

LORAIN BOROUGH / REGULAR COUNCIL MEETING
June 13, 2012

The meeting was called to order at 7:02 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. Ken Gibson

Mr. James Fresh
Mr. Michael Hammers

Mr. Gary Hoffman

Also in attendance:

Mayor George Randolph

Engineer Ken Mesko

Solicitor Alex Svirsko

Minutes

A motion was made by Michael Hammers second by Gary Hoffman to approve the Minutes from the May 16, 2012 Regular Council Meeting as written.

MOTION CARRIED 5-0

Treasurer Report

Michelle Misner reviewed the following reports with Council:

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

A motion was made by Ken Gibson second by James Fresh to accept the Treasurer's Report as written.

MOTION CARRIED 5-0

Tax Collector Report

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

*R.E.: \$331.92 *P/C: \$20.00 *O/T: \$29.20 *EIT 2011: \$478.30

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

*EIT 2012: \$2322.68

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

MOTION CARRIED 5-0

Correspondence

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

- PA DEP – Letter requesting the Sewage Corrective Action Plan review results. Ken Mesko will submit this report. This is moved to New Business.

- Johnstown Redevelopment Agency – Letter requesting Sanitary Sewer Overflow report, due July 15, 2012. Ken Mesko will submit this report. This is moved to New Business.
- PMAA – Notification of Voting Delegate and Alternate is due if attending conference. It was determined no one would attend. No action taken.
- Council of Governments – Board Member Appointment list was sent. This needs to be signed and returned upon voting on its acceptance. This is moved to New Business.
- Snyder Excavating & Supply – This is a notice of a new type of asphalt that has been approved by PennDOT and is now available. No action taken.
- PSAB – The PUC 2010 Approved Budget from for Act 13 funds needs to be completed, signed and returned. This is moved to New Business.

The above items were reviewed by Council.

Citizen / Visitor Comments

Mr. Rudd Johnson expressed concern regarding the hedges that are growing behind 417-419 Ohio Street. It was stated that Mr. Mark Gregg owns the property and needs to be contacted by Mayor George Randolph to have the hedges cut back before any other action can be taken. Alex Svirsko stressed that action needs to be taken in the proper order and that Mayor Randolph has the necessary information to do this. James Fresh asked if it were possible to hire a contracted business to take care of the work and the Borough, in turn, invoice the property owner. Alex said that cannot be done until all the proper steps have been taken, and even then a lien for the amount due would be placed on the property. Mr. Johnson has also mentioned the garbage piled up at Little Anthony's on a weekly basis. Harold Berkebile had stated that he had spoken with employees there and is monitoring the situation.

Fire Chief Report

No Report.

Mayor / Police Report

Mayor George Randolph reviewed the Police Report submitted by the Johnstown Police Department for the month of May 2012. There were 13 calls with 2 arrests made. There are properties that he has been monitoring and discussed with Council. 322 Lunen Street, owned by Mr. Stevens and used to be rented to Mr. Jim Rutledge, has high grass and garbage on the property. 528 Oakland Avenue, located next to JR's Sports Den, had an abandoned car which was removed. There are branches from a tree down on the property and have not yet been cleaned up. There is also a pile of garbage including a mattress and box spring that has been sitting out. Harold Berkebile states he will talk to the occupants. 231 View Street, allegedly owned by Mr. Andy Burns, has cleaned up the shingles that were around the property, but there are still tires, shopping carts and a toilet around the premises. Some of the weeds have been cut. Harold Berkebile and James Fresh will talk with the owner. There is an unlicensed trailer parked on Lohr Place. It is allegedly owned by Mr. Chris Rutledge. 412 Woodland Avenue, allegedly owned by Mr. Dave Neil has high grass and an abandoned car in the yard. Mayor Randolph also mentioned to James Fresh that a sign for Lunen Street has gone missing.

Sewer Report

Ken Mesko mentioned on May 31, 2012 that he and Harold Berkebile were the only two in attendance for the scheduled workshop to discuss the flow metering. The request from the PA DEP he says he will get together and submit. The defects will be classified from 1 (low priority repair) to 5 (high priority repair). He suggests to Council that the defects in the 4 and 5 range we can submit a grant application for as most of the lesser repairs can most likely be done in a trenchless fashion. There is little the Borough can do on its own to make any of the repairs needed due to lack of manpower and equipment. The violations list is almost completed. Reactivating the Municipal Authority was discussed briefly. It had expired in 2010 and will be required to be renewed should the Authority ever need to borrow money for extensive repair costs. The Authority can borrow an unlimited amount of money; however, the Borough entity can only borrow 2.5 times the tax base. There are legal fees involved for the recertification. The repairs will be prioritized so it can be determined whether or not the Borough will need to borrow to have the repairs made, making it a requirement to reactivate the Authority. If money does not need to be borrowed, they will hold off on reactivating the Authority. Ken suggested the workers monitor the flow rates periodically to track the rate of flow. Ken states he has a list of suggested places to monitor. Ken asked Michelle Misner to print out the Sewer Rules and Regulations that he sent via email. Michelle was asked to try to obtain information regarding the Municipal Authority, however, in the minute books, it seems the last bit of recording was done in 1997. Dates after that have no mention of the Authority members discussing anything during the meetings.

Park Commissioner's Report

Gary Hoffman stated that the workers are doing a very good job with the park so far this year. Michelle Misner said that TNC's Lounge requested Labor Day for their event again this year and that their security deposit was held due to damage and excessive clean up after their event and that it was at the discretion of Gary to let them rent again. He said they can rent again, but increase the security deposit to \$100 this time. The possibility of holding flea markets and possibly Farmer's Markets at the baseball field was discussed. It was suggested that any food being sold be done by a licensed vendor and agree to the Borough taking 10% of the profits sold. Times for the flea market were suggested from 9 AM – 4 PM and that vendors would be signing an agreement for the terms of plot size, pricing and retaining their own security should they wish to leave their tables up Saturday night to Sunday morning to sell again on Sunday. It was agreed that this will begin the first weekend in July; the rates are tentatively \$10 for an 8' x 16' plot. Areas could be marked on the grass prior to the event. It was also brought up to have frozen meat/food vendors come to sell foods on certain days. Gary will write up the ad and forward to Michelle who will send it to the Tribune Democrat. Alex Svirsko made it clear that the Borough cannot "sponsor" any of these events. It has to be made clear that it is only being held at the Lorain Borough Park. Requests made by phone or email will be directed to Gary to handle. The fire department is bringing in a trailer for a shower during the Thunder in the Valley week. The fire department will be notified to call Paul Rutledge in terms of how to drain the shower unit.

Streets, Lights, Safety

Jim Fresh requested to purchase a snake for the Borough's use as there is not one available to use. He also requested to purchase bulk weed killer for some of the overgrowth on the trail. This was moved to New Business. The Green Valley Street Bridge is being repaired. Part of the guard rail was fixed and they are awaiting holes to be drilled into new steel plates that were purchased to finish the rest. As reported at the February meeting, there were 15 manhole covers stolen. They were reported to the police and Michelle Misner was asked to contact the insurance company to see if a claim can be made. Risers are also needed to raise up some of the covers already installed in the streets. Letters need to be sent to 208, 408 and 416 Oakland Avenue as their sidewalks were not cleaned. Hot patching will begin

soon as there has not been any hot patch available due to the company we purchase from being down for repairs. There is a hole and a drainage issue that needs to be remedied on Blue Diamond Street. James and Ken Mesko will inspect the area. Judge Creany has a crew available for work and they will be utilized at the fire hall and around the Borough. The only requirement is drinks and food be provided to the workers. James has places around where litter needs to be cleaned up and they can possibly fix the salt shed. He will start a list of work that needs to be done around the Borough.

Borough Property

No Report.

Housing, Ordinance, and Printing

Michelle Misner discovered while trying to retrieve requested ordinances that numbers 159 through 188 are missing. There are no hard copies or scans available. Alex Svirsko will check into it with the Courthouse to see if there are copies there. The requests were made by Harold Berkebile because of a house that was sold. There were complaints from the neighbors and the tenants weren't aware of permits being required for moving, excavating and building on the property. There has been complaints of excessive noise and dogs running freely on the property.

Finance, Taxes, and Appeals

No Report.

Solicitor's Report

Alex Svirsko discussed the Tax Committee allotment due. The total is \$44.77. This was moved to Unfinished Business.

At this time, James Fresh leaves the meeting at 8:45 PM.

Alex continues with the revised Flood Plain ordinance. Last month he was told that the ordinance that was adopted was not correct and that a new one had to be drawn up. He presented the new ordinance and it was moved to Unfinished Business.

Special Committees

Gary Hoffman is responsible for drawing up the contracts for the vendors at the ball field events.

Unfinished Business

A motion was made by Michael Hammers second by Gary Hoffman to accept the revised version of the Flood Plain Ordinance.

MOTION CARRIED 4-0

A motion was made by Ken Gibson second by Gary Hoffman to install 8 cameras (\$600), the radio link (\$600) around the Park and one additional camera (\$100) at the Borough Building, plus taxes and shipping with Michael Hammers providing the installation at no charge.

MOTION CARRIED 4-0

New Business

A motion was made by Michael Hammers second by Gary Hoffman to pursue Flea Markets being held at the Park ball field starting in July 2012.

MOTION CARRIED 4-0

A motion was made by Michael Hammers second by Gary Hoffman to purchase a snake and weed killer for Borough use.

MOTION CARRIED 4-0

A motion was made by Gary Hoffman second by Michael Hammers to allow Ken Mesko to submit the necessary reports to the Pennsylvania DEP and to the Johnstown Redevelopment Agency.

MOTION CARRIED 4-0

A motion was made by Michael Hammers second by Gary Hoffman to complete and return the ACT 13 form the the PUC.

MOTION CARRIED 4-0

A motion was made by Gary Hoffman second by Ken Gibson to accept the Board Member list at COG, sign and return.

MOTION CARRIED 4-0

A motion was made by Michael Hammers second by Ken Gibson to pay the Cambria County Tax Committee fees of \$44.77.

MOTION CARRIED 4-0

A motion was made by Gary Hoffman second by Ken Gibson to allow Ken Mesko to review the drainage problem on Blue Diamond Street.

MOTION CARRIED 4-0

Good of the Borough

No Report.

Bill Approval

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

MOTION CARRIED 4-0

Adjournment

There being no further business, a motion was made by Gary Hoffman second by Michael Hammers to adjourn at 9:05 PM.

MOTION CARRIED 4-0

Submitted by:

Michelle Misner – Secretary / Treasurer