

Clarion Borough Stormwater Authority Minutes of November 14, 2019

Present were Chairman Jason Noto, Vice Chairman Ben Aaron, Secretary Tom DiStefano and Board Member Bill Miller. Also in attendance were Borough Projects Coordinator Todd Colosimo, Authority Assistant Jessica Schwabenbauer, Borough Secretary Linda LaVan-Preston, Borough Council President Carol Lapinto, Jim Campbell of Burns & Burns Insurance, Theron Miles and Brett Whitling.

Mr. Noto called the meeting to order at 5:30 p.m. Mr. Miller moved to approve the minutes of the Oct. 24, 2019, meeting, Mr. DiStefano seconded; Mr. Aaron abstained and all others were in favor.

Mr. Miles gave a presentation on state and federal grant opportunities. He said a group of local leaders is in contact with a firm called Delta (Delta Development Group) that could provide grant-writing services for a fee.

Mr. Miles said Delta could submit applications on behalf of the county and municipal governments, including Clarion Borough and the Authority. The fees would be split between the participants, the total fee to all involved might be around \$90,000, while the estimated cost to the authority could be about \$12,000 a year.

Mr. Miles suggested Authority officials attend a meeting with County Commissioners, Rep. Oberlander and others to discuss contracting with Delta. After a discussion of the details of such an arrangement, Mr. Noto said he was willing to hear more and would attend the meeting.

Mr. Colosimo said HRG Engineers have estimated the cost of removing public sidewalks from the impervious area designation in the database at between \$4,500 and \$5,000. Mr. Noto said his personal feeling was that public sidewalks should be counted as a landowner's impervious area (IA), but he would go along with the Authority board's overall feeling to remove sidewalks if it is good and fair for the community. He said his deciding factor would depend on whether it would delay the first billing.

Contacted by phone, Rob Arnold of HRG said it would take a couple weeks to remove the public sidewalks as IA, and the revised information would be ready to use for billing in the first quarter of 2020. He said the Authority would receive new IA figures for each parcel.

The board discussed the definition of public sidewalks and whether sidewalks leading to businesses and sidewalks in the interior of Clarion University (CU) campus would be considered public and exempt from the IA fee. Mr. Colosimo said sidewalks covered by the borough's maintenance ordinance would be considered public. The consensus of the board would be not to include those as public, with appeals taken on a case-by-case basis and decided by the Authority board.

Mr. Aaron said the borough ordinances could be used as a guideline and the Authority would define sidewalks not required to be maintained by the borough as private sidewalk.

Mr. Miller moved to remove from IA billing any sidewalks defined as public by the Clarion Borough Sidewalk Maintenance ordinance with the Authority Boards as the determining body. Mr. Aaron

seconded the motion and all were in favor.

Mr. Campbell described what an insurance policy for the Authority would cover, including general liability, public officials' liability, and bonding of those handling Authority funds. General liability would be based on mileage of piping. The law requires the Authority to carry a public officials' bond for those handling money. The Authority could also carry crime insurance to cover incidents of theft by anyone; public officials' bond does the same thing, but only covers a specific public official.

Mr. Campbell said the bonding, crime insurance and general liability and public officials liability insurance would cost \$5,488 a year, with additional fees of between \$400 and \$650 for bonding additional individuals. Mr. Miller moved to purchase general liability and public officials coverage as soon as possible; Mr. Aaron seconded and all were in favor.

The board discussed the reliability and applicability of grant funding and how much such grants could lead to eventual reductions in the stormwater fee. Mr. Noto said the Authority must focus on getting ready to send out the first billing, and he would oppose anything that would distract from that.

The board discussed the IA appeals filed so far. About a dozen appeals from all parts of the borough have been filed. Mrs. LaVan-Preston said some of the filings do not include any reasoning or arguments to support the appeal and should be considered incomplete filings. Mrs. Schwabenbauer said some do not include any IA measurements. Mr. Noto noted that landowners without accurate numbers would lose their appeal and their appeal application fee.

There was a discussion of how to handle properties that straddle municipal boundaries. The consensus was to consult with the Authority's solicitor.

Mr. Aaron moved to approve a one-year agreement with HRG to provide engineering services on a request-driven, non-exclusive basis. Mr. DiStefano seconded and all were in favor.

Mr. Colosimo said the Authority must submit its 2020 budget to Borough Council for approval. There was a discussion of the budget approval process. Mr. Aaron moved to approve the 2020 budget and to forward it to Borough Council. Mr. DiStefano seconded and all were in favor.

Mr. Colosimo said the Authority should schedule its meetings for 2020. Mr. Noto directed Mr. Colosimo to develop a schedule based on the 2019 schedule .

The board discussed apparent discrepancies and errors in the delineation of property lines on the county assessment maps.

Mr. DiStefano moved to adjourn; Mr. Aaron seconded and all were in favor.

Attest:

Date:

Tom DiStefano, Authority Secretary