

May 5, 2009, Council Meeting

A regular meeting of the Clarion Borough Council was held on Tuesday, May 5, 2009, in the Clarion Free Library. President Wilshire called the meeting to order at 7:01 p.m. All Councilmembers were present. In addition, Mayor Stroup, Chief Hall, Messrs. Ragon and Stutzman, and Mss. LaVan and Freenock were in attendance.

Mr. Herman made a motion, seconded by Ms. Leonard, to approve the minutes of the April 7, 2009, Council Meeting. The minutes were unanimously approved.

Ms. Vavrek made a motion, seconded by Mr. Zerfoss, to approve the minutes of the April 27, 2009, Council Meeting. One error was noted. The minutes were approved by a vote of four yea with abstentions from Messrs. Herman and Hopkins and Ms. Leonard as they were not present at the meeting.

CITIZEN COMMENTS

Mr. Ron Corcetti addressed Council as the new owner of the Captain Loomis. Mr. Corcetti plans to improve the premises and presented Council with blueprints of his plans. It was determined that the Lease Agreement by and between the Borough and Troese Family Holdings must be amended to allow Mr. Corcetti to proceed with the proposed improvements. The current lease provides only for the operation of a sidewalk café on the leased premises; Mr. Corcetti plans to erect a permanent structure on the sidewalk. Mr. Ragon requested that the Solicitor review this matter. Mr. Herman made a motion to amend the Lease Agreement. The motion was seconded by Mr. Hopkins and carried unanimously.

Mr. Larry Bussard, representing the Clarion Area Chamber of Business & Industry, was present to answer questions concerning the Chamber's Autumn Leaf Festival request. Mr. Herman noted that it was a good idea for Larry to work with Brad and the Chief; it seemed to make revisions to the request easier. Ms. Vavrek requested that subsequent years' requests be simplified.

Mr. Gary Sproul of Hemlock Ridge asked Council to request that Bilo close its' exit onto Route 322 by the blinking light. Mr. Sproul has seen several accidents in that area and feels that it is a safety concern. Little League season is underway thus exacerbating the situation. President Wilshire stated that it is a good suggestion and Mr. Herman stated that Public Safety will look into this matter; closure of that exit was part of the overall Emerson Way plan, which has now been put on hold.

ADMINISTRATION

President Wilshire changed the order of items on the agenda and requested a motion to approve Resolution No. 2009-285, approving modifications to the Borough's 2006, 2007, and 2008 CDBG programs. The motion was made by Mr. Herman and seconded by Ms. Vavrek, and carried unanimously.

Ms. Vavrek made a motion, which was seconded by Mr. Hopkins, to approve the appropriations for the month of May. The motion carried by a vote of six yea with Mr. Zerfoss voting no due to the legal bills from Pope and Bogush and Reed Smith.

A motion to approve the Clarion Area Chamber of Business & Industry's Autumn Leaf Festival request to be held September 26 to October 4, 2009, was made by Mr. Herman and seconded by Ms. Leonard. The motion carried unanimously.

Mr. Hopkins made a motion to approve the Special Event Request for Vacation Bible School submitted by First Baptist Church to be held July 27-31, 2009. The motion was seconded by Ms. Leonard and carried unanimously.

Resolution No. 2009-286 was approved by a vote of six yea with Mr. Zerfoss abstaining due to a potential conflict because the Resolution authorizes destruction of documents created by his son, Officer Zerfoss. The motion was made by Ms. Vavrek and was seconded by Mr. Herman.

Permission to send a letter to FERC concerning the Piney Dam Settlement Agreement was given on a vote of seven yea following a motion by Ms. Leonard and a second by Mr. Hopkins.

Ms. Freenock requested permission to allow a CUP student to intern at the Borough this summer. Mr. Herman made a motion, seconded by Ms. Vavrek, to allow the internship. Mr. Herman suggested that Council be given an overview of what the intern will do and also be given a report at the end of the internship. The motion carried unanimously.

DOWNTOWN COMMITTEE

Ms. Moore stated that Spring Fling is over and the CUP students are gone. Orientations do not occur until June. A Clarion Area guide is in process with ads being sought from merchants. It will be the best guide for the area that has ever been produced.

PUBLIC WORKS REPORT

Ms. Vavrek made a motion to accept, with regrets, the resignation of Bob Larson. The motion was seconded by Ms. Leonard and carried unanimously.

Ms. Vavrek then made a motion to reject all bids received for the Boundary Street Steps Project. The proposals received were greatly in excess of the projections made by the engineer. The motion was seconded by Mr. Hopkins and carried unanimously. Ms. Freenock noted that all amounts paid with CDBG funds toward this project will have to be repaid; the Borough can then use those funds for another approved project.

Ms. Vavrek stated that Mr. Stutzman received a proposal from M and B Services to repair the Boundary Street steps and the railing for \$5,250. Ms. Vavrek made a motion to have M and B proceed. The motion was seconded by Mr. Zerfoss and carried unanimously.

The Second Step Early Intervention Grant in the amount of \$19,500 has been awarded. The purpose of the grant is to purchase a new computer for Public Works and also software that can act as an inventory and work order system and also may have payroll applications. The grant requires a 50% match. Ms. Vavrek made a motion to authorize President Wilshire to sign the Grant Agreement. It was seconded by Ms. Leonard and was approved unanimously.

Mr. Herman asked if the software could have Borough wide applications; Ms. Freenock stated that it could.

The Borough recently received \$220,000 from the closure of the operating account of the Clarion Area Authority. Ms. Vavrek proposes that those funds be used to complete the paving projects identified as most immediate on the Five Year Paving Plan. Mr. Stutzman noted that he met with the Borough's Municipal Services Rep and the roads were measured; PennDOT will prepare the bid documents. Deadlines will be placed in the bid so that the work is completed during the summer.

Ms. Freenock stated that according to the Borough Solicitor, this is a legitimate use of the sale proceeds as those funds must be used to benefit the rate payers; road improvements are a benefit to the former ratepayers of CAA. The motion was seconded by Mr. Zerfoss and carried unanimously. President Wilshire noted that no paving has been done in the Borough for several years. Liquid Fuels Funds have been used to pay for other qualifying expenses thus avoiding a tax increase.

Ms. Vavrek noted that Clean-Up Day is scheduled for May 16th.

Finally, Ms. Vavrek noted that 10 applications for the part-time position in Public Works have been received. Applications are being accepted until May 8th.

PUBLIC SAFETY REPORT

Chief Hall noted that Police Memorial Week is May 10-16, 2009. A service will be held in the gazebo in Memorial Park on the 14th at Noon and all are invited.

Ms. Moore stated that she contacted County EMS concerning the outbreak of H1N1. She reminded everyone that no vaccines will be available until the fall and noted that everyone should stay informed, wash their hands, etc.

Ms. Moore also stated that there is now a tornado siren at the fire house. It has a different tone than the fire call and will run for 3 minutes. It will be tested in the near future.

Mr. Herman made a motion to increase the Snow Ordinance fines for parking violations under the Section 205.60 of the Borough Code \$25 for the first 7 days and \$50 thereafter and to reduce the fines in Section 185.14 to \$25 for the first seven days, and \$50 thereafter. The motion was seconded by Mr. Hopkins and carried unanimously. The change will be advertised and formally adopted thereafter.

HOUSING AND ZONING REPORT

Mr. Zerfoss stated that copies of two proposed ordinances concerning burning were given to Council. He asked that they be reviewed and noted that permission to advertise will be sought at the next Council Meeting.

Mr. Zerfoss also asked property owners to look at their sidewalks; the Borough will be checking them in the next several months to determine if repairs are needed.

RECREATION REPORT

Ms. Leonard noted that Little League is underway. She then made a motion to allow CUP to conduct softball and baseball clinics at the Park as they have in the past. The motion was seconded by Mr. Herman and carried unanimously.

MAYOR'S REPORT

Mayor Stroup read a Proclamation regarding National Nursing Home Week. Ms. Leonard thanked the Mayor for this proclamation.

Next, Mayor Stroup read a Proclamation regarding National Police Week. Messrs. Zerfoss and Herman thanked the police for their efforts.

Mayor Stroup noted that a meeting will be held at CL School on May 27th concerning consolidation.

MANAGER'S REPORT

Ms. Freenock noted that she has attended several seminars on Stimulus funding and is looking to apply for energy grants.

OLD BUSINESS

Mr. Hopkins stated that the Legion will have a number of people in town for Memorial Day and asked if their lot could be opened. Ms. Vavrek noted that the Borough did not close the lot. Ms. Freenock stated that per the Zoning Ordinance, no enforcement action can be taken as the matter is on appeal.

President Wilshire called for an Executive Session at 8:14 p.m. President Wilshire reconvened the meeting at 8:49 p.m.

Mr. Hopkins made a motion to release the positions of the parties to the police contract negotiations. The motion was seconded by Ms. Moore. Mr. Herman called for a roll call vote. Mr. Herman: yes; Ms. Leonard: yes; Ms. Vavrek: no; Ms. Moore: yes; Mr. Hopkins: yes; Mr. Zerfoss: yes; President Wilshire: yes. The motion carried.

There being no further business to come before the meeting, on a motion by Ms. Vavrek and a second by Mr. Herman, the meeting adjourned at 8:54 p.m.

Respectfully submitted,

Nancy K. Freenock
Borough Secretary