMCA in the spring regarding a new management agreement. She also noted that admissions and wages at the pool this year were both low due to the cold and wet weather.

WORKPLACE SAFETY

Mr. Hopkins reported that the Committee is getting organized and is setting procedures. He made a motion to approve training in CPR, first aid and fire extinguisher use for all Borough employees and any members of the fire department in need of such training. The Police Department is already trained. The motion was seconded by Ms. Vavrek and was unanimously approved.

Mr. Herman suggested that defibrillators be placed in the Borough Office and Public Works Building.

MAYOR'S REPORT

Mayor Stroup thanked both the Public Works and Public Safety Departments for their assistance during ALF. He also stated that Grove City College completed an economic impact study for the tolling of I-80. The study will be released on October 12th in Grove City.

NEW BUSINESS

Ms. Vavrek stated that the Library Board recently expended close to \$30,000 to install a new HVAC system at the library and that its' building account is almost exhausted. New valves are needed, and the cost to install is not to exceed \$6,900. She is asking that the Borough assist with that expense. On a motion by Mr. Herman, with a second by Mr. Zerfoss, it was unanimously approved to expend up to \$6,900 to replace valves at the Library. Ms. Freenock stated that this amount can be reallocated from the Recycling Capital Outlay line item in the budget.

At 8:31 p.m., President Wilshire called for an Executive Session concerning possible litigation and sale of property, including Councilmembers, Mayor, and Borough Manager. The meeting reconvened at 8:50 p.m. President Wilshire stated that no action was taken.

There being no further business to come before the meeting, upon a motion by Mr. Zerfoss and a second by Ms. Leonard, the meeting adjourned at 8:52 p.m.

Respectfully submitted,

Nancy K. Freenock
Borough Secretary