

June 3, 2008, Council Meeting

Citizen Comments:	Guy McUumber, DEP, Re Recycling
Administration:	Monthly Reports; Presentation on Five Year Plan; Permission to Apply for a Step Two Grant; GASBY Explained Followed by Approval for Susquehanna Group to Perform Work for 2007 Audit; Approved Resolution #2008-262, Relating to Peterson Grant; File Grant/Financing Application with USRDA as Match for the Peterson Grant; Engage Professional to Assist with Fire Hall; Approved United Way and First Baptist Church's Requests
Public Works:	Permission to Advertise Bids for Main Street Project; Approve Filing Recycling Grant
Public Safety:	Permission to Engage Labor Law Attorney; Permission to Advertise Opening of North Riverview Avenue; Permission for Chief to Attend Chief's Conference
Housing and Zoning:	Adopted <u>Ordinance #2008-751</u> , Zoning Amendments; Appointed Eric Kiser to the Planning Commission
Recreation:	Approved Baseball/Softball Clinics
Mayor's Report:	Update on Tolling I-80
Manager's Report:	Permission to Attend Borough's Association Meeting
Old Business:	Military Appreciation Day
Correspondence:	American Legion Thank You Note

A regular meeting of Clarion Borough Council was held on Tuesday, June 3, 2008, at the Clarion Free Library. President Wilshire called the meeting to order at 7:01 p.m. All

members of Council were present. Ms. LaVan, Messrs. Ragon and Stutzman, Officer Scheckler, and Ms. Freenock were also present.

Minutes of the following meetings were approved as noted:

May 6, 2008, Public Hearing, motion by Ms. Vavrek, second by Ms. Leonard; unanimous approval;

May 6, 2008, Council Meeting, motion by Mr. Herman, second by Ms. Moore, unanimous approval;

May 19, 2008, Council Work Session, motion by Ms. Leonard, second by Ms. Vavrek; approved five yea with abstentions by Messrs. Hopkins and Herman as they were not present at the meeting.

CITIZEN COMMENTS

President Wilshire recognized Guy McUmbler from DEP. Mr. McUmbler discussed various acts that apply to the Borough with respect to recycling. In 1991, under Act 101, the Borough became a mandated community. Also in 1991, Mr. McUmbler sent a letter to the Borough which stated that DEP would not enforce the provisions of Act 101. Now, after 20 years, DEP is examining compliance. The Borough is not the only municipality that is not in compliance. DEP has now made enforcement an issue. Grant funds have decreased and in order to force compliance; DEP is withholding performance grants (Section 904).

The Borough has never filed an equipment grant (Section 902). This money will not be withheld until the Borough is in compliance. Rather, the grant would be funded to bring the Borough into compliance. The amount of funding depends on the (potential alternate) uses for the equipment requested. DEP would not deny a grant proposal but may attempt to negotiate.

Mr. McUmbler went through the calculation for determining the amount of recycling for a community such as Clarion. Leaf waste has never been added in so that will increase the Borough's numbers. There is a disparity in the numbers reported by the County and on the Borough's 902 applications. That is due to timing.

Mr. Herman stated that DEP has no facts or figures and has not measured what is being taken from the Borough's drop off site. He also stated that if the State is reducing grant funding in this area then perhaps recycling is not important to the State. He also questioned whether an enforcement program is feasible.

Mr. Zerfoss confirmed that only the performance grants were at stake. He feels that the Borough is in compliance via its yard waste drop off program. If something isn't needed, why spend the money?

Mr. Hopkins indicated that oil is needed to make plastic; if recycling rates increase, our dependence on oil would decrease.

ADMINISTRATION

Appropriations for May were approved following a motion by Ms. Vavrek and a second by Mr. Hopkins. Mr. Zerfoss questioned several expenditures; the vote was six yeas with Mr. Zerfoss voting no.

President Wilshire then called on Phil Scrimenti of the Governor's Center for Local Government Services. Mr. Scrimenti complimented Council for its courage to enter the Early Intervention Program. He indicated that there are 14 other municipalities in northwestern PA that are in the program. What is being presented tonight is a strategic/operations plan. This plan was fully funded by a grant from the Pennsylvania Department of Community and Economic Development. Council must now determine how to proceed. Clarion Borough is unique in that it has a small group supporting a large area. Expenses will continue to rise; taxes will also have to rise and/or services cut.

Demographically, older individuals that lived in rural areas are moving into core communities to be closer to shopping, churches, and medical care.

Mr. Jeff Weiss from Susquehanna Group Advisors explained the process undertaken to prepare the Five Year Plan. He indicated that the Plan is a guideline and will change dependent on economic factors and quality of life issues. The Plan recommends tax increases in four of the next five years.

Mss. Vavrek and Moore stated that they felt that the report was excellent. Although they were aware of the things reported, everything has never been compiled into one report before. Mr. Herman stated that at the least, the report will force a discussion.

Mr. Scrimenti stated that the report can be the basis for filing for step two grants for software and hardware.

Council thanked Messrs. Weiss and Lynch for their work and the Governor's Center for quick approval of the step one grant and the work needed to bring the project to fruition.

On a motion made by Ms. Vavrek and seconded by Ms. Leonard, permission was granted by the unanimous vote of Council to apply for a step two grant and for President Wilshire to sign all necessary documents.

Mr. Weiss also explained the new Government Accounting Standards. He indicated that there is preparatory work that must be done prior to an audit. In the past, the auditor did that work; they are now prohibited from doing so. Ms. Freenock stated that there was a proposal in the Work Session packet for Susquehanna Group to perform the work needed to prepare for the 2007 audit. The proposal was for a maximum fee of \$8,100.00 plus out of pocket costs. Mr. Herman made a motion which was seconded by Ms. Vavrek to approve Susquehanna Group's proposal. The motion carried unanimously.

President Wilshire requested a motion to approve Resolution No. 2008-262 relating to the Peterson grant. Mr. Herman made the motion which was seconded by Ms. Vavrek. Mr.

Zerfoss questioned how Council could spend the sewer proceeds when the sale has not yet closed. President Wilshire indicated that a request to file a grant was next on the agenda; sewer funds would be used as a last resort. The motion carried unanimously following a roll call vote.

President Wilshire then asked for a motion to file a Grant/Financing Application with USRDA as the match for the Peterson grant. The motion was made by Ms. Vavrek and seconded by Mr. Hopkins. It carried unanimously.

The next item involved the fire hall. Ms. Vavrek stated that there are known problems with the building but there are also unknowns such as the functionality of the heating system, whether there is asbestos in the building, whether the building can be made more energy efficient etc. Ms. Vavrek stated that thus far the consultants that have looked at the project have done so gratis. Permission is being sought to use the funds from the fire tax milage to engage an architect/engineer to perform a detailed inspection of the building and determine what needs to be done and the cost involved. She also indicated that a fundraiser is not feasible at this time because we do not know the cost that will be involved, there is no plan for the rehab prepared, and because the VNA is going to conduct a major fundraiser this summer. Ms. Vavrek made the motion to engage a professional for the above stated purpose; it was seconded by Ms. Leonard and carried unanimously. Mr. Zerfoss commented that the other municipalities that the fire company serves should also contribute to the project.

Mr. Herman made a motion to approve the United Way's special event request for its annual 5K race. The motion was seconded by Mr. Hopkins and was approved unanimously.

Mr. Hopkins made a motion, seconded by Ms. Vavrek to approve the First Baptist Church's request for a street closing; the motion carried by a vote of seven yea.

DOWNTOWN COMMITTEE

Ms. Moore stated that the directional parking signs have arrived and will be installed shortly. The Main Street project is progressing. Ms. Freenock stated that the bid documents are being prepared.

PUBLIC WORKS

Ms. Vavrek made a motion to grant permission to advertise bids for the Main Street project. The motion was seconded by Mr. Hopkins and was approved unanimously.

Ms. Vavrek then made a motion to approve the filing of a Section 902 equipment grant with DEP. The motion was seconded by Ms. Moore. A roll call vote was requested with Mss. Moore, Vavrek, Leonard and Mr. Hopkins voting yes; Messrs. Wilshire, Zerfoss and Herman voted no. The motion carried.

Ms. Vavrek also asked Council to support pending legislation that would give volunteer fire fighters a \$1,000 tax credit.

PUBLIC SAFETY

Mr. Herman requested permission for himself or Ms. Freenock to contact a labor law attorney with respect to contract negotiations with the police. The motion was seconded by Mr. Hopkins and carried with a vote of six to one with Mr. Zerfoss voting no as he feels that those funds should be given to the officers.

Mr. Herman then requested permission to advertise the opening of North Riverview Avenue. The motion carried with a vote of seven yeas following a second by Ms. Vavrek.

A motion was then made by Mr. Herman to allow Chief Hall to attend the Annual Pennsylvania Chiefs of Police Association conference in Lancaster July 13-17, 2008, at a cost of \$875.00. Ms. Leonard seconded the motion which carried unanimously.

HOUSING & ZONING

Mr. Zerfoss stated that immediately prior to the Council Meeting, a Public Hearing regarding proposed changes to the Zoning Ordinance was held. There were no comments from the public. The proposed changes have been duly advertised. The purpose of the amendment is to: provide new standards for dealing with expansion or enlargement of non-conforming structures; provide for motor vehicle repair facilities as a permitted use in an Industrial District; and to define the foregoing term. Mr. Zerfoss made a motion to adopt Ordinance #2008-751, Zoning Amendments. Motion was seconded by Ms. Vavrek and carried unanimously.

Mr. Zerfoss then made a motion to appoint Eric Kiser to the Planning Commission to fill the unexpired term of Mr. Hopkins. The motion was seconded by Mr. Herman. A roll call vote was requested with Mss. Vavrek and Leonard voting no and Ms. Moore and Messrs. Wilshire, Hopkins, Herman, and Zerfoss voting yes. The motion carried.

RECREATION COMMITTEE

Ms. Leonard reported that the pool is open. She also stated that play has commenced on the new field. It is being used for games only. Mr. Stutzman inspected the field after the games this weekend and it is in good condition.

Ms. Leonard then made a motion to allow the Clarion University Foundation in conjunction with Clarion Little League hold clinics at Weaver Park. The motion was seconded by Mr. Herman and carried unanimously.

MAYOR'S REPORT

The Mayor reported that Act 44 is still alive and that the Federal Department of Transportation has taken no action with respect to tolling I-80. The Chambers' coalition is again gearing up for fight the proposed tolling.

MANAGER'S REPORT

Ms. Freenock requested permission to attend a Borough's Association meeting with Ms. Leonard in Selinsgrove, Pennsylvania, on June 18th, with overnight accommodations. A motion was made by Ms. Vavrek and seconded by Mr. Hopkins and carried unanimously.

OLD BUSINESS

Ms. Vavrek noted that Military Appreciation Day is June 21, 2008 at 9 a.m. at IC Church.

CORRESPONDANCE

Ms. LaVan read a note from American Legion Post 66 thanking the police for their help on Memorial Day.

Following a motion made by Mr. Herman, the meeting adjourned at 9:20 p.m.

Respectfully submitted,

Nancy K. Freenock
Secretary