

**CLEARFIELD BOROUGH
BOROUGH 2024 COUNCIL MEETING MINUTES
January 23, 2024**

Clearfield Borough Council met in regular session on Thursday, January 23, 2024 at 6:00 PM in Council Chambers at the Clearfield Borough Building.

COUNCIL MEMBERS PRESENT: Stephanie Tarbay, George DeHaven, Steve Livergood, AnnJane Ross, Barb Shaffner, Michael Yankavich

ABSENT: Chief Vincent McGinnis

OTHERS PRESENT: Solicitor Chip Bell, Street Department Todd Kling, Deputy Chief Yankavich, Borough Secretary Betsy Houser, Engineer Todd Banks

MEDIA: Jeff Corcino

Steve Livergood called for a Motion seeking approval of the minutes of December 21, 2023, Clearfield Borough Council Meeting. **MOTION** was made by AnnJane Ross and seconded by Barb Shaffner. **MOTION** Carried.

Steve Livergood called for a Motion seeking approval of the minutes of the Borough Council Reorganizational Meeting, January 2, 2024. **MOTION** was made by Barb Shaffner and seconded by AnnJane Ross. **MOTION** Carried.

Communications: None

Public Audience Christy Fulton welcomed new council members and thanked them for their service. She hopes Solicitor Chip Bell makes them aware of the Sunshine Act and open meetings. She was recently told that council members are not allowed to talk to the public about borough business outside of the council meetings, and this is simply not true. It was also brought to her attention that the borough council members whisper and text during council meetings, she now quoted from the Office of the Open Records. She hopes reading this it clarify's this issue.

She hopes that the meetings will follow the Sunshine Acts, and asked if the podium can be moved? It is in the way, we have a hard time hearing, a hard time seeing and a hard time participating. She thanked council for time and their attendance.

Rick Mattern had a couple of things to ask about. Regarding farming out local taxes to McConnellsburg? We have an employee that sits there in this office and could do this. Chip Bell told Rick Mattern it is now a State Law. Rick also asked to put South 2nd and Latimer Streets on the paving list. And the Rebecca Park sign has a top part broken off, it needs replaced or painted. He questioned the budget, beyond being able to afford a down payment on the fire department's a new truck, then not the next week. He does see the relief fund on the budget it makes it look like the fire department has another \$30,000. He asked why on the budget we have only received from the Clearfield County Fair Board this year only \$4983.00, why is that? Can he ask? Next year it is budgeted for \$24,000. Chip said they are aware of this discrepancy, Steve and he said two weeks ago, they had a meeting with the board, they talked about it. What is showing is the carnival side, they are still talking about the other money. Rick Mattern said with everything going on at the leadership at the Lawrence township, audits, hollering matches, the swindling at the Dubois, wouldn't it be good due diligence for the tax payers to do a forensic audit, He thinks so.

REPORTS OF BOROUGH OFFICERS

FIRE DEPARTMENT: A copy of the Fire Department's report is on file. Chief Yankavich has submitted the driver's list that has been approved. They do have plans on continuing aggressive training schedule, they are going to meet with the hospital for training on the MRI machine, it is a need-to-know training.

POLICE: Nate Curry is there for any questions anyone may have.

STREET: A copy of his report is on file. Todd told Rick Mattern that Sue Diehl with CRC is working on signs for our parks. They have been working with the votech on some designs and making of them. They will have some information. Rick said it was a friendly reminder. Steve Livergood also wanted to also say the people have told him what a good job the street dept is doing on snow covered roads. Nate also stated that he agrees, no accident reports at all reported during those snowstorms in the borough.

MAYOR: Had nothing major to report. Echoed the street department job on the roads. He said he attended the CRC meeting, and all events are scheduled for 2024. He also had a wedding recently.

SOLICITOR: A copy of his report is on file. He will have something later to bring up. The STMP program said the report is dismal. We are considering terminating the contract. Trying to get a report, discussing the billing. He said all council will need involved, it will be crucial to do a proper budget, to know where funds are coming from, to have a brough manager.

ENGINEER: He is there to take the bids to review for the CDBG project, the funds need to be used by May. Chip asked if we could pass the contractor in February, would that be in the time frame. Time will be of the essence but can be done.

CODE ENFORCEMENT OFFICER:

COMMITTEE REPORTS

PUBLIC SAFETY:

MOTION was made by Stepanie Tarbay and seconded by Annjane Ross to approve and permit Hyde Wesleyan Church to use Lower Witmer Park for Family fun Day on June 2, 2024, and close Locust Street from Front Street to Water Street. **MOTION** Carried.

PUBLIC WORKS:

Open bids for the Gas and Diesel.
Did not receive any.

MOTION was made by Annjane Ross and seconded by Barb Shaffner to re-advertise for Gas and Diesel Bids at a variable rate. **MOTION** Carried.

Open bids for the Tyler Ave. Storm Sewer Replacement Project.

Dave Roman Excavating	\$202,660.00
North Rock Construction	\$287,219.00
Ameron Construction Co., Inc.	\$323,530.00
C&R Directional Boring, LLC	\$180,820.00
Kukurin Contracting, Inc.	\$318,318.00

MOTION was made by Barb Shaffner and seconded by Annjane Ross to have CR Directional Boring, LLC as contractor for the project under review of Todd Banks. **MOTION** Carried.

MOTION was made by Barb Shaffner and seconded by Annjane Ross to apply to participate for the Source Well Program, this is a PennDOT approved Government Program to purchase items, without bidding. **MOTION** Carried. Chip added this is regarding the RamVac, we can go to their list. This is another means.

PUBLIC AND COMMUNITY DEVELOPMENT:

PERSONNEL COMMITTEE

MOTION was made by George DeHaven and seconded by Annjane Ross to hire Brett Stewart as Code Enforcement Officer. **MOTION** Carried.

Steve Livergood introduced Brett and asked him to take his seat. He will be starting tomorrow.

Executive Session called.

MOTION was made by Michael Yankavich and seconded by Annjane Ross to appoint Tristin Buck as 3rd Ward Borough Council Representative for a two-year term. **MOTION** Carried.

MOTION was made by Stephanie Tarbay and seconded by Barb Shaffner to appoint Bandi Matsko as 4th Ward Brough Council Representative for a two-year term. **MOTION Carried.**

MOTION was made by Barb Shaffner and seconded by Stephanie Tarbay to appoint Annjane Ross to represent the Borough on the Clearfield Revitalization Corp. **MOTION Carried.**

MOTION was made by Annjane Ross and seconded by Barb Shaffner to accept the resignation of Marsha Coble. **MOTION Carried.**

FINANCE COMMITTEE

Tony Yankavich will give a 10 minute presentation on the budget.

Tony gave all council members an updated copy of the budget he prepared. He believes the council audit was hastily prepared their budget, has many errors. He wanted to make two corrections on his budget on page 13, and they noted on file. On page 3, every year the boro reimbursement for street lighting is done, the \$40,000 is not included on revenue. And on page 13 the actual expenditure for 2023 was \$3,054,851, the income was \$2,623,024. He asked how that could be. He knows how. Under further investigation he discovered \$611,000 ARPA funding that was never brought public. He said all council members did not even know. The public did not know. He knows that is how the extra funding of over \$300,000. He wants past leadership kept it silent and wants to know why, he knows that is how the merger with the police was taken care of it was over budgeted for them, he asks where did it come from, was not a loan, then where did it come from.

MOTION was made by Steve Livergood and seconded by Barb Shaffner for council to table the budget until Tuesday, January 30, 2024 at 6:00 pm. **MOTION Carried.**

MOTION was made by Annjane Ross and seconded by Barb Shaffner to accept the 2024 contract with Stiffler McGraw to serve as the Clearfield Borough Engineer. **MOTION Carried.**

MOTION was made by Barb Shaffner and seconded by Annjane Ross to approve the bill list as presented. **MOTION Carried.**

MOTION was made by Barb Shaffner and seconded by Michael Yankavich to approve the 2022 financial audit as presented by the auditor. **MOTION Carried.**

UNFINISHED BUSINESS

Chip said for several years there has been a lawsuit against some police officers There are two separate attorneys involved. There is a proposed settlement. The council needs to accept the agreement as a motion.

MOTION was made by Stephanie Tarbay and seconded by Barb Shaffner to approve settlement agreement reached by the parties during the federal court's mandatory mediation program in the case of Carla Omdorf V. Shawn Fye, Austin Miller, Douglas Clark, Clearfield Borough and Lawrence Township, Case #3:22-CV-12, Western District of PA, as memorialized in the written agreement presented by counsel for Shawn Fye, Austin Miller, and Clearfield Borough. **MOTION Carried.**

Tony Yankavich asked if the amount is public. Chip said no it is not.

NEW BUSINESS

MOTION was made by George DeHaven and seconded by Stephanie Tarbay to accept regretfully the resignation of Michael Yankevich from Borough Council. **MOTION Carried.** Michael said he must have his focus dedicated to being fire chief.

MOTION was made by Annjane Ross and seconded by Barb Shaffner to advertise the Council vacancy in First Ward for two years. **MOTION Carried.**

Stephanie Tarbay stated the borough had applied for a \$500,00 flood mitigation grant for funding for the Stinky Run storm water project, to help with it, We were denied that grant. We are looking again to work on another grant to help.

Mason had been approached by residents on Weaver Street, parking on both sides make you weave down the street, they are requesting to make one side no parking. It can be a hazard at times. Todd Kling said it is site specific, it is a hodge podge, it's been that way for years. Agrees it can be taken a look at.

Joe Marino wanted to speak about Stinky Run. He lives on the line of the township and the borough. He has lived there for years. He has heard for years the grants that were going to be given to Stinky run. He has seen it surveyed 50 times. I have come to the borough and met with engineers, he would like to offer his advise. He has even offered PennDot advise. The water is simply being drained where people are living. He has a lot of knowledge about this, if you can not get the millions of dollars from grants, and your plans are not ever correct. There are small plans that can be done. He would be happy to show anyone again, he thanked everyone for hearing this.

COUNCIL MEETING ADJOURNED 6:55pm

Submitted By: Betsy Houser, Borough Secretary/Administrative Assistant

BILL LIST

Jan. 2024

Amitrust	\$3,141.00	Workman's comp. insurance
Aflac	\$165.64	Employee Ins.
American Rock Salt	\$17,953.18	Bulk Ice Control Salt, 755118, 753102, 756343, 760653(LF)
Bobs A-N	\$386.12	Clothing allowance
Bucktail Excavators, Inc.	\$2,307.68	Anti skid (LF) Inv. 24666, 24694, 24711
Burns & Burns	\$6,035.89	Equip. Floater, Commercial Package, Public Official liability Final 4/4
Bradco	\$257.26	Plow springs
Breezeline	\$274.49	Phone lines, internet (Admin)
Capital Fund	\$187.50	Record keeping Non uni Employee 401K
Clearfield Wholesale	\$355.37	Street dept. supplies
Clearfield Regional Police Department	\$84,651.75	Feb. 2024 payroll and expenses
CMA	\$1,417.77	Water/Sewer PD, Garages, Admin, Fire Hydrants
Clearfield Agway	\$1,213.89	Calcium Chloride pellets
E.P.B. Fund	\$6,361.34	Employee's health ins.
F. Cortez Bell, III Esquire	\$875.00	Solicitor fee Feb.
Fisher Auto	\$275.88	Wiper motor, electric cleaner, headlight trk#11, thermostat trk#2, antifreeze, tubing
H&H	\$48.24	Shop supplies
J.J. Powell	\$2,941.29	Gasoline
J.J. Powell	\$1,116.53	Heating fuel/Borough Garage
Johnston, Nelson, Shimmel & Thomas LLP	\$10,200.00	Audit yr/2022 & SCV File / electronic submission
Lowe's	\$225.06	Garbage cans/FD & Admin
Loretta's Office and Business Cleaning	\$240.00	Cleanings for Admin Office
Matheson Tri-Gas	\$137.82	Acetylen/tank rental
Medical	\$1,412.73	
Mettel	\$180.46	Telecommunications
Napa	\$71.97	Lamp, blister pk of capsule
PSAB	\$140.00	Membership & Subscriptions
PA One Call System	\$14.14	Monthly activity fee
Point Spring Driveshaft	\$1,203.06	Trk#2 backup alarm, Trk#1 ball joint/labor repairs
Penelec	\$8,908.97	Electric bills
R.E. Michael Co.	\$47.27	Furnace thermostat for shop
Rich Coffee	\$78.10	Supplies
2e Business Solutions, LLC	\$19.95	Time clock ribbon/shop
SEI	\$126.41	Activator Switch#26 Backhoe
Snyder Brothers	\$418.99	Carrier of UGI (2months)
Stiffler McGraw & Associates, Inc.	\$3,927.00	Inv.#188, 186 (Dollar Gen.)
Stiffler McGraw & Associates, Inc.	\$385.00	Engineering Tyler Ave. -drainage improvement CDBG, Inv.'s#5
TD Fab	\$1,580.13	Snow blades trk#2&4, grinding wheel, chain, pipe
The Hartford	\$236.68	Employee life ins.
The Progress	\$921.36	Advertising (519.00 CDBG)
TouchTone Communications	\$114.37	Long distance phone bill
Tri County Performance	\$1,117.87	Cylinder/control trk#18 & Moduler/Marker trk#2
UGI	\$263.15	Natural Gas/Admin Office
Verizon Wireless	\$82.23	Street phone, and tablet
Visa	\$4,716.47	Office supplies, PD health ins., Indeed
Way Office	\$78.10	Office supplies
Xerox Capital	\$159.10	Monthly lease payment for Boro Office