

April 7, 2010, Council Meeting
Minutes

A regular meeting of Clarion Borough Council was held on Wednesday, April 7, 2010, in the meeting room of the Clarion Free Library. President Vavrek called the meeting to order at 7:01 p.m. All Councilmembers, with the exception of Mr. Walters were present. Also present were: Mayor Estadt, Solicitor French, Chief Hall, Messrs. Ragon, Stutzman and Colosimo and Mss. LaVan and Freenock.

On a motion by Ms. Leonard, with a second by Dr. Sanders Dédé, the minutes of the March 3, 2010, Council Meeting were approved by a vote of six yea.

Citizen Comments:

President Vavrek: Next are the concerned citizens of the South Street Project. It's my understanding you're going to have 3 or 4 people speak.

Mr. Fred Cherico: That's correct.

President Vavrek: I would like those who address Council to give us their name and address. Because if you are not a member of Clarion Borough, or you do not live in the Borough, you are not entitled to give an opinion here, because you don't live here. So, Fred, if you want to start.

Mr. Cherico: The first group we're going to have is Mr. Austin, Mr. Riffer, Mr. Krull, Mr. Miller, Mr. Crooks. They're going to be the first ones coming up. And Mrs. Denio. And do you want us to stand over here?

President Vavrek: I thought you said 3 or 4 people

Mr. Cherico: Well only a few are going to talk, that's correct. Okay. So, if you guys want to move up here.

President Vavrek: If it's easier for you to stand where you are, that's all right. You don't need to go

Mr. Cherico: No, I think that will work fine. All move over here.

President Vavrek: Please give your name and address.

Mr. Cherico: And after Mr. Austin is done, we're going to have Mr. Crooks and then Mr. Miller.

(Cut out discussion while everyone was going up to the spot where they were going to present.)

President Vavrek: And one other thing,

Mr. Ray Austin: I thought maybe I was supposed to occupy the chair. I'm not too sure, but I'm the oldest of the group, so maybe I still should have the chair, especially the rocking chair. My name is Raymond Austin. I live on 334 Liberty Street in Clarion. I'm here on behalf of the citizens of Clarion Borough, especially those that live down on South Street and in that vicinity. It has been brought to my attention that those people that live down there had no formal notification of the project that was about to take place on South Street. And I'm going to ask Mrs. Denio, she lives down there, and I'll ask her if she received any official notification in the form of a letter or there about, even a postcard, did you receive any information?

Mrs. Denio: Only from the water company.

Mr. Austin: Only from the water company?

Mrs. Denio: Who's tearing up the street currently.

Mr. Austin: Oh, so in other words,

Mrs. Denio: Not from the Borough.

Mr. Austin: you received notification of the present construction that they are doing?

Mrs. Denio: Yes. It was a very nice letter.

Mr. Austin: Mr. Miller, you live in that general vicinity also, did you receive any official notification?

Mr. Bill Miller: No.

Mr. Austin: Nothing. I can't imagine the scope of the project that is about, or was about to take place in that particular area, and the citizens that live there did not receive any type of formal notification of the intent of Borough Council. Now that totally shocks me. I thought it was the obligation of Clarion Borough Council to be citizen friendly and notify people in a situation of that nature. And that's something that has changed in the last several years. It never was that way before. It was our responsibility and our intent to any time a situation of this type that would arise was to make sure that the people in that area were officially notified. I have a couple more things I want to say a little later on, but right now I think Mr. Miller, you have something that you wanted to share.

Mr. Miller: Yea. I will, I'm going to read something to you, because I've been thinking about this since I met with you folks the last time and was not allowed to talk with you, and I guess I'm not allowed to talk to you today either but I'll talk at you. I hope I don't insult your intelligence by reading it, but I want to make sure that I have my thoughts in order here. Starting out, you can all relax I left my anger at the door; but unfortunately not my disappointment, but I'm compelled to be here tonight. I've worked with many of

you folks on Council over the years, and I'm stunned that you've developed this plan. In fact I don't believe that you developed this plan. I, along with most people in this room, want the South Street problems solved. The safety of the drivers on South Street can be taken care of without this drastic, drastic action that you're intending to take. Earl, I'm not allowed to talk with you, I understand that; but you were right when you were quoted in the paper that for \$1,000 you could take the parking off the street and achieve the same result. The grant money saved could be used in some other worthwhile project. I'm not sure, Borough Councilmembers, if you were permitted to read the information letter that I sent to you, but if you had read it, you would know my feelings regarding the spending of \$200,000+ for basically parking. That's what it comes down to. We have lost Sealy, we've lost Bi-Lo, we've lost Owens. Who knows when and where the next shoe is going to drop. Don't waste the money from this valuable grant. Why not listen to Earl? Solve the problem, save the money for another day. When I served on Borough Council (applause from the audience), when I served on Borough Council probably civil war times, I realize it was a long time ago, we made a mistake regarding the University parking lot on Greenville Avenue. I was sitting right there. I was guilty of a mistake. Most members of the Council with me were in favor of the plan which was presented by the University. Until at a Public meeting, like this, many citizens came and spoke against it. One brave soul on Borough Council and it was not me, one brave soul, Ray Austin, spoke up and talked about storm runoff water, talked about safe access to the parking lot. We sat there, we listened to the people that voted us into office, and basically admitted that we made a mistake. We changed the project for the better. That parking lot is great now. I would hope that, here tonight, that we can find in this Council a few brave souls like Ray Austin willing to step up and correct the wrong decision. (Applause at this point).

Mr. James Crooks: That's tough to follow Bill's. But some of you that don't know it, we're all former Councilmembers probably over 50 years, maybe over 50 years or more.

Mr. Miller: Probably 30 right here, maybe 100 years.

Mr. Crooks: The last time I spoke to Council my concerns were about historic preservation, which I am very concerned about. But as I started thinking about this project, it came onto me the reason that this project is being pursued from my experience on Council. This is about South Street being turned into another fast way through town. It's on a street that is zoned residential. Now I served on the Zoning Committee many years with Joanne, and we faced many groups like this over those years. We were successful and held our ground on the house on Seventh Avenue that it was zoned residential; we didn't want it cut up into 6 apartments. And now it is owned and occupied by 1 family. We held our ground on a house down on Liberty about the importance of residential. The people, we heard from the people that we wanted the college to stop encroaching upon our nice homes. We wanted people to invest in their properties like many of you have done. And we wanted this deterioration of these large homes being cut up into many apartments stopped. And we faced a lot of heat for it, but we held our ground. We have zoning in Clarion. And zoning is for one purpose and that's to protect the use of property according to the specific purpose determined by the

citizens, which we did and we worked long and hard about it. I was involved with PennDOT on Main Street. And I smell PennDOT here. PennDOT turned Main Street into another throughway where cars are going 50 mph, where we've had fatalities because we synchronized and we voted to synchronize those lights, let them do that, which is wrong. You may still think it's right, but it was wrong. It's increased the traffic speed. And that is what is going to happen on South Street; it started, PennDOT started when they did that study. And I knew when they put that light on South Street what their intentions were. People hit Second Avenue turn left go down and hit that light. You know, I live on Wood Street, 321 Wood Street I forgot to say that, and the traffic is much less now on Wood Street now that, that, that light is on South Street. It's much less. Because they can get across Wood Street, that, you pull up at that light, you've been there. I do it myself. I don't go down Wood Street anymore to get out to the University. I go down South Street, because you hit the light and the light detects my automobile and it lets me through and stops everybody else. So, this to me is PennDOT manipulating this town again by wanting to give us another speedy way through town through a residential area where children live, where families live, and where it should be slow and a residential community. And Council has a responsibility, not only to enforce zoning, but to create an environment for those specifically zoned areas. And to let the increased speed of automobiles that can travel is absolutely wrong. And the problem, the problem here is they say too much traffic and the traffic traveling too fast. But one solution is very obvious. I, you know, if Clarion is to grow, and everybody is saying this and we talked about it for 10 years when I was on Council, and I know other Councilmembers talked about it before that, is what would happen, what would happen, one of the answers is to build a Second Avenue Extension. To build it. Use this money, let's do it. So, it's another township; why can't we work together and build a Second Avenue Extension straight out to the Hospital. It's going to happen. There's only one route. Right now you talked about the fire trucks and that type of thing; there's only one way out there. And that there's many accidents along that road. And if we had Second Avenue people could come into town, turn right on Second Avenue and go out there. Now that doesn't alleviate the traffic that's heading to the University, but it would alleviate the traffic on, in whole of town and there'd be less people on Main Street. And maybe some of those people would be willing to go down Main Street. Today when I was up town, there's a man with a tin can, white, spraying white paint on all the corners. I'm a property owner on Main Street, invested my life there, and what, is tomorrow going to be a jack hammer up beside my property digging up the corner and replacing it with what? Why don't I have an input on that? I don't want, I maybe want a brick path across, you know, aren't I going to be notified of what's going on there? I have no clue what's going on there. Notification is so important, but please speed needs to drop down in this Borough. We do have laws that aren't being obeyed; we have people not stopping at stop signs. And South Street, if you remove the parking, it speeds up the traffic. If you take all those meters off of there, people are going to go faster. One of the solutions one time an engineer had when we talked about the speed of traffic, they recommended putting meters the whole way down Greenville Avenue to slow the traffic down. If you have parking, it slows the traffic down. The answer is not removing the parking. The answer is looking at the big picture here, finding a solution. (Applause from the audience.)

Mr. Austin: Mel,

Mr. Mel Riffer: I think you both adequately covered the subject.

Mr. Austin: So, let me conclude our section by saying this group is entirely, 100% interested in making South Street, we understand that you want to do a bypass through town. And in order for that to happen, you'll have to eliminate all of the parking off of South. You have to make sure that there is a parking facilities arranged at the end of each of those properties. And somebody told me that the reason the property owners in that area cannot put a parking lot at the end of their lot is it's a creed from Council that they're not permitted to do that. I'm not sure. That doesn't sound right to me. If that is true, then that's something that definitely needs to be corrected. I want to end by stating one thing, one additional thing, and I'm going to partially read it. As you get older like I am, you have the tendency to forget not only names, but you have the tendency to forget some ideas that you have in the back of your mind. You, the Borough Council, must make yourself available to the Borough residents. It appears, and this is what I hear, that this is not the case. And, someone, someone is giving you people wrong advice. That's all I have to say. (Applause from the crowd.)

Mr. Jack Troese: I live on 58 South Eighth Avenue a block and a half from the South Street. I think what's important if you look at, about 3 weeks ago, I was contacted to look at the CDBG and I've never even heard of it. And, to be honest, I do read the local, the notices. And I even went back and looked at the notice, the public notices what was put in the paper. And you wouldn't have known what was going to be happening here, I mean, and I'm an attorney. And I just thought one of the fundamentals of this whole funding coming from the federal government is one, it's supposed to help low and moderately income people and, two, it's supposed to encourage citizen participation. And really the Council has to ask itself was the citizens involved in this planning of this project. And the whole funding scheme is if you want to have citizens involved. And certainly there's an obligation as you can see today that citizens want to be involved. I just think that if you question the citizens here, they didn't know about it. And I think fundamental to that to the whole scheme of using this federal money is that you encourage and bring in the citizens and their suggestions and state documents of what, how to do that. You provide, you know, bulletin boards, you put notices on bulletin boards, you run PSA's, you know. The public notice put in the paper, yes, it complies with the minimum requirements, but it doesn't really comply with that aspect of the citizen participation project, which is to encourage citizen participation. And I think you can see today, citizens want to participate it's just that what we're being told now is you're just too late. And the whole object of the CDBG funding is they are supposed to be involved through the whole process, and they're supposed to be encouraged to be involved. And my brother he lives right on the corner of Greenville and South, and he never received any type of written notice. Didn't know what was happening until the water company came by. That's all I have to say. (Applause from crowd).

Mr. Fred Cherico, 115 South Seventh Avenue: I'm a little bit like Ray, I have to read the required text here. The first thing is this is my second trip here. And I still want to tell

you guys that we are still behind, you know, what happens on South Street. And what we're looking for is to work together with you to make the flow of traffic better down there. It's just that we came up with different ideas that are going to have less impact on the resident and we have more residents that are impacted. We have landlords, some are here and some couldn't make it here tonight but they'll be here if we have to be here next month to talk about this story; and business owners, like Sal. You know, we're all impacted; it's the whole spectrum. But the thing is, you have to understand, there's still a lot of time to get this project moving. You don't have to worry that you're going to lose the money, Ed. You don't have to worry that the construction season's going to be over before we get started. Let's sit down now and work these differences out and make it a less impact onto the citizens that we have here today. We still have time. We don't have to just move quick just because we got money we want to burn. Intersections. Todd Colosimo, where's he at; Todd, yesterday, you mentioned yesterday we, it was nice Megan had us on the radio station for CUP, and we had a Roundtable Discussion. And one thing that you mentioned to me is that the project wasn't a street widening project. That has changed from the first time I sat down with you guys. It was a street widening project. Now here's how I understand what you're kind of telling me. Now intersections between streets and intersections between alleys have utility poles there. So, you're not going to be adding more width onto the road right there because you're going to be keeping the utility poles there so you're going to keep the grass there. Is that correct?

Mr. Todd Colosimo: I'd like to refer to the project engineer for exact measurements

Mr. Cherico: Well just, no, no, no, just keep it simple right here that's all I'm asking.

Mr. Colosimo: Yea, I would like to refer that to him.

Mr. Cherico: When you come down, just on Jack's property right here, coming down right off Greenville, there's a utility pole there and a big maple tree. Okay? From what you guys were talking about at this meeting the grassy section is going to stay there, but you're going to cut into the Borough right-of-way 7' to start the parking down that stretch. My question is if you're going to be doing that there and then you go down, further down South Street, you'll hit Weaver Place, which is the alley behind my Mom's house there's another big tree and another big pole there. So, it looks like you're going to have that cut out around there the same way. Now what that's telling me is you're not widening the street the whole way equal sides up the street, you're making these inlets. So, Nancy, her main thing yesterday in this whole thing is we have to widen the road for these emergency vehicles coming through. Have you ever driven a fire truck? Have you ever driven an RV van? When you come to an intersection and make a left-hand turn from Seventh Avenue to get on South Street, if you don't widen the road right there, you're back tires going to go up over the curb. So, it's not going to help you with your emergency vehicles and that big ladder truck, right Sal?

Mr. Sal Mazzocchi: Right.

Mr. Cherico: Sal has driven it, and I drive an RV. I drive right down past your house President Vavrek. Bottom line is when you hit these intersections, if you widen the road from both sides, that makes sense. The emergency vehicles can get there. So that's not a point in your project. So, I just wanted to make that known from yesterday's discussion. Storm sewers. Talking to a couple of the different guys that bid on this job, they don't think that there are enough storm sewers, you know, that are going up and down South Street to handle those big rains. And we went as a group, you know, if we're going to go through this project let's re-evaluate the storm sewers. I talked to the Borough Manager and had her look into it and she remembers from 5th Avenue to 6th Avenue she replaced them. From 6th Avenue up to 7th Avenue they replaced them in 2000. But from 7th Avenue up to 8th Avenue, the engineer crawled down the manhole, looked at it, looked okay. Well they're 1928. They're the terra cotta drains and they haven't been replaced. You know, we've been there 50 years and in 50 years they never replaced them. So, I can vouch for that. So, we're looking at the bigger scope of this project. Instead of tearing this up, doing a rehab that you're doing just to get the money and not fixing the sewer drains, let's put more drains in there, let's take care of Sal's situation down there. He gets all this water coming down 6th Avenue, South Street, he's bombarded. Water goes up over the curb, curbs aren't very good and his basement is filled with 2½-3' of water. You're not taking care of him. So, he's impacted by this. And Jack, where's Jack at, impacts, when people are impacted in this, that's a problem, right?

Ms. Thizbea Troese (Jack's wife): Our sidewalk gets flooded. (Unintelligible) South Street to the alleyway there.

Mr. Cherico: Yea, so when you're impacted, the bottom line is that's something

Ms. Troese: (Unintelligible) sump pump.

Mr. Cherico: Yea, so we have some issues. So, let's just put our minds together, we're going to work together with you guys, but you have to give us a chance to work with you. We can do this. Curbing, I talked to another contractor. Out of the 300,000 lineal feet that you have in curbing that runs on both sides of the road, you're only going to replace 900' of it. What does curbing do? Curbing keeps the water on the road and it doesn't keep the water from going over and into the people's basements. What we're saying is it would be better, you know, \$60 per lineal feet to replace it, let's take a look at the curbing that needs to get replaced and replace it. It just only makes common sense. Now I'm more of an operations guy. I look at those kinds of detail. There's a lot of bad curbing that's not going to be replaced. What's going to be really nice is you're going to have paved streets with bad curbing on them. You know, doesn't make sense to me. (Applause from the audience). Now let's get down to paving. Yesterday the Borough Manager mentioned that the Borough cut a deal with PA American Water. You know, so to keep the costs down for them, the Borough was going to come in and pave at the very end. So, it just made sense that they would do that. I have no problem with that. The Borough Manager also said that the road is in such bad repair, that's what qualifies it for CDBG funding. We know that. If you just do milling and paving, that doesn't qualify for CDBG funding. But if you get down to the sub-surface, that's where you get your

money. And the last statement that we had is a question was asked by Megan yesterday on this Roundtable Discussion says, was asked if CDB monies were not used how would the Borough pay for the paving? President Vavrek answered the question is we do not have money today to pave South Street other than by these grant monies. So, that makes sense. The bottom line is in order for you to pave it you have to rehab it; so that means you have to cut into people's yards where you really don't need to because the sub-base is already being taken care of. So we don't need to get to that extent to mutilate people's property. Because you're going to get the money from CDBG, okay? Landlords, this is one of the, you know, I look at you Ed when they talk about landlords. And Mr. Austin was talking about some of the landlords can't get access to the back of their properties. I think more specifically we're talking about Brian Acey's property, that's down there by Nesbitts corner on Sixth, you know, going there. He bought the old Charlie Buck's rental. And in between Charlie Buck's rental and the old Hopkins' house, there's just a tight little distance in between it. But what he was asking for was curbside cutting so he could get a car back in behind it and put 3 or 4 cars back there. I know it butts up against your son's house, you know, because that's his backyard. So, that's a problem for Ed. But it takes 4 cars off the, it takes 4 cars off the street. That's what I'm looking at. As far as, you know, letting these guys be able to, you know, take the cars off the street, that's what these landlords want to do. I've talked to them. You know, Earl, I was talking to Earl, and you can agree and disagree. Earl set me straight. He goes Fred you can't just worry about your mom's property, you got to look at South Street from 5th Avenue to 8th Avenue. You got to encumber everybody and that's why we're talking to residents, landlords, and business people. We're talking to them all. And that's something that you guys should have done, not me. The DCED, this is getting into Todd's area here. So far we've been involved in this about 3-4 weeks. We're not watch dogs, but that's what we're doing. We're checking your work. And the bottom line is your environmental review is out of whack. You know, the Borough's paying you to keep it in whack and you're environmental review wasn't dated until 2007, is that correct?

Mr. Todd Colosimo: We completed that in 2008.

Mr. Cherico: Well 2007, 2008, but South Street pictures weren't even submitted, you know, to Harrisburg on this South Street Project. That's right, right? (No response.) So now you're forced to go back, do the historical review, and then resubmit the stuff and that's what's delaying your project today. Does that sound right?

President Vavrek: No, I don't think so.

Mr. Cherico: Okay.

Mr. Colosimo: That's not correct.

Mr. Cherico: Okay. Here's what, here's what I'm getting down to, is we don't know about this business here. Okay? But what we're learning about this business is that just like what Jack's saying there's statutes that have to be made. There's citizen

participation, there's the low to moderate income, you know, that has to be participations, there has to be policies. Mrs. Denio, do you know they're going to cut your trees down?

Mrs. Denio: Oh no they're not.

Mr. Cherico: What are you going to do that day when they come and cut your trees down?

Mrs. Denio: I'm going to chain myself to the tree.

Mr. Cherico: Okay, okay (applause from the crowd). Okay, what, Borough Council, what are you guys going to do that day, when you go to cut her trees down and we have a contractor in here and let's say if you get that job what are you going to do when she's standing there by her trees. You have to have a policy in place. You don't have it. Borough Manager doesn't have a policy in place, at least we haven't received it yet from you, as to how you're going to handle a displaced resident. That's what we're looking to hear. Okay.

Mr. Vince Elliott: They'll arrest her.

Mr. Cherico: Huh?

Mr. Elliott: They'll arrest her.

Mr. Cherico: No, under CDBG, she's a displaced person, you can't just arrest her. She's lived there 45 years

Ms. Chelsea Sierko: Oh, but we live in Clarion.

Mr. Elliott: This is Clarion County, they don't follow the laws here.

Mr. Cherico: No, no, no. The money comes from the federal government, it goes to the State, okay? The State certifies the job to the Borough

Mr. Elliott: But you're missing the point, Clarion Borough don't care what the State or federal government has to say. They will arrest her, because they want to twist the laws so it suits what they want to do.

Mr. Cherico: Ok-, well here's the thing, what we're trying to do is

President Vavrek: (Unintelligible), please allow Mr. Cherico to speak.

Mr. Cherico: Okay. Well all I'm trying to do is

Mr. Elliott: He asked a question, I just answered.

Mr. Cherico: And I appreciate that, that's, that's fine. All I'm trying to do, is there's more than just Mrs. Denio here that has this kind of a problem. I'm glad she came tonight. But the problem is we do have a problem and we have to address it. We're here to work together with you guys to address these problems. The old Board that was putting this together, and I understand, you know, you have to understand one thing here, this is '06, '07, '08 money and '09 money. That's 4 years of money. You know the only successful money that these guys, as a body, has spent is the '05 money. So, it's been a long time since you guys put a deal on the table and spent the money. I mean '06, '07, '08, and '09, I mean, to me that's what I'm looking at. You know. The bottom line is is there's people that are in this room that have done more research on CDBG than I think, you know, what the Board needs to be able to do. You have to make a decision, you have to be able to get on websites. I don't know how many people have got on websites and understood CDBG. You know, I think, I think they rely on Nancy, you know, to give them the CDBG answers and Todd. I think that an effective Board, to be objective, and we have 3 new members on this Board, I'm just hoping that you guys go the extra step and learn what CDBG and how this all works and don't rely on just 1 or 2 people. You know, I think it's only going to make things better for everybody down the road. Advertising, Jack hit the nail on the head on the advertising. I mean the bottom line is is it adequate advertising in very small print South Street Improvements. What does that mean to the average citizen? Does it mean cutting trees down, removing items of historical importance, cutting in on the Borough right-of-way 7'? I don't think so. You know, improvements, I mean that, that's to be desired. Now is advertising listening to Frank Stacey the next morning at 12 o'clock and he goes through it. Is that advertising for the Borough? No. You have to pay money out of your pocket, you have to go the extra step, and you got to advertise to the, this body right here as to what the project is. You got to go the extra step. You just can't rely on Frank to say 'okay this is advertising'. Now the problem that we see right now is, this, what you're saying right now this local body is not listening to the citizens. You know, I mean, I don't know if you said that, but I mean that's what I'm saying. You know, I think poor judgments have been made. You know, I think, especially at the Executive Session, you know, with the Solicitor. I think that there was only 3 of us that came into talk and he held us, you know, he went into the Executive Session. We know that our business was discussed in Executive Session

Solicitor Stephen French: Sir, you're incorrect. All right. You are incorrect and you're out of line.

Mr. Cherico: Okay.

Solicitor French: All right. I did not call the Executive Session, number 1. Number 2, if there was anything discussed about the South Street Project in Executive Session it was as an aside going to or coming from because a Councilmember was approached by a member of the public. It was not the substantive discussion of the Executive Session. I'm tired of hearing that.

Unidentified Individual: Isn't this the time for Citizen Comments?

Solicitor French: This has been, there's been a lot of

Numerous people talking at once and cannot make out all comments.

Solicitor French: This was directed at me personally.

Unidentified Individual: Let me add (unintelligible)

Again all talking at once could not make out.

Attorney Troese: Earl Zerfoss, Councilmember, said happened at a meeting, it was not a carry over. Somebody opened it, the discussion, and discussion was held.

Solicitor French: There was no discussion about a substantive matter of this project in Executive Session.

Mr. Cherico: I wasn't there, I don't know. That's what I'm saying, I wasn't there, but I know somebody that was there. You know, and I'll tell you what, I have all respect for the person that was there and what he said. And that's why I brought it up. I mean that's just, that's just, we're citizens, we came here, no, no, no, no. Get over, over top of that. We're here as citizens working on this project. The bottom line is we came here to discuss some options. And the bottom line is as citizens here, especially like here tonight, you know, we want, we want you guys to be able to discuss it. We don't need you to whisper into her ear and tell her that. on behalf of the Solicitor, there will be no comment on the South Street Project. That's not fair to this room of people that are here today. It's not fair at all. (Applause from the crowd). I only have two more things and then I'm done. Okay. The, basically, basically all I'm saying is who set up this dissecting of the streets? You know, it's not fair to people that are on the side of the street that gets cut up. It's just not fair. The bottom line is I talked to the Borough Manager and she said 'yea one day her, Brad, and Rich Herman and an engineer walked down the street, looked at the utility poles, looked at where this was, we'll cut this side, we'll cut that side', and that's basically how this all got dissected. Uh, really that was, there were 3 plans. That was one plan, another plan was another way, and then in the minutes; we read the minutes Nancy. so I mean, my wife she has them down to a T. If I'm mis correcting, I have her to back me up. The bottom line is is, you know, it's not fair. There has to be a better way to do it. And all we're talking about is what Mr. Austin said a common sense approach to this problem. You have a problem, you have these people here tonight, you know, that are addressing this problem. What we're saying is let's work with you this week, let's figure out, you know, take a 1½' on each side, you know, let's go that route. The gas company is your only thing. I mean right now everything else, all the utilities, the PA American Water, thank God they went down the middle of the road. You know, that just makes it easier for everybody. The gas company is the only thing that we have to worry about moving their line. The curbing, we have guys that, you know, need, know that, that we need more sewer drains, more curbing, you know, to protect these owners. You know, so the water doesn't go down in their

basements. I mean if we're going to spend this money let's do it one time, you know, and then, so we don't have to worry about it for the next 40 years. That's what this money's for. If we don't do that, we still have Plan A. Save the money like Earl said, move onto other bigger issues. You know, there's ways to save the '06 money and move it into the contract period of 2009 or 2010 and still have that money available. So, that's what we're looking at. As far as displacements, Todd, Mrs. Hamilton's not here tonight, she has no access to the back of her property. She is, under CDBG rules, a displacement person. How is she going to go to the grocery store or the doctor's office in this construction period? I understand that the construction guys have certain rules of what they have, but you've seen construction this week and it has no bearing on our project Nancy. You know, like what you referred to on the radio, you know, just because they're tying up the whole street, what's it doing to the rest of the town. We're going to work together with you guys to make sure that the flow of traffic goes through there. But we have displaced ladies there. We have Mrs. Hamilton that has no, only has a front access in and out of her property. We've got Mrs. Denio down there, you know, I mean she has an alleyway to get out. But her concern is we got a big problem with somebody shows up and starts cutting trees down in her front yard. We got a serious problem there. The lady, 45 years living there, never had, ever arrested and we have to deal with this. (Applause from the crowd). And my final thing is, we do have two plans; we have a Plan A and a Plan B. It's just amending your plan, resubmitting it back out to bid, and keeping this process going. We're not here to stop you, President Vavrek. We're not here to do that at all. We're here to work with you. We have a good group of people here, I mean you got 50+ years of Councilmen that were here. You got, you know, good citizens, residents, businesspeople, all of us can put our heads together and we can come up with a good plan and everybody can win, you know, without putting pear trees up on dissected areas of the area. You know, I mean, Titusville, if you ever drive through Titusville when you go to Erie, you always want to go to the Victorian side and watch all, look at all those traditional streetscapes that have all those beautiful trees in and stuff. You know, you never just go down Main Street to go through it. You always look at something nice. And that's what we want this to stay the same. That's basically everything I have right there. (Applause from the crowd).

President Vavrek: Nancy is going to read something as well. She will have available for you, for the newspaper. She has put together answers to some of these questions, which I think there have been some serious misunderstanding about some of this project. Because I keep hearing some things that are not absolutely true. And this has got to be straightened out. Plus on April 14th, which is next Wednesday, there will be a meeting here at 7 p.m. same time. It's going to be a Special Council Meeting. And we will have Ron Kopko here, we will have Todd here, we'll have a CDBG person here to answer questions that you have about this project. But for right now, you have given your time here, and we read a lot of your things. So, Nancy has a statement that she is going to read, which again is going to be available for the press. It's a bit lengthy, but it is going to explain the block grant, how we did this, why it's happening, and so it's for your information.

Ms. Freenock: Clarion Borough is an entitlement community for purposes of Community Development Block Grant Funds. That means that annually, using a prescribed formula based on the total funds made available by Congress, the Borough automatically is entitled to its proportionate share of CDBG funds. Projects funded with CDBG monies must be both eligible-which included a wide range of community development activities and they must be fundable, which means that it must meet at least one of three National Objectives. Lately, there has been a great deal of discussion about the South Street Reconstruction Project, which will be funded with several years of CDBG monies. I would like to explain the project, the actions that have been taken to date and Council's rationale for proceeding with the Project. As a result of a 1998 traffic study, PennDOT determined that the traffic on South Street warranted the installation of a traffic light at the 5th Avenue intersection. Traffic on South Street has increased over time as South Street has become a by-pass between two State Routes-68 and 66. Over the past several years, both the Public Safety Committee and the Public Works Committee of the former Borough Council expressed concern with the flow of traffic on South Street, from Fifth to Eighth Avenue. Numerous complaints had been received about difficulty when navigating the roadway. As most of you know, the road is not wide enough to accommodate two vehicles traveling in opposite directions because parking is permitted on one side. Dangerous bottlenecks form along the entire length of the project area and especially from 7th to 8th Avenues. The Fire Company informed Council that it cannot use its larger equipment on South Street due to the narrowness of the road. Members of Council visited South Street at various times of day to review existing conditions. Kopko Engineering was engaged by the Borough to study the problem. Council, together with Kopko Engineering determined that the best way to address the problems was to remove parking from the roadway. Since parking is currently available and widely used on South Street its total removal was determined not to be a viable option. Removal of parking would merely shift the parking burden to other nearby streets which are themselves overcrowded. Making the road one-way was also considered. However, that would make Main Street the only east-west route through town. You may have noticed the increased traffic on Main Street lately. This is due to the fact that parts of South Street have been closed for the installation of a new water line. Traffic was backed up; imagine the increased load that would have occurred had I-80 been closed and traffic redirected. Another option considered was widening the entire street by taking several feet from each side. This alternative was deemed to be too costly and must more complicated than the creation of parking inlets. It would have involved the removal of additional trees, the replacement of curbing on both sides of the street, intersection changes, and the relocation of utilities such as gas and electric. The Borough would have been responsible for all of those costs and thus the project would have been cost prohibitive. Off-setting the parking via inlets will have the effect of relocating existing parking spaces so that traffic can flow easily. Because the roadway is in need of comprehensive repair and improvement due to physical wear and deterioration, and since storm water issues plague the area, a total road reconstruction was recommended. That will involve milling the road down to its subsurface and repaving. During the project, underground utilities and storm sewers may be relocated and some new storm sewer infrastructure will be installed. The project also provides for curb ramp replacement and upgrading to ensure compliance with ADA requirements. Removal of trees and vegetation will be necessary but only to

the extent needed to accommodate construction. Many of the trees identified for removal are diseased and are not old growth. The project plans provide for tree replacement. Pennsylvania American Water Company has allocated funds to replace water lines in the project area based on assurances by the Borough that the South Street Project would proceed. As required by CDBG guidelines, two public hearings, specific to the South Street Project, have thus far been conducted. Both of these hearings were duly advertised. In addition, a Public Comment period for the Borough's FFY 2009 CDBG Application was advertised and held prior to the adoption and submission of the Application. The South Street Project was discussed at seven Council meetings and those discussions were usually reported in the newspaper and on the radio. No comments from the public were received until after the project was bid in February of this year. An environmental review for multi-year Borough-wide street improvements, along with other Borough-wide projects, was begun in the fall of 2007 and completed in May of 2008. At that time, The County Historical Society, among others, was contacted. The Environmental Review Record associated with this process is available for public review at the Borough Offices. The Environmental Review Process allows for new issues and situations to be addressed as they arise for projects previously cleared. In February of 2010, after the Request for Bids was published, the Borough was informed by a resident that the South Street Reconstruction Project would negatively impact resources of historical significance located in the project area. Despite the fact that these comments came so late in the process, the Borough met with the resident to determine the nature of these impacts, and to identify appropriate mitigation measures or alternatives if needed. In order to address the concerns raised, the Borough: First: undertook formal consultations with DCED's Historic Preservation Specialist and the Clarion County Historical Society. Consultation materials, including a project description, location map, project site photographs, and construction plans were mailed to these organizations on March 12, 2010. The DCED Historic Preservation Specialist, in correspondence to the Borough dated March 19, 2010, assigned a finding of Conditional No Adverse Effect to the South Street Reconstruction Project. This finding is based upon the potential for the project area to be included in a wider historic district. No such district has been established and thus the letter only mentions that there is the potential for one to exist. The letter also imposed two conditions for the project to proceed: first, the planting of replacement trees in the project area and second, the relocation of a stone hitching post to assure it is not damaged or destroyed. The project plans have always required the planting of replacement trees; the hitching post was not previously addressed. These conditions are intended to address the impacts that the project may have upon the potential historic district and resources that may contribute to that potential historic district. Second: As part of the Consultation and Review Process, the Borough will post or publish a public notice detailing the Borough's findings and inviting public comment. The notice will provide instructions on how to send comments to both the Borough and to DCED. In addition, to assure full public participation and disclosure of information, Council will hold a Special Council Meeting on Wednesday, April 14, 2010 at 7 p.m. in this meeting room, for the sole purpose of discussing the Environmental Review Process to date and to gather further Public Comment, both pro and con. All pertinent review documentation, including public comments, findings, and the notice, will be made a permanent part of the original Environmental Review Record. At the conclusion of the

process, if the Borough determines that the project will not have a significant impact upon the human environment, the Borough will submit a formal Request for Release of Funds and Certification to DCED. The request, if approved by DCED, will allow the Borough to utilize CDBG funding for the South Street Reconstruction Project. According to regulations governing the use of CDBG funds, street reconstruction and public parking improvements, both on-street and off-street, are eligible CDBG activities. The fundability of an eligible CDBG activity is based upon whether or not the activity meets a National Objective. National Objectives for the CDBG program include benefit to low-moderate income persons and households, the prevention and/or mitigation of slum and blight conditions, and urgent need activities. The Borough of Clarion firmly believes the South Street Project, including the parking relocation component, is eligible and that it is fundable based upon the project providing a benefit to all residents of the Borough. The Borough has a current HUD-estimated low-moderate income rate of 57.7%. The minimum LMI rate for fundable CDBG activities is 51%. In addition to the foregoing, parking improvements along South Street would also be eligible and fundable on their own as a Borough-wide benefit activity based upon the fact that parking on South Street serves the entire Borough through provision of overflow parking capacity for Main Street businesses and service providers.

(Several citizens making unintelligible comments.)

Ms. Freenock: Excuse me, I was polite and listened while you were speaking, I would appreciate the same courtesy. As the spaces on Main Street fill, drivers migrate to those streets directly to the south, i.e., Wood and South Streets. This situation has been directly observed by the Borough's engineer, and verbally confirmed by the engineer with individuals on the street. Borough events such as the annual, weeklong Autumn Leaf Festival will quickly fill up Main Street parking. Churches located in the vicinity of South Street also utilize the parking on the street. It is the Borough's belief that the segment of South Street to be reconstructed is situated close enough to the core of the downtown business district that parking on South Street constitutes a legitimate Borough-wide benefit. Examination of the project location map provided in the FFY 2009 CDBG application and the recently submitted SHPO review materials demonstrate the geographical relationship between the core of the downtown business district and South Street. The Pennsylvania Department of Community and Economic Development is the Commonwealth's lead agency for the state-administered portion of the national CDBG program. Recent discussions with DCED personnel, including the CDBG grant manager assigned to the Borough, have confirmed that the South Street Reconstruction Project, including parking relocation as a project component, is both an eligible and fundable CDBG activity. I have one more thing to say but before I do that, I'd like to show you the Borough's LMI map. This is the census map. The area, project area, involved is right here. That is South Street (referring to the map). The LMI rate in that portion of South Street is 58.9%, well over the 51% that's required.

Mr. Cherico: Why isn't the college included in that?

Ms. Freenock: The college is.

Mr. Cherico: Where's the college at, show me the college?

Ms. Freenock: Down here.

Mr. Cherico: Are they included in that map, in the LMI ratio?

Ms. Freenock: In the project area,

Mr. Cherico: No.

Ms. Freenock: are you talking overall?

Mr. Cherico: Overall

Ms. Freenock: Overall, yes.

Mr. Cherico: Is the college included in the LMI ratio, the 57%?

Ms. Freenock: Yes.

Mr. Cherico: Are you sure on that?

Ms. Freenock: Well Fred it depends on exactly what you're talking about.

Mr. Cherico: No, I'm asking the LMI ratio

Ms. Freenock: No, you know what, let me finish my

Mr. Cherico: 57%, it does not include the college.

Ms. Freenock: statement. It all depends on what you're looking at.

Mr. Cherico: Then I'll clarify that with you tomorrow.

Ms. Freenock: Okay, fine. I would like to make an appeal to all residents of Clarion Borough by asking that they remain informed of what is happening in their community. Reports of Council Meetings are published in The Clarion News, The Derrick and The Leader Vindicator. Council Meeting dates (tape changed) are published annually and special meetings are also advertised as needed. Notices of Public Hearings, bid openings and the like are published in the Legal Notice Section of either The Clarion News or The Derrick. Meeting minutes are put on the Borough's website at www.clarionboro.org once they have been approved by Council. Please feel free to call the office during normal business hours if you ever have questions. We are there to serve you.

Mr. Bob Balough: There's one factual error in her statement I'd like to point out.

President Vavrek: Okay, just one more comment, because we have full meeting.

Mr. Balough: You can (unintelligible) verify Route 66 comes up from New Bethlehem to I-80 and it follows I-80 to Exit 60 and from there it proceeds north to Marianne Corners and then farther north. Route 66 does not come through Clarion in 20 some years. South Street does not provide a corridor for Route 66 to Route 68, not provided. (Applause from crowd).

President Vavrek: Anyway the next meeting will be April 14th here at 7 p.m. There's nothing more on the agenda nor are we, we do have an Executive Session at the end of the meeting to discuss the labor contract. That is all that will be discussed there. There will be a vote coming out of that Executive Session. The meeting will not be adjourned until all of that is done. But between now and the rest of the agenda, there is nothing here for South Street. And we will not be discussing it in Executive Session.

Mr. Cherico: Can you answer a question? The question I have is when, we have 3 new members that are on here. When are they going to be able to discuss this objectively with the pros and the cons? I mean it's only fair to them. They're the new members that are on this Board. They need to be able to discuss the pros and the cons. They have questions. And what we're saying here as a body, right here, when do they get a chance to discuss it. I mean are they going to discuss it next Wednesday? Are we going to have another special meeting?

President Vavrek: No, we're not going to have another; next Wednesday will be the final special meeting.

Mr. Cherico: Well that's great.

Unidentified lady (later identified as Ms. Camille Dzubinski): When do we talk, the regular people? The ones that are really affected right on South Avenue. The little people there? You know? I'm a little person. I don't count for much. I only live right on the corner of South and 7th. Okay, I have very bad health. I don't have money and we can say that we're considered on my level of income is considered to be below poverty level. I feel very displaced at this moment. I have boxes in my living room, I don't know if I can move. Because the way housing is and availability, okay, availability, I feel that I try to be a very good citizen in this town. I have very fine friends in this town that I've made over 13 years. And I feel that I am not being taken into consideration. Not one of you have ever come to my door and asked me anything that would be so traumatically involving my entire day-to-day living circumstances. My garbage is in the back of the house. The garbage truck comes up South Avenue. It has to pick up everybody's garbage on South Avenue. What are we going to do about that? Okay? The gas here, if this is even going to be involved, I have trouble with extreme gas bills already from God knows when, leaks, I don't know. But I can't even hardly afford to live where I live on the least amount of money that I can, you know, live on. It's not fair. I'm still am a breathing human being. And I feel that I've been overlooked. And I'd like to have some

consideration and opportunity in the future to have some say, you know, in what goes on in my little world. South Street is part of my little world. I don't get out very much, I don't drive anymore. My transportation takes out there to get me to the hospital when I need to go and I have to use it for a lot of things. You know, I'm just a regular person, but I still am a citizen of the United States. I still have some voice in my little area of the world and this is it, okay? I just feel that it's important. I don't know (unintelligible)

President Vavrek: I don't think when they reconstruct South Street, they're going to lock people in their houses and you won't be able to get out to do the things you want to do.

Ms. Dzubinski: That's not it.

Mr. Cherico: But the CDBG, just get on their website and it talks about the displacement of LMI residents. And there has to be a policy in place if these people are displaced. And she's given you a complaint right now, and there's no policy in place. That's what we're trying to tell you. You're paying a consultant to do this work for you, and there's no policy in place for LMI displacement.

Ms. Dzubinski: I'll tell you this, in my building so many of the windows are permanently nailed shut. The law says that I'm supposed to have an available window to raise up and down

President Vavrek: Well

Ms. Dzubinski: not any of your

President Vavrek: that is your landlord.

Ms. Dzubinski: That's right. Who is a very prominent, supposedly prominent member of this town. Okay. But I can tell you this that he allows so much to go by the wayside and he'll go on a vacation with my rent money and other than that, but he won't fix what's common so we can live normal and housing. That's the whole thing.

Mr. Hopkins: I would only say,

Ms. Dzubinski: (unintelligible)

Mr. Hopkins: I would only hope that when the ambulance comes to take you away there's a nice wide street and you don't have to wait for 15 minutes while it's backed up. And that's one of the things that we're trying to change.

Everyone talking at once.

Mr. Cherico: Okay listen. From our group, you made the point and that's a very good point. Okay. We have two more comments and we're done.

President Vavrek: Can we get her name, please.

Ms. Dzubinski: Camille Dzubinski, I'm the one with the big icicle in the yard from my wonderful gutters and downspouts.

Ms. Freenock: Could you spell your last name for me please. (Dzubinski). Thank you.

President Vavrek: Okay, two more go ahead.

Mr. Mel Riffer: As a former Mayor and Council for 16 years, I would like to ask that the Borough Council meet with representatives of this group privately to discuss the options that they want to present to you. It appears to me that the thing is already done and that people have made up their mind that this is the way it's going to be. I hope that is not so without discussing it.

President Vavrek: I would rather you come back when the engineer is here and CDBG is here and all of the entities so that your questions that would be asked are individually to those people.

Mr. Riffer: Madame President, I would ask that in that kind of an environment nothing can get really said. What I asking for you to do

President Vavrek: I know what you're asking for. And, but I still think that before we would do that you need to have the definitive answers from the engineer and CDBG, some of these things that I cannot give you. I cannot give you the engineering drawings and explain them to you. But he can.

Mr. Cherico: Are you going to give us a chance after we had that meeting on the 14th of next week, are you going to give us the opportunity that Mr. Riffer is talking about?

Solicitor French: If I could just answer that without being misquoted or

Mr. Cherico: No, we're asking President Vavrek

Solicitor French: and I'm going to speak for her right now.

Mr. Cherico: No, no, no. The question is for President Vavrek.

Unidentified Lady: We're asking the person we elected into office.

Mr. Cherico: We're citizens, and she's elected. We

Solicitor French: And I would like to

Mr. Cherico: No, no, (unintelligible) President Vavrek. That's all we want to hear.

President Vavrek: I will try to work with you. But I want you first to listen to some of the reasons as to this project and why it was put together the way it was. Because initially no one was here to listen to that. And all of these problems that you're presenting now could have been prevented a long time ago but we didn't hear that.

Mr. Cherico: Okay. You didn't hear our points of why

President Vavrek: I did hear your points.

Mr. Cherico: I understand, okay. Slap our hands that we did wrong. But we're here now. We're here as a body. We're going to be here for the next 50 years. We were here for the first 50 years. We're going to be here for the next 50 years. Is the Borough Manager going to be here for the next 50 years? No, I don't think so. We are. Our families, our kids are here, we're here for the next 50 years. This is going to make a difference to us. That's why we're here. We wouldn't be here. Why do I want to be here doing this kind of stuff? This is not what I want to do.

Mr. Riffer: Madame President, I would still like to, even prior to that meeting, some of this discussion may affect what questions are asked at that meeting. There is absolutely nothing to be wasted, nothing to be lost, but there's an awful lot of questions that can be solved. This group wants to work with you, not against you. It appears that you're bound and determined to do what this group may be, not done.

President Vavrek: Because some of the things that are coming out, well questions, even though they've been answered before are not correct. You have some understanding of this that is different than what is it. And that is what we are trying to correct. And I'm doing that because I've been part of this project from the beginning, and I can see some of the same questions coming up and the same answers are coming out, and they are not necessarily the correct answers. And that was true yesterday on the radio as well. There were things that were said that were not correct in terms of this project.

Mr. Riffer: But Madame President what I'm saying is you have not heard the group's several options.

President Vavrek: It was widening from either side, taking out parking, or making it one way.

Mr. Riffer: I think there might be a little more involved than that. There's too much that can really be taken (unintelligible) in a group meeting. I know perfectly well that

President Vavrek: Well I would like you to take a copy of this and read it. And I would like to allow Steve to make a statement here as well.

Solicitor French: Mr. Riffer, as you well are aware, and I think if I misheard you, please correct me, but you asked for a private meeting. And you know we can't do that. If we

do that, we're in violation of the Sunshine Law and we're going to get criticized again. So, the only forum we have for the Council to meet is this forum.

Mr. Cherico: That's what we're looking for, you hit the nail on the head.

Solicitor French: Well he asked for a private meeting.

Mr. Cherico: That is because we can't get a private meeting. We want to be able to have these people talk objectively. These people have been sitting here for two meetings just sitting here and they have a lot to say. I know they do. I know these people here. They have a lot of good things to say and they can listen to the pros and cons. And the bottom line is we're only trying to make this project move forward, we're not trying to delay the project, so we can add input to it. Just don't hand slap us because we couldn't read South Street Improvements in the paper that's only this big.

Ms. Leonard: Next week Fred. Next week, we will do all this next week.

Mr. Cherico: That's my question.

Ms. Leonard: We need to digest what you have told us. We need to digest and we have your paper that you submitted before the meeting, with the signatures and some of them are out of the Borough, but,

Mr. Cherico: But they do have land in the Borough.

Ms. Leonard: but they don't reside in the Borough and they can't vote in the Borough and that's the stipulation.

Mr. Cherico: We understand.

Ms. Leonard: However, we have this. So, we have read this. We will digest it, we will digest what you have said tonight and everybody else. We will get the experts next week at that meeting on the 14th, and we will come back again and we will hash it out. Thank you.

Mr. Miller: Thank you Sue for that comment. I appreciate that you're going to have this meeting. That's great. Next week. One question though, are we going to be allowed to discuss it at this meeting? Or are we going to have this sphinx that's sitting around this table again? That bothers me. These are intelligent people with great ideas, I just can't understand that all this stuff that these people have done in this community all these years that they are muzzled. That is not right. I want to come here next week

Ms. Leonard: I disagree Bill. We are, you had a lot to tell us tonight.

Mr. Cherico: But how about

Ms. Leonard: Fred, Fred, Fred, wait a minute.

Mr. Cherico: I'm sorry.

Ms. Leonard: We had a lot to listen to tonight; we have a lot to digest; we have a lot to go through. And we still have to go through everything else again. So, give us the week. Next Wednesday we can have a back and forth.

Mr. Miller: Will you be allowed to talk to me?

Ms. Leonard: I have a mouth. I can use it.

Mr. Miller: I say no more. Thank you.

Ms. Chelsea Sierko, 602 South Street, right on the corner of South and 6th. I moved to Clarion so my daughter could go to Clarion. I went to Clarion, I love Clarion. But I'm here to tell you the construction that they did this week was horrible. At 11:45 p.m. when my daughter had to get up the next day to take a PSSA was inappropriate. If you can tell me that they're not going to do construction past 6 p.m. at night, have at her. But the fact that they were out there til 11, 12 o'clock.

President Vavrek: That's the water company.

Ms. Sierko: I know.

President Vavrek: Well we have nothing to do with that.

Ms. Sierko: But you're the Borough, right. Shouldn't you be taking care of that? Quarter til 12 Monday night, Monday night they were there until 11:30; Tuesday night they were there until quarter til 12; and I'm sorry my daughter needs her sleep. Because I'll tell you I'm a witch when I don't have sleep, she's even a bigger one. So, you have to have (unintelligible) on. They can't be doing this.

Ms. Freenock: Can you please call the office, I didn't know they were doing that.

Ms. Sierko: Okay. And, you know, where I live, we don't, I guess we have off parking. But it's taken by the college kids. Great they live here. My family's here. They're only here for a semester or two semesters or three semesters. You need to worry about the people who make this town this town. Not all these college kids that bring in money every semester. We live here, we are this town. Without us, it's college kids (unintelligible). (Applause from crowd).

President Vavrek: We're finished for tonight. You're welcome to stay but we still have a great deal to cover.

Mr. Cherico: Well thank you very much for listening.

Mr. Noto: Folks, folks, why are you leaving? If you want to be involved in government, let's stay and listen.

Ms. Kim Cherico: I will say one thing. I've kept my mouth shut. But you have to realize, we (unintelligible) by votes. And I voted for a lot of you. But when you write in a newspaper ad, improvement, we're not going to jump, because we think you are improving it for us. If it would have been a little bit more detailed thing of what you were going to chop away, I think we all would have jumped and come here in a heartbeat. With the letter or with a knock on the door, why are you walking down South Street. We're here now today, so let's not hit us back with that. Okay. We're going to leave because what you're about to do with the Borough money and how you're going to spend it, we expect that of you, because that's why we put you in. Okay?

Mr. Noto: I'm not sure I understand.

Ms. Cherico: Because we're all going to leave right now, because we expect you to do the job with the money, what you're about to go into Executive Session (unintelligible). You didn't term it as an improvement, you didn't put it in full detail, there's a big difference before we walk out of here with our chairs. We would have been here earlier. I promise you Jason, I would have been here had I known what was going to happen. But all those ads I read in your Borough minutes from 2008 the whole way, it truly to God sounded like it was an improvement and I was there for safety of our kids. I would have jumped in a heartbeat guys promise you if I would have read it differently. And I respect both of you sitting in that chair, because I know where you came from is from us. Okay. Let us take our chairs and we're going to go because we know you're going to do good for the rest.

Ms. Megan Shewell, WCUC: Hey guys I know you all want to get out of here, but I got something to say and I'm a loud mouth so I'm going to say it. Thank you. My name's Megan, I'm from WCUC. You heard them talking to you about doing a Roundtable on 91.7. The fact that you guys didn't know about it was my fault, because I'm the one that put it together. And I'm the one that didn't give them enough notice. So, I apologize. That's not them, that was me. But what we did was we offered for them to come down and to talk to us. We offered members of Save Clarion, we had Fred from Concerned Citizens, we had Nancy and we had President Vavrek, and they sat down and they talked with each other and with me about the South Street Project. I learned a lot from both sides. I wouldn't have been here otherwise, other than the fact that I have a proposal for 91.7, which has nothing to do with the South Street Project. But I'm here tonight for that because I talked to them and I listened to them. We're going to be re-airing that Roundtable discussion, because we did record it. Council, by the way, you will get a copy of that as will the Concerned Citizens and Save Clarion. That's being cleaned up, that will be delivered to you guys no later than Friday morning. I do promise you that. So, you will have a chance to review and listen to what was said yourself. It will be re-aired and I'll make sure that it is known to 92.7, C-93, I'll make sure that notices go to the Clarion News, I'll make sure there are announcements put out on campus. If that's

what needs to be done. So you guys can hear that Roundtable. And I'm also here to let you know now that 91.7 will be doing this type of forum from now on. Because while we didn't have a lot of people call in to talk to them, to ask them questions because they didn't know about it; and again that was my fault, we did receive a lot of response from our listeners, our college students. And you guys are right, when college students leave for the summer, it's down to you guys. When college students leave because they graduate, it's down to you guys. But while we're here, we use South Street, we live on South Street. It affects us, too.

Ms. Sierko: You fly on South Street. You don't respect the signs and the kids

Ms. Shewell: Not all of us, not all of us.

Ms. Sierko: You're right.

Ms. Shewell: Some of us do. But it affects us as well. So we have an invested interest in it. But what we're going to do is we're going to open a forum now from 3-4 on Tuesdays, where if you have issues that you want to bring to 91.7, call us. We are willing to work with Council, any member of Council who wants to call in or come down and talk to us about whatever issue you're facing, please call us, come down. Any member of the community who has issues, call us, come down. We're willing to put you on air and we're willing to talk about this. You know a forum, the college students need a forum, Council needs a forum, where you guys can talk to each other. And that can't always happen in these sessions. We spent an hour and twenty minutes on this tonight, where nobody really feels from either side that they got their questions answered or they had a chance to say what they wanted to say. And that's not fair to either side. So, 91.7 right now is offering for you to open the door and to say 'come down and talk to us'. That (applause from the audience), that is something I hope you can all get behind. And one last thing before I sit down, because I've sat now through an hour and half of this crap. I'm from a small town. I'm from a town called Potts (unintelligible), New York, which is near the Canadian border. My town is smaller than Clarion. My Mom served on a board like Council. I've gone to a school, at a school smaller than Clarion. I graduated with less than 100 people. Let me tell you how small my town is, everybody knew me, everybody knew where I graduated in my class, everybody knew where I was going to college. But some of you tonight have made me ashamed of belonging to a small town community. Because I understand you feel like your questions didn't get answered and I understand from Council you feel like you didn't have a chance to listen to them or to answer their questions. But some of you make me ashamed to call myself a person from a small town. Because they've answered some of your questions and you don't want to listen and you don't want to hear it. And Council, I haven't been here through all this, I'll be honest that, but the fact that they've offered options and that now is the first time you're offering them another forum to talk to you about them, that makes me sad. And I know that I'm just a college student and when I leave, I'm gone. But I want to be able to bring my kids back here and say 'this is where I went to college'. My family went to college here. My parents met here. I came to college here, because I love this town. I love what the college stands for, I love what the county stands for. My family's from

here. I want to bring my kids back and say ‘look at this; this is a small town in big city America that still thriving, that listens to each other and is willing to work out their problems’. So, all I’m asking is that from now on, don’t make me be ashamed to call myself part of Clarion. Listen to each other. Don’t interrupt each other, listen. That’s all I have to say. (Applause from the crowd).

This ended the Citizen Comments and President Vavrek moved into Administration.

Administration

On a motion by Mr. Hopkins with a second by Ms. Leonard, the appropriations for the month of April were approved by a vote of five yea with Mr. Zerfoss voting no due to the presence of invoices from Campbell Durrant.

On a motion by Mr. Zerfoss with a second by Mr. Noto, the NSF Check Processing Policy was approved unanimously. Dr. Sanders Dédé questioned whether action must be taken on the 11th day after notice is provided; Solicitor French responded that it is statutorily set.

Mr. Hopkins made a motion which was seconded by Mr. Noto to approve the banner requests from the League of Women Voters for two banners to be hung for the primary elections May 12-19, 2010. The motion carried unanimously.

Next, Mr. Hopkins made a motion seconded by Mr. Noto to approve two Special Event Requests from Spec. Ross A. McGinnis VFW Post 2145, one for Memorial Day Services to be held May 31, 2010, and the other for Patriot Day Services to be held September 11, 2010. The motion carried unanimously.

The Special Event request from 91.7 WCUC-FM for a Live Remote Day, to be held in concert with CAMPUSFEST, on April 24, 2010, was unanimously approved pending receipt of the route of the event and proof of insurance, following a motion by Mr. Hopkins and a second by Mr. Noto.

The South Seventh Avenue Contract was tentatively awarded to the lowest responsible bidder, pending receipt of bonds, insurance, and review of Experience Statements. The motion was made by Ms. Leonard and seconded by Dr. Sanders Dédé. The vote was five yea, with Mr. Zerfoss voting no as the apparent low bidder is L.E.B. Contracting from East Palestine, OH. Mr. Zerfoss feels that we should take care of our own.

Ms. Freenock explained that grant money is being used to pay for a portion of the project, and the procurement guidelines of the grant must be followed. Gannett Fleming asked for tentative approval so that it can request additional information from the contractor. If for some reason L.E.B. is not qualified, Gannett Fleming will contact Mortimer’s Excavating for more information. Jason McBride will be at the May Council Meeting with the name of the lowest qualified bidder. He will also explain again that the project was bid in sections. Based on the bids received, it appears as though the total project can

be completed with the funds available. The total project should cost between \$423,879.82 and \$432,674.82, depending on what options Council chooses.

Mr. Hopkins made a motion seconded by Mr. Noto to approve a three-year lease of a Pitney Bowes Postage Meter for the Borough Office at a monthly rental fee of \$143.00. Ms. Freenock explained that other alternatives were explored but that they would involve the purchase of additional equipment, such as a computer and a scale, and that they would have to be set up in the office where there is already a shortage of space. The motion carried unanimously.

More Citizen Comments in re Police Issues.

President Vavrek: If you want to take time now, whatever it is you want to speak about.

Mr. Vince Elliott, 520 Wood Street: For 3 years I've been constantly calling the cops because the college kids being drunk in the middle of night, throwing beer bottles, beer cans all through my yard. Vandalism constantly. I have no parking signs that keep getting up rooted, ripped apart. I have a picket fence that goes around my garbage area. That way it keeps my garbage in place when they're empty and we have these windy days that we get once in a while. Well I have a problem with the college kids coming down through drunk, pulling pickets off, and sword fighting down through the alley or just throwing them around. Here a few weeks ago, they took a 3½' section of this picket fence and carried it off with them. I'm to the point now where I'm about ready to start shooting people, because we can't get the Borough police to get their asses down there to patrol. All last month, I paid attention to how often I seen the police in one month span, day and night. I saw 6 police cars. Last Thursday, I couldn't turn around without seeing a police car. Shawn Zerfoss was sitting in the alley beside Vinny's leaning against the corner of his police car for nearly 2 hours. The other officer kept circling my block Thursday night. And in an hour's time, I couldn't stand outside without seeing that one cop circling and circling my block. But yet there were no college students going around my block at the time they were doing that.

Mayor Estadt: From 6 o'clock in the evening, did you say; what time was it you saw them

Mr. Elliott: No, it was after dark.

Mayor Estadt: After dark, but not the time frame of when the college kids

Mr. Elliott: It was around, this was like about 1 o'clock in the morning.

Mayor Estadt: Okay.

Mr. Elliott: The college kids that do the destruction come through 2:30-3 o'clock in the morning. I'm sure if Mark goes back 3 years, pulls all the records of how many times I've called about vandalism, he'd have a stack an inch thick, but yet nothing's being done

about it. And my kid is so afraid of these college kids messing with stuff on our property that 2 weeks ago he had a 2½ gallon bucket with dirt in it. He took it in the house because he was afraid the college kids were going to smash his bucket of dirt. Then for another week he put it in the back of my Jimmy for the same reasons. Now when you got an 11-year old child that's afraid to leave anything outside because of the destruction that these college kids cause that means it's time something needs to be done. I'm fed up with trying to get something done on my own. I had 2 male college kids and a female college kid walk down the alley my place a few months ago and they were discussing how they were going to take a piss. I told them 'go to your home and take a piss'. They started arguing with me. While the kid was arguing with me, the one kid took a piss in the alley.

Mayor Estadt: Um hum.

Mr. Elliott: The girl dropped trousers and took a piss in the yard. Both right in front of me where I could see it. The kid that started the argument with me went down to my garbage area and pissed right in front of me in my garbage bins. I end up getting a \$600 fine because I got into a fight with them. Two of them, one of me. Yea, I had a weapon. What do you expect? Two drunk college guys, one of me. And I got a bad leg. And out of all that I plea bargained for the two disorderly conducts and agreed to pay \$300 per each disorderly conduct and one court costs. So, it was a little over \$700. Out of them 3 students, 1 student got it for public urination, yet 3 of them did it. They should have got it for public urination, public drunkenness, lewd behavior, public nudity, because they all 3 pissed directly in front of me where I could see them, yet 1 person got it for public urination. And that's what I'm talking about when I say about how this Borough twists and makes the laws how they want to suit them. I lived here; I grew up in this area. Why should I have to pay a \$600 fine for standing up to keep these college kids from destroying my property, pissing and puking all through the alley that me and my family have to live in. It's ridiculous.

Ms. Thizbea Troese: Could I, are you, I'm sorry, I didn't mean to interrupt. I wasn't going to come and talk about this this evening but it (unintelligible) back of my mind. St. Patrick's Day and before that I've had some vandalizing, not spray paint or anything like that. But destruction of my property and things being thrown over and whatever, something simple. And I know that all college students are like that. I know that some are actually there to go to school. It does seem like 80% of the students recently to me, perhaps not there to go to school. And one night my husband was driving down an alleyway and a drunken person hit his window, did not break it. My husband call 9-1-1, got out of the car, followed the 2 people for 15 minutes, and the cops didn't get there. And, you know, we could see a cop car over there, and I'm not saying anything bad of the police officers. I know they're trying to do their job and I know they have to go by the information they get once they appear on the scene. Anyway it took that long to get them, I guess they let the kids get away. There was no filed charges. Then on St. Patrick's, oh, then that Saturday, my neighbor had somebody, she was alone with her daughter, she was alone with her daughter in the house, her husband worked that night, and her daughter just turned 2, and she heard noises downstairs. Well she kept hearing sounds, thought she was crazy, then she went downstairs, they were trying to bust in her

sliding door. They live right next to me. There's not lighting there. I usually try to keep on my porch light. They tried to bust in. When she finally went to the window outside, she sees this guy, she said he was drunk apparently, and tried to elbow his way into the window, try to break her window, and then she said 'hey' so he sped walked. She called 9-1-1, now maybe it's the 9-1-1 dispatcher and there's something that happened there, but she said 'he's on foot can you please stop him', so, this didn't happen to somebody else, we don't know if he was trying to break in. But today, now they could not be here, I'm sorry, my neighbors who were here for both South Street and this rash of stuff that's been going on, okay. I hope I don't (unintelligible) makes me a little upset. Anyways a cop came, never got out of the car, and never to see if the leaves were disturbed. Never got out of the car and there goes that guy. Well another night my recycling thing, dumpster, not a big deal, but it was an obstruction in the street on South Eighth at Greenville. My recycling sit out, I checked (unintelligible) I said 'hon, you know I think somebody throw it out there'. I had babies, can you go and move it. And that's the night his window got hit. But then my car, my mother-in-law's car was in my driveway got stolen. Okay? Now we won't even mention all the people that park, in what I consider to be trespassing in my driveway, okay. My car got stolen. Do you know who found my car, my tenant who happened to be at an apartment complex, said 'oh my God, your car is here'. The cops couldn't find it 2 blocks away. I'm really not a dig at the police. I just think there's something going on. I mean it sincerely. I want to say Shawn Zerfoss was very nice, he did not press charges on me. And the reason why charges were going to be pressed on me, and I want you to know I didn't threaten anybody's life, but I get a little mouthy; I'm a girl from New Jersey and that's what I do when I feel threatened. And I did use curse words but not in front of my children. But anyways, this one day, it was one of the many times that people parked in my parking spot in my driveway. I had a tenant, I have cars that go there. I called 9-1-1, I did not realize I did not hang up on 9-1-1. I had to get my daughter from school. I cannot be late. If I were to get pulled over in a car right now, I would tell the cop 'hold my car, let me go get my daughter'. Because I cannot be late for my; okay, so anyway. Somebody parked in my parking lot, you know who it was because I said to my neighbor 'you and all your friends (unintelligible) park in my driveway, please don't park in my driveway, I don't have any of your friends'. Well this kid was in and out, I had walked to get my daughter, I come back. Anyways, this car was there, all I, I didn't get the license plate, that was my fault. This kid calls 9-1-1 on me and the following Monday the cop comes to talk to me and he says 'I'm not pressing charges on you', which I'm grateful. But at the same time, how is that possible? Like am I making any sense. I know that's like 5 stories in one, but that's a rash for St. Patrick's Day. And I'm like am I safe in my own house, is somebody going to break in, we don't really have (unintelligible), I don't have an alarm system. I guess I should. But my husband told me when we left Cleveland, we're moving to Clarion and it's really safe. And I have not felt that way since I got here. I'm just saying. (Unintelligible) relief, but for the love of God. So, I feel like, you know, I would love to help start a community watch, planting trees in Clarion, I would love to help in any way I possibly can, which (unintelligible) kids and I have enough stress, I just don't need this garbage. I have (unintelligible) police, if I can, but really I just wish they'd just take my side. I'm not trying to gang up against the college, but this is lawlessness. It's lawlessness, it's disrespect, and either the principal or the president of the college, they need to know. I

guess I need to write a letter or 3 or 5 with other people. I don't know what it is that I can do to make it better, but this, I know this happens, but this is ridiculous. This is ridiculous and Clarion's a small enough town that, and that's all I should say. I guess, if anybody has an insight to that.

Ms. Chelsea Sierko: You know I live on South Street. My husband's car was hit when I was away. We had the paint from the other car. Peck never got out of the car, never looked at my husband's car, never asked for the paint chip, nothing's been done. They don't care. Well you know what, when I have a deductible of \$2,000, guess what, somebody's paying for that car and it's not going to be me. Somebody better figure out what happened. Why was this dropped, why isn't anybody looking into it? Somebody stole an American Flag off my front porch, when my husband was serving in Iraq. How ridiculous. You know, these college kids have no respect for anybody that lives here. I shouldn't say that, 95% of them don't have any respect for the people that live here. I have a very good friend that's a college student that works for me. She's a model college student. She's here to get an education, not to party and ruin the town. But, you know, kids stuff, my children can't leave their bikes on the front porch because it's some college kid who's 700 lbs. is riding it down the street going 'ha ha, I've got your bike'. No, no.

Mayor Estadt: When was the incident with your car when it was hit?

Ms. Sierko: I'd have to ask my husband, I was out of town at the time.

Mayor Estadt: But it's been awhile.

Ms. Sierko: Oh, yes, it's been a couple of months.

Mayor Estadt: Okay, this wasn't just done recently.

Ms. Sierko: No.

Mr. Elliott: It was during the winter.

Ms. Sierko: Recently my husband who works 2 to 10, came home from work, he's dressed as a corrections officer, walks up onto the porch, and some college kid comes around our bush and he nearly peed his pants because he was peeing in my yard. And my husband, he said 'don't arrest me' and my husband goes 'oh no, I'm going to kick your ass'. You know, come on. Something needs to be done. And I understand the cops are busy, but they need to be busy helping us. If we have to do it ourselves, I'd be more than happy to take full charge of that, but things are going to change.

Mr. Elliott: She brought up the fact about the college kids stealing stuff.

Mayor Estadt: Right.

Mr. Elliott: I have a bicycle on my porch since last year. I leave my porch light on 24/7. It sat for 6 months in the same spot beside my front door. No one ever touched it. The weekend before I went away to New York for 3 days, came back and the bike was still sitting there. The following weekend on the Fourth of July, I went down to her place to relax with my wife and her and her husband to enjoy the Fourth. I come home, my bike's gone. Here last month, the month before, probably more and likely the month before, I had a snow blower for 2 to 3 years sitting during the winter, sat in the same place my bike was, I never had a problem with anyone messing with it, nothing. It's gone now.

Mayor Estadt: Chelsea, Vince, and Thizbea, I would more than happy to sit down with you all and come up with some way with, I don't know if there's actually a Neighborhood Watch that's in effect at this time, and I live right up on South Street. I will give you my number and you can call and coordinate something and see if we can possibly work something out. As far as it goes to the police, Chief Hall and I work together, that way we can look at this specifically, go over all of those things that you brought up tonight and in addition anything else that you might have. And we can take care of it in a more personalized environment, if that would be okay.

Mr. Elliott: The other thing

Mayor Estadt: So, that way they can get on with their meeting and we can definitely meet and address this. We can meet at the Borough Office, back in their one section there, and see what we can come up with.

Mr. Elliott: The other complaint I have, is I'd like to know when my constitutional rights of freedom of speech means I can be arrested. I was told by Officer Peck if I continue to call him super cop because ever since the time, ever since he started working for the District Attorney's Office, he feels he can respond to any call anywhere in this County for any reason. He also don't do his Borough duties. This succession of jobs should be the Borough comes first, the DA second, anything else third. It's not like that. For him, it's the DA, anything else, and then the Borough. Whenever I had pickets stolen off my fence, he shows up, he hands me an incident report, starts an argument with me, I have no respect for this man. He shows up, sticking his chest out like this, and he unhooks his holster thing for his gun and his Taser ready to fight with me before I even said a word to him. I think that's ridiculous. And then he expects me to keep my voice down when I talk to him. Hell no it's not going to happen. You don't come onto my property, threaten me in that sense, I don't care if you're a cop or not, and then he tells me when I'm talking to him, 'what, what, I can't hear you, I'm hard of hearing'. If Officer Peck is hard of hearing, then get him the hell off the police force. If he wants to be a state cop or a DA agent, get him the hell off Borough's police force and tell him to go apply.

Mayor Estadt: Well these things we will definitely get together and discuss. What I need you to do for me is to call the Borough Office at 226-7707 and let me know when you all can meet, give me like, try to coordinate since you know each other, and I can work it out with Thizbea and then we will definitely get together and sit down and discuss specifically the Neighborhood Watch because that to me sounds like it's the most

warranted, the police conduct absolutely that's 100% all the time, but this is something new that I think we can probably do something with and hopefully, I mean, I've been vandalized up on my piece of property as well. So I'm certain we can work something out.

President Vavrek: Thank you, we need to move on.

Mr. Elliott: I'm sorry to interrupt, it just upsets me.

Mayor Estadt: No, no, no, we appreciate your comments, that's what it's for.

Mr. Zerfoss: Joanne, (unintelligible), I only want to respond that Officer Zerfoss, that you mentioned, is my son. I think Clarion Borough has a damn good police department. We have 7 street cops and the Chief of Police that does a damn good job. And I agree that there is things go by, but some day, a lot of days, and a lot of shifts, there is 1 cop. One cop can't cover the Borough of Clarion.

Mr. Elliott: Exactly.

Mr. Zerfoss: So, if you people want to increase the taxes so we can put more police officers on, fine. But we can't cover 1 house

Ms. Sierko: I would be willing to pay more taxes (unintelligible).

Mr. Elliott: (Unintelligible) taxes for taking the Borough vehicles outside the Borough unless it has to do with the investigation that has to do with a crime inside the Borough. You know how much gas that would save this County, or the Borough.

Mr. Zerfoss: But the Borough, like I said, I just want to add (unintelligible) damn good police department.

President Vavrek: Well I think some of this needs to be addressed with the University not just here. I mean I agree that our police is responsible, but at the same time some of this, it's all stemming from the University and I think the University Public Safety needs to know about this, too.

Mr. Elliott: I'm not saying that all the Borough cops, I mean $\frac{3}{4}$ of the Borough's police department I'm friends with. I might not always agree with them, but I stay friends with them. I mean Shawn and I have our disagreements. I think Shawn's a great guy; I think he does a decent job

Mr. Zerfoss: You went to Officer Zerfoss.

Mr. Elliott: Yes, I did. I went to school with Officer Foust. Officer Scheckler used to live down by me when I lived in (unintelligible). So, it's not like I don't know these

officers and I'm saying it out of spite or anything like that. Like I said, most of them I'm friends with, it's just a generalization that not enough is being done.

President Vavrek: Thank you. She'll look into it.

Mr. Elliott: Fine.

President Vavrek asked that the Borough contribute \$5,000 per year in 2011, 2012, and, 2013 to the Fire Hall Rehabilitation Campaign. She stated that the Townships have done so; the volunteers do wonderful job of protecting us all. There was no motion made. This issue will be on the agenda next month.

Public Works Report

Mr. Zerfoss made a motion to move the handicap ramp and replace the existing sidewalk at the Borough Office for a cost of \$4,550 with the work to be done by M & B Services. Mr. Zerfoss stated that three quotes were received, and that M & B was the lowest bidder. Mr. Hopkins seconded the motion and it was approved by a vote of six yeas.

Mr. Zerfoss made a motion to purchase a used roller for \$9,500. There was \$10,000 allocated in this year's budget for capital outlays. Mr. Stutzman researched the rollers available, received three quotes, and this is the cheapest and least used one available. The motion was seconded by Mr. Noto and was approved by all Councilmembers present.

Mr. Zerfoss the made a motion to accept the resignation of Curt Masters, effective May 7, 2010. The motion was seconded by Ms. Leonard and carried unanimously. Mr. Zerfoss thanked Mr. Masters for his service.

Finally, Mr. Zerfoss related that the County has closed its composting site. As a result, the Borough has no place to take the brush and grass from the drop-off site at the Public Works Building. Mr. Zerfoss made a motion to temporarily close the brush pile until an alternate composting site can be located.

Ms. Freenock explained that the Borough, County, and several other municipalities joined together to rent a chipper to compost materials that were taken to the County Park. The Borough may have a site to haul grass and brush, but it would first have to be chipped. Ms. Freenock stated that the pile is large with materials being dropped off by residents and contractors within and outside the Borough. The Borough lacks the facilities to store this material. She also stated that the 2008 DEP Grant filed by the Borough, and pursuant to which the Borough will be purchasing leaf vacuum equipment, also requested funding for a chipper. Ms. Freenock will contact DEP to determine if funding for a chipper will be made available given the County's recent action.

Mr. Zerfoss questioned what we get for the County taxes that we pay. The motion to close the Borough's drop-off location temporarily was seconded by Ms. Leonard and carried unanimously.

Public Safety

Ms. Leonard made a motion to advertise Ordinance No. 2010-773, amending Chapter 205 of Clarion Borough's Code of Ordinances titled "Vehicles and Traffic", making Weaver Place one-way going north from Main Street to Liberty Street. The motion was seconded by Mr. Hopkins and carried by a vote of four yea with Dr. Sanders Dédé and Mr. Noto voting no. Dr. Sanders Dédé stated that this would make two one-way streets side by side traveling north; Mr. Noto does not feel that the traffic warrants the change. Ms. Leonard noted that the curb by the IC Rectory has been posted no parking but the road is still too narrow for two-way traffic.

Ms. Leonard then made a motion to adopt the Police Policies and Procedures Manual. Mr. Hopkins seconded the motion and it carried unanimously. Both Ms. Leonard and Mayor Estadt stated that the Chief did a good job compiling the manual. President Vavrek asked if the materials prepared by Eric Shaffer concerning steps of discipline were still part of the manual. Chief Hall stated that parts of it are still included but have been modified.

Housing and Zoning

Mr. Hopkins made a motion to allow Northwest Savings Bank to drill monitoring wells as required by DEP in the Borough's rights-of-way, pending receipt of an indemnity from Northwest Savings Bank. He stated that DEP is requiring the monitoring for contaminants as a condition for the building to proceed. The motion was seconded by Ms. Leonard and was unanimously approved.

Recreation

Ms. Leonard made a motion to approve a new three-year Management Agreement and the 2010 Budget attached, with the YMCA for the management of the Municipal Pool at an annual fee of \$3,800. The motion was seconded by Dr. Sanders Dédé and was approved unanimously.

Ms. Leonard then informed Council that the new bleachers were put together and are at the park. Mr. Stutzman noted that the Public Works Department is installing the fences around the back of some of the bleachers. Ms. Leonard thanked M & B Services for the loan of the trailer to transport the bleachers to the park.

Ms. Leonard made a motion to approve a Letter of Understanding with the Clarion Area School District for use of the Paul A. Weaver fields. Mr. Zerfoss stated that he does not feel that it is appropriate for PIAA to charge admission to championship games. He stated that Weaver is a community park. Ms. Leonard and Mr. Hopkins stated that PIAA has rules, which must be followed, and that they could take the games out of Clarion. Ms. Freenock suggested amending the letter to indicate that the park is supported by taxpayer dollars and thus Council does not believe it appropriate to charge admission. Ms. Leonard amended her motion thusly. It was seconded by Mr. Hopkins and was approved by a vote of five yea with Mr. Noto abstaining as he is employed by the School District.

Ms. Leonard then made a motion seconded by Mr. Hopkins to approve Resolution 2010-299, approving a grant application for a Trails Master Site Plan. Ms. Freenock explained that this plan is for the former Kaufman property that is now owned by the University Foundation. It is unknown whether the grant will actually be filed, because it may not be possible to obtain the information in a timely manner. Also, if filed, it is unlikely to be funded, because although trails are a priority for DCNR this year, this trail does not connect to others in the state or federal system so it is at the bottom of the chain for funding. Nevertheless, the amount requested will be small, so Ms. Freenock would like the opportunity to apply. The motion carried unanimously.

Manager's Report

Ms. Freenock stated that she was informed by M & B Services that they were awarded the PennDOT contract to reconstruct curb ramps on Main Street. That work will be starting soon. No estimated completion date was given.

Correspondence

Ms. LaVan read a thank you letter from the Pennsylvania State Police for the Borough Police Department's expression of sympathy for Trooper Paul G. Richey.

Executive Session

President Vavrek called for an Executive Session to discuss the Public Works Contract, including all Councilmembers, the Mayor, Solicitor, and Borough Manager, leaving at 9:10 p.m. She further stated that she expected that a vote on the contract would be taken following the Executive Session.

President Vavrek reconvened the meeting at 9:51 p.m. and stated that no action was taken.

Mr. Zerfoss made a motion to approve a four-year labor agreement with the Teamsters and the Public Works Department based upon the following:

- a) a four-year contract commencing January 1, 2010;
- b) annual raises of 2% in January of each year and 1.75% in July of each year of the contract;
- c) new employees to be covered by a Defined Contribution Plan as opposed to the current Defined Benefit Plan;
- d) current employees to contribute up to 5% of W-2 wages with an actuary report to be prepared every two years and contributions be reduced, if no risk to the financial stability for the plan would result from such reduction;
- e) contributions made above .5% in 2009 to be refunded to the employees at an after tax rate;
- f) employees required to work outside their normal scheduled work day shall be paid a 2-hour call back bonus for the inconvenience unless they are notified at least 8 hours prior to the beginning of overtime to be performed. All hours worked on call back shall be counted towards computing an employee's weekly overtime;
- g) Public Works will give back General Election day as a paid holiday;

- h) employees will contribute 15% of any increase in health care premiums using 2009 as the base year; and,
- i) employees will be credited and entitled to \$50.00 on the first day of each month to be used as a clothing allowance. The employee may expend the total \$600.00 clothing allowance anytime during the year. However, if employment is terminated prior to the end of the calendar year, that portion of the allowance, above what has accrued to the date of termination, will be reimbursed to the Borough.

Motion seconded by Ms. Leonard. Mr. Zerfoss asked for a roll-call vote, the results of which were as follows: Mr. Zerfoss: yes; Dr. Sanders Dédé: yes; Ms. Leonard: yes; Mr. Noto: yes; Mr. Hopkins: yes; President Vavrek: yes. The motion carried.

There being no further business to come before the meeting, upon a motion by Mr. Hopkins with a second by Ms. Leonard, the meeting adjourned at 9:57 p.m.

Respectfully submitted,

Nancy K. Freenock
Borough Secretary