

Council Meeting January 26, 2015

Meeting was called to order by President of Council, Ruby W. Miller.

Meeting opened with recitation of the Pledge of Allegiance to the Flag.

Present:

Council Members present: Ruby Miller, President of Council, Fred Rosemeyer, Pam Ream, Sue Opp, Steve Shaulis, and Gary Thomas. Mayor Scott Walker was also present. Others in attendance were Benedict G. Vinzani, Jr., Borough Manager; Michele Enos, Assistant to the Borough Manager, Brett Peters, Director of Finance; George Svirsko, Director of Public Works; Randolph Cox, Chief of Police; Tom Reilly, consulting engineer; and John Dirienzo, Solicitor.

Announcement

An Executive Session was held at 5:30 p.m. this date to discuss personnel matters.

Minutes of Previous Meeting

Motion to approve the minutes of the previous meeting of December 22, 2014 was made by Mr. Rosemeyer, seconded by Mrs. Opp.

Unanimously Carried.

Opening of Bids

Manager Vinzani mentioned that we advertised and administratively opened bids for chemicals; dewatered sludge; and crushed stone material. They were tabulated and Mrs. Enos gave the following report:

Chemical bids for 2015. (Awarded by unit prices.)

Aluminum Sulfate - Univar -\$11.875 per 50 pound bag.

Chlorine – Univar - 1 ton container, \$549.00

Chlorine – Univar - 150 pound bag, \$55.35

Corrosion and Scale Inhibitor – Sal Chemical, \$6.53 per gallon.

Lime – Univar - \$9.10 per 50 pound bag.

Sodium Bicarbonate - Univar - per 50 pound bag - \$12.80
Sodium Fluoride - Univar \$42.95 per 50 pound bag.

Potassium Permanganate –This will be deferred to the next meeting since there are questions to be answered before determining the lowest responsive bidder.

Motion

Mr. Shaulis moved, seconded by Mrs. Opp to award the Chemical Bid awards to the lowest responsive bidder as outlined in Mrs. Enos' report.

Unanimously Carried

Asphalt & Crushed Stone

Mrs. Enos explained that there are two ways that we put bids out for our stone and blacktop material; one, a price to deliver to our jobsite or public works garage; the other is that we pick it up at their site (FOB).

2-A stone 100 tons, Garret Limestone, for \$11.60 per ton
2-A stone 75 tons FOB, New Enterprise for \$8.50 per ton
Type II Anti-skid – Garrett Limestone for \$19.60 per ton
Type II Anti-skid FOB – we are going to defer awarding the bid on this one. The change we noticed this year is that they are only offering it at the Bedford site. So we will make a determination recommending an award.
2-B Stone, delivered, Garrett Limestone for \$14.80 per ton
2-B Stone FOB Garrett Limestone - \$12.00 per ton
Dust Fines, delivered, to Garrett Limestone at \$12.40 per ton
Dust Fines FOB - to New Enterprise, \$9.00 per ton
No 4 Stone, Garrett Limestone for \$14.80 per ton
No 4 Stone FOB - \$11.50 per ton to New Enterprise
1-B Stone Garrett Limestone for \$19.60 per ton delivered
1-B Stone FOB Garrett Limestone \$16.80 per ton
9.5 MMR Blacktop \$71.00 per ton New Enterprise
25 MMR Blacktop FOB to New Enterprise, \$59.00 per ton

The Stockpile Patching bids submittals need further evaluation prior to making a recommendation.

There were no bids received for FJ1 Blacktop

Motion

Moved by Mr. Rosemeyer, seconded by Mrs. Opp to approve the asphalt and crushed stone awards as mentioned in Mrs. Enos' report.

Unanimously Carried.

Dewatered Sludge Removal

Ms. Enos said we also bid this out for our Wastewater Treatment Plant and our Water Filtration Plant, at two different locations. Interstate Waste came in at the lowest responsive bid, at \$648.95 per dumpster.

Motion

Moved by Mrs. Opp, seconded by Mr. Thomas to award the Dewatered Sludge Removal bid to the Interstate Waste Company.

Unanimously Carried.

Public Comments

Mr. Thomas Kielbasinski asked about a drain that continues to flood on the 400 Block of West Main Street. He said he spoke with Representative Metzgar's office and was told that this is a Borough issue and that the street is owned by PennDOT but the drains underneath it belong to the Borough.

Mr. Vinzani said he believes that the drains in this street will not take the water during times of heavy rains.

Mr. Kielbasinski asked why they could not have two drains instead of having it flood down the road. Mr. Vinzani said it is a situation where PennDOT will need to evaluate the drainage of their roads; the Borough is not in charge of determining the storm water management of a PennDOT road. He said we have taken the position that we do not believe it is a Borough issue.

Mr. Kielbasinski pointed out that a 25 mph speed limit sign on Columbia Avenue between Main and Union is needed. Mr. Vinzani said posting the speed limit for 25 mph is actually pretty high for a small section of alley; special studies are required.

Mr. Cox said the only area that the 15-mph speed limit is authorized by PennDOT is in the School Zone.

Mr. Kielbasinski asked about traffic signals – he complained about a seven minute wait on Center Avenue, at the Union Street intersection, to make a left-

hand turn. Mr. Vinzani explained that PennDOT synchronizes traffic signals, and some are on “trip” cycles.

Concerning Mr. Kielbasinski’s question on use of radar guns, Chief Cox stated that Pennsylvania is the only State in the nation that use of radar is not permitted by Municipal Employees. However there is legislation that could allow this.

Bill Payments

A question was raised concerning check number 25168, concerning a 10% restocking fee charged for the return of a well-pump from our Water Treatment Plant.

Motion

Mrs. Opp moved, Mr. Shaulis seconded payment of the following bills, with exception of Check #25168 pending further investigation, to be reported at next meeting:

<u>Check Numbers</u>	<u>Total Amount</u>
25112 to 25288	\$507,825.57

Unanimously Carried.

New Business

(a) Fraternal Order of Eagles

The Borough Police mentioned to the Eagles that they had no cameras available for their police cruisers. The Eagles have agreed to donate \$4,500 towards the purchase of these cameras.

Mr. Cox stated that their officers are equipped with many items; tax free, from the generosity of our community, which is very much appreciated.

The following “Certificate of Appreciation” was presented:

“This Certificate is presented to the Fraternal Order of Eagles, in appreciation of their generous donation in support of the Christmas Lighting Fund and the contribution made to the Somerset Borough Police Department.”

*January 26, 2015
Ruby Miller, Council President
Scott Walker Mayor*

(b) Year 2015 Sewage Enforcement Fee Schedule

Mr. Vinzani said this is re-visited every couple of years, to establish fees for the remaining few properties in the Borough without public sewage. If their “on-lot” sewage systems need repaired or replaced, the homeowner is in charge of notifying us. We then engage an SEO, Sewage Enforcement Officer, to do the inspections. We then need to develop fees to ensure that the Borough receives reimbursement for the fees that we are charged by the SEO.

Motion

Mrs. Ream moved to adopt the Sewage Enforcement Fee Schedule for Year 2015 - seconded by Mrs. Opp.

Unanimously Carried.

(c) Resolution Number 2015-01

Mr. Vinzani said we dispose of records that are no longer required to be retained, in accordance with the Commonwealth’s Retention and Disposition Schedule.

Motion

Mrs. Ream moved, seconded by Mr. Shaulis to adopt the following Resolution:

Resolution No. 2015-01

WHEREAS, the Borough of Somerset adopted Resolution No. 87-02 on April 27, 1987 providing for the destruction of certain papers in accordance with the Retention and Disposition Schedule for Records of Pennsylvania Municipalities, and;

WHEREAS, the Somerset Borough Administration wishes to dispose of some of its records in accordance with this Resolution;

NOW THEREFORE, BE IT RESOLVED, that the following items be authorized for purging:

2005 Check Vouchers from all funds
2006 Check Vouchers from all funds
2007 Check vouchers from all funds

Water/Sewer Department

2006 Bills
2006 Penalty Run & Account Detail Sheets
2006 Daily Cash Receipts Journal
2006 Adjustments
2006 Payment Schedules
2007 Bills
2007 Penalty Run & Account Detail Sheets
2007 Daily Cash Receipts Journal
2007 Adjustments
2007 Payment Schedules

Police Department Records:

2007 Accident Reports
2010 Impound Forms
2008 Property Release Forms
2011 Abandoned Vehicle Notifications
2013 Abuse Petitions
2004 Trespass Letters
2010 Letters In/Out
2010 Warning/Repair Forms
2010 Parade Permits
2010 Borough Permits
2008 Vehicle Calibrations
2011 UCR Reports
2011 Drivers Records
2012 Due Diligence Forms
2012 Bike Registration Forms
2013 Paid Voided Parking Tickets

Adopted this 26th day of January, 2015

Unanimously Carried.

(d) Dennis J. Brant Subdivision

Mr. Vinzani said this subdivision is basically the consolidation of lots by Autumn Drive and Uhl Street; Edgewood Avenue is on the south. Our Planning Commission reviewed this and recommends Council approval.

Mr. Rosemeyer moved, seconded by Mr. Thomas, to approve the Planning Commission's recommendation.

Unanimously Carried.

(e) Fire & Ice Festival

Mrs. Opp moved to retroactively approve free-metered parking during the Fire & Ice Festival – motion seconded by Mrs. Ream.

Unanimously Carried.

(f) Interim Borough Secretary

Mrs. Ream moved to appoint Michele Enos to serve as Interim Borough Secretary, at an additional \$2,000 per month – motion seconded by Mrs. Opp.

Unanimously Carried.

Committee, Administration, Special Reports

Manager's Report

Noting that this is his last meeting as Manager of the Borough of Somerset, Mr. Vinzani presented a background and review of his years with the Borough. He introduced his family; credited his staff for the great work that has been done under his administration; and that he has always worked with great Councils. He thanked all and said he leaves the Borough in capable hands and good financial shape.

The following Certificate of Appreciation was presented to Manager Vinzani by Vice president of Council Fred Rosemeyer on behalf of the Board of Directors of the Pennsylvania State Association of Boroughs, for special recognition:

To Benedict G. Vinzani, Jr.: on behalf of the officers, members and staff of the Pennsylvania State Association of Boroughs, we offer our sincere and heartfelt thanks for your 36 years of service and dedication to the Borough of Somerset. May you enjoy fully the rewards of a job well done.

*Chris Capp, President
Harrisburg, Pa.*

President's Report

Mrs. Miller reported on the Fire & Ice Festival, a great success. She informed everyone that those running for re-election should obtain petitions after February 2nd, begin circulating them by February 17, and have them returned by March 10th. Mrs. Ream, Mrs. Pyle and Mr. Rosemeyer are up for election this year.

Engineer's Report

Mr. Reilly reported that a funding meeting will be held on February 11th with PennVest and the DEP.

The Lagoon Project construction is completed.

The Bakersville Water Treatment Plant exterior/interior painting will be completed in the Spring. A revised Reimbursement Resolution has been distributed for the State Route 31 Utility Relocation Project, to apply for reimbursement for relocation of utilities that are in PennDot's right-of-way. This is being submitted as part of a program whereby the Borough will receive 75% of the total cost, rather than 50% for all costs, less any betterments incurred, in relocating our water facilities affected by the SR-31 Roadway Safety Improvement Project.

Motion

Mr. Thomas moved, Mrs. Opp seconded to accept the following revised Reimbursement Resolution:

Resolution No. 2015-02

In accordance with the requirement of the Pennsylvania Department of Transportation Design Manual – Part 5, Chapter 8.1.C, the Borough of Somerset does hereby authorize the submission of the attached request for the Pennsylvania Department of Transportation to provide a 75 Per Centum reimbursement to the Borough of Somerset for all costs, less any betterments incurred in relocating our water facilities affected by S.R. 0031 – Roadway Safety Improvement Project, necessitated by the Pennsylvania Department of Transportation Highway Improvement in Somerset County.

Also that the President of said Borough be authorized and directed to sign a Utility Reimbursement Agreement on its behalf, and that the Secretary be authorized and directed to attest the President's signature on the Utility Reimbursement Agreement for this highway project.

Adopted as a Resolution this 26th day of January, 2015

Unanimously Carried.

Public Works/Equipment Committee

Mr. Svirsko reported on the roadwork. They are going to stop using salt brine as a test period of two to three weeks, to determine how it is working. There are complaints being received concerning rust forming underneath cars.

Public Safety Committee

Mr. Rosemeyer said the main topic at the committee meeting was the retirement of the K-9 Unit Dog.

Mr. Cox said Officer Harbart and his family are very appreciative of the sentiment expressed on how this was handled.

“Arnie” exceeded the life of a police canine by about two years and they expected to have him another year or two however, a form of aggressive cancer appeared with no symptoms. The dog is now recovered from surgery but it is a day to day situation.

There will eventually be a replacement for him. Mr. Cox said a local business firm has pledged and dedicated a very generous sum to make this happen.

Mr. Rosemeyer said they also discussed the generous help for the cameras from the Fraternal Order of Eagles, very much appreciated.

Finance Committee

Mr. Rosemeyer thanked Mr. Vinzani, Mr. Peters and Ms. Enos for their excellent job in working with the finances, bringing us to the point where we will not be raising taxes for next year. He provided the following outline:

General Fund - Revenues came in at 101%
Expenses were 96%

Water Fund – Revenue were 119% (with Pennvest Loan proceeds)
Revenues were 104% (without Pennvest)
Expenses were 105% (with waterline loop project)
Expenses were 97% (without waterline loop project)

Sewer Fund – Revenues were 98%
Expenses were 104% (with lagoon liner project)
Expenses were 95% (without lagoon liner project)

A problem raised was regarding the Somerset County General Authority. The rates for the Quemahoning Water System were increased after all participating municipalities had approved their budgets for year 2015. This was unfair to all Boroughs but Mr. Rosemeyer said Mr. Vinzani and Mr. Peters worked it out so that we could still operate our water fund without raising rates

The question is whether Council wants to raise the rates since the County Authority raised our water prices or, adjust our budget and not raise taxes. He recommended that we raise the rates, however we promised taxpayers when we passed our budgets that we would not raise taxes or increase water / sewer rates.

Motion

Mr. Rosemeyer moved, seconded by Mrs. Opp, not to raise our water rates as the result to the increased rates being charged by the Quemahoning Water System (Somerset County General Authority).

Unanimously Carried.

Mr. Rosemeyer asked that a letter to the Somerset County General Authority or the County, expressing our disappointment in having passed a water rate increase after everyone passed their budgets.

On a request concerning the Humane Society, Chief Cox stated that he generally does not like to see tax money going outside the Borough, but the Humane Society is one exception since it would affect the Borough and the Police Department budget if we were to provide for these services.

Motion

Mr. Rosemeyer moved to donate \$500 dollars to the Humane Society – motion seconded by Mrs. Opp.

Unanimously Carried.

He expressed his wish to acknowledge Mr. Vinzani and Mr. Peters' work on the 2015 budget.

Somerset Volunteer Fire Department

Mr. Thomas reported the Fire Department activities:

A trip to New York City is being planned, to see the 911 artifacts.

The Fire Department is considering replacing the 22-year ladder truck that breaks down frequently. It may cost up to a million dollars and will be the only one in the County.

All the equipment that we have has been through the generosity of the community.

Solicitor's Report

Mr. Dirienzo reported that they "cancelled out" the intersection of the old roadways at the Turnpike. McDonalds has asked us to prepare a document releasing them from maintaining the traffic light, which is not there anymore, but it still appears on the record.

Motion

Mr. Thomas moved, Mr. Shaulis seconded to execute the order to release McDonalds from the responsibility of maintaining the traffic light.

Unanimously Carried.

Secondly, he said they discovered that Circle Drive was never officially accepted as a public street, but there is evidence that Council considered it 67 years ago.

Since we are now aware of this, he asked about the possibility of preparing an ordinance officially accepting this dedication. This will get the road and the circle accepted and owned by the Borough.

Motion

Mrs. Opp moved to have the Solicitor prepare an ordinance to officially accept Circle Drive as a Borough street– motion seconded by Mr. Thomas.

Unanimously Carried.

Mayor's Report

Mr. Walker said they will be asking Council to approve another K-9 at the appropriate time.

Somerset Inc. Report

Mrs. Enos (reporting in the absence of, and for Mrs. Pyle) stated that Trinity Park building permits have been approved. They also have applied for approximately \$10,000 in grants from Laurel Highlands, and should expect more information by February. They will be working on seeking other DCNR and DCED grants for Trinity Park.

Adjournment

Mrs. Ream moved to adjourn; motion seconded by Mr. Rosemeyer.

Unanimously Carried.

8:01 p.m.

Benedict G. Vinzani, Jr., Ph.D.
Borough Manager/Secretary