

LORAIN BOROUGH / REGULAR COUNCIL MEETING
May 16, 2012

The meeting was called to order at 7:10 PM by President Harold Berkebile, Jr. President Harold Berkebile, Jr. led Council in the Pledge of Allegiance. Roll call was taken by Michelle Misner. Council members in attendance:

Mr. Harold Berkebile, Jr.
Mr. John Raspotnik
Mr. Michael Hammers

Mr. John Custer
Mr. Gary Hoffman

Mr. James Fresh
Mr. Ken Gibson

Also in attendance:

Mayor George Randolph
Daniel Kiser, Asst. Fire Chief

Engineer Ken Mesko

Solicitor Alex Svirsko

Minutes

A motion was made by John Custer second by Gary Hoffman to approve the Minutes from the April 11, 2012 Regular Council Meeting as written.

MOTION CARRIED 7-0

Treasurer Report

Michelle Misner reviewed the following reports with Council:

- April Balance Sheet
- April Deposit Detail
- April Profit & Loss Budget vs. Actual
- April Transaction List by Vendor
- April Municipal Authority Reports
- April Payroll

A motion was made by Michael Hammers second by John Raspotnik to accept the Treasurer's Report as written.

MOTION CARRIED 7-0

Tax Collector Report

Carol Petry submitted the following Tax Collector Report for April 2012:

*R.E.: \$20,252.72 *P/C: \$578.20 *O/T: \$79.20 *EIT 2011: \$5613.56 *Delinquent: \$11.00

Berkheimer's submitted the following Tax Collector Report for March 2012:

*EIT 2012: \$513.16

Berkheimer's submitted the following Tax Collector Report for April 2012:

*EIT 2012: \$1073.90

A motion was made by Ken Gibson second by Michael Hammers to accept the Tax Collector's Report as written.

MOTION CARRIED 7-0

Correspondence

Michelle Misner discussed the following correspondence that was submitted to Lorain Borough:

- Thank you card from Terry Paul Kauffman in response to the arrangement sent to the funeral home.
- Cost Allocation Breakdown with the Cambria County Tax Collection Committee. This is an allocation based on the percentage of weighed vote. This fee goes to help pay services needed for the CCTCC. \$44.77 is our allocated amount. This was given to Alex to look at and will be brought up at the next meeting.
- Mr. Richard Hite sent a letter and photos regarding the issue he is having with his sewer line. His lateral to the main pipe was backed up. Roto-Rooter discovered roots in the line by Mr. Hite. Ken Mesko was called to inspect that there was nothing wrong with the Borough line. The customer owns all of the lines and fittings from their home to the sewer main per the Borough Regulations for Sewers. Mr. Hite submitted a bill for Roto-Rooter (\$234) and a replaced carpet (\$150), for a total of \$384.00 and requested the Borough reimburse him for these fees. This was moved to New Business.
- Travis Czyrnik submitted a request to clean up part of the trail above the park. He is a fireman at Oakland Volunteer Fire Department. Daniel Kiser stated that the fire department could take this as a training activity for the department. This was moved to New Business.
- Cambria County Planning Commission – Transportation Enhancements Program. Ken Mesko stated it could be possible revenue for the bridge project. There is a deadline for application and it was turned over to Jim Fresh to look into.
- Notice that the EADS Group is now handling the bridge inspections.
- A number of workshops located around the state.

The above items were reviewed by Council.

Citizen / Visitor Comments

Kim Dorchak from Kotzan and Associates: She reviewed the Municipal Authority Audit for 2011. Some numbers on the audit kind of correspond with the delinquent accounts with the Sewer Service billing. They issue a “Qualified Audit Opinion” and the accounts receivable is the issue with this audit. The assets “Accounts Receivable” and “Accrued Interest Receivable” total over \$52,000 and because of that amount they can’t offer a clean opinion on this account. Footnote 4: \$22,423.00 due to us is broken down into rental collections (\$3,118 collected in December), rental charges current (\$3,340) and rental charges delinquent (\$4,765). “Assessments Liened” (\$10,814) and Lien Fees (\$386) have been on the books since before Kotzan took over the accounting. There has never been any proof of support on those figures. Over \$30,000 is accrued interest receivable on the assessments liened. It is unknown if any of this amount due to the Borough is able to be collected. She suggests writing off the amount or continue to pursue collections. “Allowance for Doubtful Accounts” would offset an amount that is reasonably unlikely collectable. The Profit and Loss statement would look bad with a “Bad Debt Expense” line item to correct the figures, but may be necessary to get them off the books if they cannot be connected to who owns the money. Harold Berkebile says that they are in works with the water company to start trying to collect back fees due to us, so until the Borough can get a handle on how much can be collected, no changes will be made to the audits. She also noticed that the Municipal Authority terminated in 2010 with the DCED. She contacted Alex Svirsko to renew the life of the

Municipal Authority. The process is now being worked on to renew the life of the Authority and the DCED has been notified.

William Koplin of 397 Lunen Street came to express concern about Mr. Rodda excavating on his properties and what impact it may have on Klanchar Alley. Mr. Koplin has a garage on the alley and other people access their properties via the alley. Per Harold Berkebile stated that excavation on Ohio Street that was done was to remove a tree and is now completed. Mr. Koplin is concerned that there may be long term issues with the integrity of the ground around the excavation site. He claims that he has emailed. Michelle Misner stated that no emails from him have been received and that she does, in fact, receive emails. She would check to make sure the address on the website is correct. Mr. Koplin wants to make sure that the situation is being monitored for safety. Ken Mesko was asked to take a look at what had been done to see if a potential problem exists. We will contact Alex Svirsko to put John Rodda on notice due to his excavating without permission, in the event that anything happens due to his digging.

Fire Chief Report

Daniel Kiser presented the Fire Chief Report. There are trees and bushes on Sann Court, at the end by Ohio Street Lounge that need to be cut back to allow engines to go down. It was stated that it is unordained property and won't be cared for as no one will accept responsibility for it. There were 22 calls last month with nearly 7 firefighters per call. They are waiting to hear about the SAFER and DCNR grants. They have three confirmed calls for camping during Thunder in the Valley, but a lot of inquiries. They are looking to build temporary showers for this year, and not construct permanent ones as had been earlier discussed. He mentioned considering asking Tom Callihan to write for grants for the bridge. The fire department is selling breakfast during Thunder in the Valley, so there is opportunity for the Borough to do something if it wants.

Mayor / Police Report

Mayor George Randolph reviewed the Police Report submitted by the Johnstown Police Department for the month of April 2012. There were 26 calls and 2 arrests. The Porter Street street sign is missing. The work on Porter Street is finished. All the street signs in the Borough need to be up to code this year – all need to be a uniform size and reflective. There was an abandoned car parked at the Slovenian Hall, which is now gone. There is high grass at the house by the former Carpet Outlet building. There is an abandoned vehicle on Molnar Street that is being used for storage. Jim Fresh and Harold Berkebile will talk to the property owner, Andy Burns, about that. There is also shopping carts, debris, tires, shingles and weeds at 231 View Street. Jim and Harold will also take care of talking to the property owners. Michelle Misner was asked to write letters to Gallucci and Waste Management to request they not make the turns too tight or to bring smaller trucks on the corner of Koch Avenue and Porter Street as they are damaging private property.

Sewer Report

Ken Mesko has a payment request for the finished work that was done on Porter Street for \$1676.75. This was moved to New Business. A workshop should be scheduled to discuss the flow metering information that was given at the meeting prior to the Council Meeting. There are repair ideas that can be discussed. This was scheduled for May 31, 2012 at 4:00 PM. The Municipal Authority Committee needs to extend its charter and Alex Svirsko should offer an opinion on it.

Park Commissioner's Report

Gary Hoffman expressed concern over prior renters being charged \$25 for not returning tables to their original places and renters being charged an additional day for the beer cooler to have beer delivered the night before. There was a complaint that the stove was sticky after it was painted. The correct paint was used and it may not have cured. The burner in the stove is still being fixed as the new part did not solve the problem. The taps were cleaned at the end of last season and the park schedule needs to be sent to Huffy the Tap Man. They are still working on the cameras. It will cost about \$1000-1500 to do. Michael Hammers has been doing extensive work to see what needs to be installed and where the equipment needs to go. Michelle Misner informed Council that a number of rental requests could have been scheduled if the weekend rate was a little lower. It was brought up that now that the ball field is no longer contracted, it can be modified and used for smaller functions, such as birthday parties, and charged a much lower rate and use it for Flea Markets to bring in additional revenue to the park. It was agreed to change locks and gate the area up until it's ready to be used again. Jim Fresh informs the Council that the workers are willing to alternate weekends to open and close the park; however a backup plan needs to be established in case something prevents them from being there. Gary stated he needs the times for opening and closing the park for rentals. Michelle stated that she calls the clients the week of the event to verify the times and that she is not responsible for the clients not being on time.

Streets, Lights, Safety

Jim Fresh says he rode around with Mike Bowser from PennDOT and it was determined that there isn't a pressing need for any paving jobs. Porter, Sam and Green Valley Streets were looked at and may need paving after winter, but for the time being, it doesn't need done. The application will be submitted, with a \$15,000 request that can be used for paving jobs. All the equipment has been repaired and is in working order. Two mowers and a weed eater were purchased. Grass cutting has begun and letters need to be sent regarding some sidewalks.

Borough Property

No Report.

Housing, Ordinance, and Printing

No Report.

Finance, Taxes, and Appeals

No Report.

Solicitor's Report

Alex Svirsko discussed the Flood Plain Ordinance that was adopted last month. He was told by FEMA that the gentleman that was working with him was not qualified to work on the ordinance and that changes needed to be made to it. His contact with FEMA sent him a form that has to be submitted and he was unable to finish it before the meeting due to health issues. Alex then brought up two addresses in the Borough that needed attention; 391 Lunen Street and 385 Lunen Street. 385 Lunen Street is owned by Shawna and John Hotchkiss. Mrs. Hotchkiss passed away in 2010. The incorrect

address was placed on the form submitted to Justice Barron's office. 391 Lunen Street, owned by Paulette Tamm, is up for Sheriff's Sale and the address on the form submitted to Justice Barron's office was also incorrect. Since we didn't incur any fees on the property to date, we can clean up the property and lien the property for the costs of the clean up before June 8th, which is the date of the Sheriff's Sale. The addresses were obtained by the Cambria County GIS system and were obviously changed before the County had updated them in their system. Mayor George Randolph noted that 377 Lunen is also empty and not being cared for. Alex advises us to file Civil Violations and not Non-Traffic Violations, which is how they have been filed in the past. Alex brought up the possibility of having Flea Markets at the park. He said that it's a public park and if someone is not renting it and uses it we are not liable for any problems incurred. If we rent it out, we are liable. Gary Hoffman had already talked to the insurance company to see if we have liability, which we do. If we have the event often, there would be an additional fee from the insurance company for liability. If we have it once or twice a summer, there is no fee. Alex recommends we have each vendor sign a simple agreement stating the rental fee paid, the date of the event and the times they are able to have their table available on that day to prevent anyone from keeping a table up permanently.

Unfinished Business

No Unfinished Business.

New Business

A motion was made by Michael Hammers second by John Custer to send a letter to Mr. Hite letting him know the repairs and damage done were not the responsibility of the Borough.

MOTION CARRIED 7-0

A motion was made by John Custer second by Michael Hammers lock up the ball field with new locks and chains, no trespassing signs and to form a committee.

MOTION CARRIED 7-0

A motion was made by Gary Hoffman second by Ken Gibson to allow the Oakland Volunteer Fire Department to conduct a training exercise to clean up the area that Mr. Travis Czynnik requested to clean up.

MOTION CARRIED 7-0

A motion was made by James Fresh second by John Custer to pay the amount currently due to L&M Excavating for the Porter Street Project.

MOTION CARRIED 7-0

Good of the Borough

No Report.

Bill Approval

A motion was made to pay all the bills listed in the Unpaid Bills Report by John Custer second by Michael Hammers.

MOTION CARRIED 7-0

Adjournment

There being no further business, a motion was made by Gary Hoffman second by Michael Hammers to adjourn at 9:50 PM.

MOTION CARRIED 7-0

Submitted by:

Michelle Misner – Secretary / Treasurer