

LORAIN BOROUGH / REGULAR COUNCIL MEETING
September 12, 2012

The meeting was called to order at 7:00 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 Custer	Mr. Ken Gibson
Mr. Gary Hoffman	Mr. John Raspotnik	
Mr. Michael Hammers (7:22 PM)		

Also in attendance:
Mayor George Randolph Solicitor Alex Svirsko

Minutes

A motion was made by John Custer second by John Raspotnik to approve the Minutes from the August 8, 2012 Regular Council Meeting as written.

MOTION CARRIED 5-0

Treasurer Report

Michelle Misner reviewed the following reports with Council:

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

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

MOTION CARRIED 5-0

Tax Collector Report

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

*R.E.: \$129.6 *P/C: \$38.50

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

*EIT 2012: \$3925.11

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

MOTION CARRIED 5-0

Correspondence

A message from Mrs. Shaffer, 461 Green Valley Street was received. She was told that she now needs Flood Insurance and would like to talk to a member of Council about it. Harold Berkebile agreed to speak with her.

A letter from the Cohen Law Group was sent to us. It was a solicitation of services to oversee the review of the information sent to us regarding the Atlantic Broadband sale. Alex Svirsko is already overseeing this review and this matter requires no decision to be made.

Various notices for workshops were also passed around. No action was taken on any of those.

The Cambria County Planning Commission 2011 Annual Report was received and passed around.

Citizen / Visitor Comments

Mr. Harry Clites was in attendance to offer comment. He lives on 129 Clair Avenue. He has been noticing the parking lot has been being mowed/trimmed by Borough workers, and it is private property. Harold Berkebile will contact Jim Fresh and attend to that matter.

Mr. Clites also cited the property next to his has high grass and rodents (125 Clair Avenue). The USSCO Federal Credit Union is holding that property and state they cannot do anything about the issue because the property is misstated in their records as "129 St. Clair Road."

Mr. Clites is also concerned about the dirt pile on Oakland Avenue at the Slovenian Hall lot. Ken Mesko will observe the area as it was mentioned the hillside is being further excavated.

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 August 2012. There were 18 calls and three arrests. The call report was passed out reviewing what services are not included in the current contract the Borough has with COG (Council of Governments). It was stated that staff has been reduced at COG and there is talk of them merging with another company. It was suggested to form a committee to review alternative options to COG. This was moved to New Business. Reviewing the nuisance letters that were sent, four notices were sent, three were returned and one violation was corrected. Harold Berkebile suggested next time, the letters are hand-delivered to those in violation. Mayor Randolph brought up the topic of police coverage and strongly urges to reconsider changing from Johnstown Police Department to another department. He is not in favor of using a different department for police coverage. A committee has been formed to look into all the options of other departments and compare them to what coverage is currently in force.

At this time, 7:22 PM, Michael Hammers arrives at the meeting.

Sewer Report

Ken Mesko has a check written to NPDES (National Pollution Discharge and Elimination System) Permit renewal that needs approval. Monitoring reports are sent yearly to NPDES. The amount is \$500.00 and renews the permit for 5 years. The prior permit had been extended for free for about 4 years. This concerns stream monitoring, and the only stream in Lorain Borough appears to be Sam's Run. John Custer brought up concerns of any overflow water being released into Sam's Run and if that will cause any problems. Ken understands the concern, but made Council aware that DEP allows it to be done. Approval of the payment is brought up in New Business. At the workshop, Six Minimum Control Measure, we are in compliance with 1, 2 and 4 and more work needs to be done with 3, 5 and 6. Someone needs to be designated to oversee this compliance.

Park Commissioner's Report

Gary Hoffman has nothing new to report other than the DVR is back in (it was sent back due to defect) and will be installed after the meeting. The cameras are in and working. The internet speed we currently have needs to be increased. We have a "courtesy" internet service for free and it is not enough. This is sent to New Business. There was a noise complaint at one of the last events. Borough workers called the police since they people at the event did not want to leave.

Streets, Lights, Safety

The Terry Street and Oakland Avenue ditch was cleaned out. The Penrod Street drain was cleaned out, as well. There is a sewer drain and a hole next to it on top of Lee Street that needs to be looked over. There is a drainage ditch that builds up with leaves between Thelma and Carnation. A screen was suggested to be placed over that as a preventative measure. Mark Wissinger and Mr. Custer from the Commissioner's Office was contacted regarding the bridge. They will meet with Harold Berkebile on September 19th to discuss any possible funding. John Custer had his rental property looked over by Jim Fresh and George Randolph and George Randolph put on record that the property was cleaned up.

Borough Property

No Report.

Housing, Ordinance, and Printing

No Report.

Finance, Taxes, and Appeals

No Report.

Solicitor's Report

Alex Svirsko also received a letter from Cohen Law Group regarding the Atlantic Broadband sale and ceased review until we decided whether or not Council wanted another firm to look at it. He will resume review and will report it at the next meeting. RDM (water authority) has received no information regarding back bills due in sewage rental fees as well as payment plan information. Because of this, no liens could be filed at this point. Further investigation needs to be done. Alex suggests that from now on landowners should be billed for the sewage rental fee rather than tenants in

rental properties. It would make it easier to track down those who are delinquent on their payments. It's very difficult to get delinquent bills paid from tenants of rental properties. Alex will follow up with Johnstown Regional Sewage and RDM regarding this matter. This would make it easier to track for tax sales. Another suggestion Alex made is to make the account numbers the tax map number so it is easy to track the properties the debt belongs to. This will be moved to New Business. He was researching the monitoring fee that is now itemized on the new sewer bills. There are 350 homes or so being charged about \$9 a month in "monitoring fees." Alex will have to further research the fee and may have to request documents. He needs to make sure that these fees are paying for a legitimate cost and is not being used to produce revenue. He made a mention that a 90-day notice needs to be made if making a change of police department. The current contract is in force through 2013. Alex will email a copy of the contract and it includes an itemized list of services.

Special Committees

No Report.

Unfinished Business

Michelle Misner put on record that the insurance claim check arrived regarding the stolen manhole covers. The total of the check was \$2,250.00.

New Business

The 2013 budget numbers will be reviewed at 6:30 PM on Wednesday, October 10, 2012. All Council members are encouraged to attend.

It was agreed for Michael Hammers and Michelle Misner to consult together regarding a new laptop and come back to Council with an estimated amount at the next regular meeting. The laptop could not be restored when a reinstall was attempted. Mike Bowser of PennDOT says that \$1000 a year of Liquid Fuels can be used for computer equipment. Right now, Michelle's personal laptop is being used. QuickBooks will also need to be upgraded as the current version will not run on Windows 7.

A motion was made by Gary Hoffman second by Ken Gibson to approve the \$500.00 check to NPDES for the permit renewal.

MOTION CARRIED 6-0

A motion was made by John Raspotnik second by John Custer to send a request for encumbrance of the 2012 County Aid Allocation of \$3400 funds from the state.

MOTION CARRIED 6-0

The matter with COG was reviewed again and it was agreed to form a committee to discuss other options. John Custer, Ken Mesko and Ken Gibson agreed to be on that committee.

A motion was made by John Custer second by Michael Hammers to change the Atlantic Broadband service contract. Rate for 8MB speed service is \$89 a month and includes the phone line. The internet fee would be paid from the Park Fund and the phone fee would be paid from the General Fund. Michael Hammers will also look into having the rate locked.

MOTION CARRIED 6-0

A motion was made by John Custer second by John Raspotnik for Alex to look into landowners being billed for the sewer rental fee.

MOTION CARRIED 6-0

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 6-0

Adjournment

There being no further business, a motion was made by John Custer second by Gary Hoffman to adjourn at 8:09 PM.

MOTION CARRIED 6-0

Submitted by:

Michelle Misner – Secretary / Treasurer