

Clarion Borough Stormwater Authority Minutes of September 12, 2019

Present were Chairman Jason Noto, Vice President 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, and Clarion Borough residents Dan Gatesman, Sandy Gatesman and Pete Bauer.

Mr. Noto called the meeting to order at 5:30 p.m. Mr. Miller moved to approve the minutes of the Aug. 8, 2019, meeting, Mr. DiStefano seconded, Mr. Miller and Mr. Noto were in favor; Mr. Aaron and Mr. DiStefano abstained.

Mr. Gatesman asked how to have a reassessment of impervious area (IA) done. Mr. Colosimo explained the IA measurement and the appeal process. Mr. DiStefano said he understood the Authority would accept appeals before issuing fee bills. Mr. Colosimo said that was not yet possible because the Authority's GIS system, accounting system and bank accounts were not set up. Mr. Aaron said it would be better to handle appeals before billing rather than having to issue refunds. Mr. Noto said the postcard mailing was to help identify problems before the bills were sent. Mr. Colosimo said that if appeals applications were taken now, HRG Engineers would have to handle the remeasuring of IA.

Mr. Aaron said neither he nor another property owner should be asked to pay an incorrect bill. Mr. Noto said the Authority needs to be prepared to make measurements and enter data in order to handle appeals. There was a discussion of how and when to handle appeals and send bills. Mr. Noto said that should a property owner appeal the aerial IA measurement, the Authority could go to the property and determine an accurate amount of IA based on on-the-ground measurements. Mr. Colosimo said determining the IA of irregular shapes will require significant calculations.

Mr. Noto said the Authority should begin taking appeals before billing based on the IA information on the postcard. He asked if there is a written policy against taking appeals before the first billing, and if so, that policy should be changed. Mr. Miller said sending the postcard was meant to find problems. Mr. DiStefano said he checked the credit policy and could not find a rule about when an appeal can be filed.

Mr. Bauer said no one has visited his property since April to check on what he sees as a difference in IA there, "So none of this (appeals process) works." Mr. Colosimo said no appeals have been processed so far; he explained the appeals process and said he would provide Mr. Bauer with an appeal packet. Mr. Bauer said water runs onto his property but does not run off. Mr. Colosimo said the stormwater fee is based only on the amount of IA, not on the amount of rain or water flow.

Mr. Colosimo said about a dozen people had called with questions about the IA amount on the postcards. He said HRG could complete GIS implementation by the end of the week; HRG had a lot of staff turnover recently.

Mr. Colosimo said implementation of billing and accounting software is delayed until the Authority's bank accounts are set up, and that is waiting on employee ID numbers.

Mr. Colosimo said an insurance policy proposal is being developed for the Authority. Much of the stormwater infrastructure leased to the authority is not insurable, though the pump station is insurable.

Mr. Colosimo said HRG has sent a proposal for providing request-driven, non-retainer engineering services; he will send copies to the board for review. The Authority can use local engineers for small projects with the option of using HRG for larger projects.

Mr. Colosimo said change orders for the Center Place project have been issued and could start at any time. Details of the project were discussed. Some punch-list items have not been completed, but the contractor will not be paid until they are done.

By consensus, Mrs. Schwabenbauer's name will be added to the Authority letterhead with the title of Stormwater Assistant.

The board discussed cases where a property changes hands. The board discussed timing, billing cycles and notifications of ownership changes from the county. Mr. Aaron moved to send the bill to the owner of record on the last day of the previous billing cycle. Mr. Miller seconded and all were in favor.

After a discussion, the Authority consensus was to not consider temporary impervious features, such as tents, as billable IA.

Mr. Aaron said public sidewalks should not be included in the calculation of the IA on a private property because public sidewalks in Clarion Borough are actually on borough property and not on a borough right-of-way on private property. According to borough ordinance, lot lines are the same as the street right-of-way lines.

Mr. Aaron said the problem is on the engineer for not finding out what is private property and what is public. Mr. Noto suggested contacting HRG and asking them about subtracting sidewalks on borough property out of the IA calculations. He suggested the matter be reviewed by the Authority solicitor. Mr. Aaron noted that excluding public sidewalks would reduce the Authority's revenue and affect construction and maintenance schedules and priorities.

Mr. Colosimo said the Authority should check with the IRS to determine revenue reporting requirements.

Mrs. Lapinto said the Authority must have a 2020 budget submitted to borough council for review. Mr. Noto said the Authority would do so.

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

Attest:

Date:

Tom DiStefano, Authority Secretary