

## Council Meeting February 23, 2015 – 7:00 p.m.

Meeting was called to order by President Ruby Miller, opening with recitation of the Pledge of Allegiance to the Flag.

### Present:

Council Members present were Ruby Miller, Fred Rosemeyer, Judy Pyle, Pam Ream, Sue Opp, Steve Shaulis, and Gary Thomas. Mayor Scott Walker was present.

Also present were Michele Enos, Interim Borough Manager; George Svirsko, Director of Public Works; Brett Peters, Director of Finance; Randy Cox; Chief of Police; John J. Dirienzo, Borough Solicitor; and Tom Reilly, Consulting Engineer.

### Presentations

Rachel DiAndrea was introduced by Chief of Police Randy Cox. She had offered to do a water color portrait of police dog, Arnie, and presented the portrait to Officer Harbart and his family. Officer Harbart thanked all for this opportunity, and thanked Ms. DiAndrea for the portrait.

Chief Cox stated that the Police Department had a popular Citizens Police Academy, which he had an interest in reviving. He said he was approached by Noah Frazier, tenth grade student, Somerset High School, who is interested in becoming an Eagle Scout and is looking to do something with law enforcement.

He said Noah did a fantastic job in making the contacts, writing letters and contacting FBI agents and the interim Borough Manager, completely on his own.

He introduced Noah Frazier, who invited all to the invitation to his Police Academy, stating that there will be multiple speakers each week to talk about what they do and answer questions. Age limit is 18 and over, and held Saturdays from 9:00 a.m. to 12 p.m. at the police station, for 8 weeks.

Approval of Minutes from Previous Meeting

Mr. Rosemeyer moved to approve the Borough Council Meeting minutes of January 26, 2015 – seconded by Mrs. Ream.

Unanimously Carried

Opening of Bids

Ms. Enos presented items tabled from last month's meeting, which were pending further investigation:

**Chemical Bids**

(a) Potassium Permanganate

It was confirmed that this chemical composition was acceptable and manufactured in the USA.

Motion

Mr. Shaulis moved, Mrs. Opp seconded to award the Potassium Permanganate bid to the Thatcher Company, at \$2.35 per pound.

Unanimously Carried

(b) Asphalt Bid – Stockpile Patching (FOB)

Ms. Enos presented the previously tabled Asphalt bid, for stockpile patching. The company submitting the lowest bid (in the amount of \$84.00 per ton) was located in Pittsburgh, Pa. The next lowest was for \$89.00 per ton from New Enterprise, Pa., at their Bedford. Pa. location. After checking labor costs, mileage, etc. to each location, it was recommended to award the bid to New Enterprise.

Motion

Mrs. Opp moved, Mr. Thomas seconded to award the Asphalt bid to New Enterprise at \$89.00.

Unanimously Carried

(c) Crushed Stone

Ms. Enos said this was the other item tabled from last meeting: Anti-Skid to be picked up at the facility site. We had two bidders, Garrett Limestone, at \$16.80 per ton, and New Enterprise at \$10.50 per ton. In discussion with Mr. Svirsko and Mr. Glessner, we've picked up only one load within the last two to three years; therefore it would not be worth bidding this price.

Motion

Mrs. Ream moved, Mrs. Opp seconded to omit award of this bid.

Unanimously Carried.

**Administrative Business**

**Payment of Bills**

Mr. Thomas moved, Mr. Rosemeyer seconded to pay the following bills:

Check Numbers: 25289 to 25424

Total Amount: \$355,493.94

Unanimously Carried.

**Old Business**

**Somerset Well Drilling Payment (check no. 25168)**

Mr. Svirsko stated that the Electrician that we hire diagnosed a motor problem at the water plant wells. It came back as a motor problem with the electricity. Somerset Well Drilling had the motor and pump shipped in and they had to pay the shipping and freight both ways, the motor from Indiana and the pump from New Jersey, and it was passed on to us. He suggested looking to another company in the future.

Mr. Svirsko explained that our electrician said it was a motor problem and not a transformer, so with further investigation we're talking at approximately \$18,000 for the unit and it was found to be a transformer.

He said we ordered the part, and it was misdiagnosed on our electrician's end. They discussed how this happened and a suggestion was offered to pay half of the invoice in question.

Mr. Dirienzo said that if a portion of this cost is the re-stocking fee, it would be directly back to the company where it was ordered, not Somerset Well Drilling.

On question of whether we asked the crews to come here on hourly stand-by, or whether they sent them, Mr. Peters said he believes we received a quote for all of the work and then signed off.

Ms. Enos said we made an exception to this check at last month's meeting; therefore we need to officially approve this.

### **Motion**

Mr. Rosemeyer moved to approve this check, motion seconded by Mrs. Ream.

Motion Carried 6 "yes" -1 "no"  
Mr. Thomas voting "no"

Further discussion:

Attorney Dirienzo stated that it is described in their bill as a re-stocking fee – from their perspective, or one that they are passing along from another company. He suggested asking for an explanation of whether this is their charge, or how much of it is passed along because someone charged them.

### **Motion**

Mrs. Opp moved; Mr. Thomas seconded to write a letter to Somerset Well Drilling asking for a detailed explanation of these charges.

Motion Carried 6 "yes" – 1 "no"  
and Mr. Rosemeyer voted "no"

Mr. Rosemeyer suggested investigating as to how and why this happened, and correct it. Mr. Svirsko said we need to review our procedure on what we do and how we do it, then take action to avoid any future problems.

**New Business**

**Acceptance of Circle Drive as a Borough Street**

Ms. Enos stated that authorization was given to formally advertise an ordinance considering the acceptance of Circle Drive as a Borough Street.

**Motion**

Mr. Thomas moved, Mrs. Opp seconded to accept the following Ordinance accepting Dedication of Circle Drive:

**ORDINANCE NO. 1368**

**AN ORDINANCE OF THE BOROUGH OF SOMERSET ACCEPTING DEDICATION FOR A STREET WITH CUL-DE-SAC (NUNC PRO TUNC), CONFIRMING THE OPENING OF SAID STREET AND CUL-DE-SAC AS A PUBLIC WAY, AND OFFICIALLY NAMING SAID STREET AND CUL-DE-SAC**

**BE IT, and the same is hereby Ordained and Enacted as follows:**

1. The Plan of Lots known as the Troll Plan of Lots, approved October 18, 1948, and recorded in the Somerset County Recorder of Deeds Office in Plat Book Volume 3, Page 51, and subsequently revised and re-approved September 19, 1949, and recorded as aforesaid in Plat Book Volume 3, Page 65, true copies of which is affixed hereby, is hereby confirmed as approved and accepted by the Borough of Somerset (“Borough”).
2. The street, cul-de-sac and center of the cul-de-sac shown on both said Plans are hereby deemed to have been dedicated by the Plan developers, by operation of the laws of the Commonwealth of Pennsylvania as a public street and public way of the Borough.
3. Dedication of the street, cul-de-sac and center of the cul-de-sac shown on both said Plans are hereby accepted, *nunc pro tunc*, as a public street and public way and are further hereby declared, ratified and confirmed to be open as a public street and as a public way of the Borough.

4. The said street and cul-de-sac are hereby officially named Circle Drive (extending from West Main Street in a northerly direction), as more particularly shown on the Plans.

5. The action taken by this Ordinance is pursuant to, and under the authority of, the Borough Code of the Commonwealth of Pennsylvania. All existing ordinances or parts thereof which are inconsistent herewith are hereby repealed.

6. This Ordinance shall take effect immediately.

Unanimously Carried

### **Motion**

#### **Voting Delegate PSAB Conference**

Mrs. Ream moved to appoint Fred Rosemeyer as Voting Delegate to the 2015 PSAB Conference.

Unanimously Carried

#### **Alternate Voting Delegate PSAB Conference**

No action taken

#### **Water Treatment Plant Roof Replacement Bid**

Mrs. Enos said the Roof Replacement Project will be at our Water Treatment Plant facility. We administratively opened the bids and have a recommendation from our EADS Architect, Mr. Folen, to award the bids to TRS Roofing, Inc., Alexandria, PA, lowest responsive bidder, in the amount of \$85,300.00.

Motion to award the bid to TRS Roofing, Inc., Alexandria, PA was made by Mr. Rosemeyer; seconded by Mrs. Ream.

Unanimously Carried

## **Manager's Report**

Mrs. Enos attended a meeting with the Somerset County Drought Task Force Committee. Water companies attending reported adequate supplies.

She and Mr. Reilly met with Pennvest and the DEP in New Stanton concerning Hickory Hill storage tanks. This project will have a significant financial impact, which we want to discuss with our Finance Committee prior to proceeding.

She met with Mr. Peters and Mrs. Barron, VCS Group, regarding our Employees Health Insurance renewal.

Three reminders for Council:

- State Ethics Commission forms need to be turned in by May 1<sup>st</sup>.
- Anyone interested in attending the PSAB Conference should let us know. A copy of the Program is available.
- Our State Senator, Pat Stefano, will be at the Country Club this Friday at 7:30 a.m.

## **President's Report**

Mrs. Miller mentioned that she received information on a webinar for Municipal Secretary Administrators, on frequently discussed topics, for newly hired personnel and experienced staff members on professional development networking skills, ordinances, resolutions and working with elected officials. It was suggested making this available for anyone wishing to attend.

The Somerset County Boroughs Association meeting is scheduled for Thursday, March 19, 2015.

## **Motion**

Mrs. Pyle moved, Mr. Shaulis seconded to offer free metered parking on August 8, 2015 for the annual Antique Days Show.

Unanimously Carried

Mrs. Miller presented a "thank-you" note from Mr. Vinzani.

Mr. Rosemeyer asked about the request we received from PennDOT to remove the Rt. 31 Service Club Sign. In answer to the question about the two

options concerning the Route 31 Widening Project, Mrs. Enos explained that PennDOT is removing everything in the project area.

Option One is to abandon the sign, but we would probably be expected to erect a new one with new service club emblems.

Option Two would be for us to remove the sign, store it, and then replace it after the project has been completed.

Mrs. Enos said we need an agreement with the existing property owner and to make sure that our solicitor approves of the agreement. If we put it back it will be on the Gary property.

(c) Engineer's Report

Mr. Reilly presented the following Report:

The Sewer Plant Lagoon Liner Replacement Project is completed.

We are waiting for better weather to do the Water Line Extension Project.

We are planning to do the Bakersville Water Treatment roof replacement plant this spring.

(d) Public Works Committee

Mr. Thomas said they met to discuss leasing some of the larger equipment items and will present some figures to see if this is feasible, or to buy a large truck this fall.

They reported on the pickup truck bed and lift gate. It is painted and new springs will be placed on the truck.

They talked about pre-treating the streets with salt brine and are attempting to wait to see how it works since residents are complaining about vehicles rusting.

He commended the employees for the work they are doing with snowplowing; water breaks; etc.

A hole was repaired on East Main Street across from DeVilbiss, due to a 12-inch waterline break.

Also a water leak was repaired at Water Works Road and one at the intersection of Rosina and Sanner Streets.

We received 18 loads of salt since last meeting with four more coming next week.

We ordered three more loads of anti-skid.



A repair bill at the Public Works Garage was received on the hot water tank that feeds the apartment and garage. It is estimated to cost \$600 dollars for parts and labor to repair the tank.

We will begin removing snow from parking lots and attempting to scrape along edges of streets.

We had one small truck blow a transmission and will be repaired. We are waiting for TriStar to see if it is covered under the warranty, if not, it may need a rebuilt transmission.

(e) Public Safety Meeting

Mr. Rosemeyer reported that Mrs. Pyle, Mr. Thomas, Chief Cox and the Mayor attended this meeting.

The new radios are being purchased by the County for our Police Department and other departments throughout the County. We will be discussing what to do with the old radios: either sell them or keep them in case of an emergency.

They Discussed the Civil Service guidelines and positions.

Chief Cox said the testing is in May for each phase of the testing, which will determine how many will be eligible.

Most of the new protective vests have a guarantee of five years. Not all officers received a new vest this time around. Prices have gone up to \$800 dollars per vest. He said he is in the process of submitting to the Department of Justice Vest Partnership fund, which will reimburse us for half of what we expended, though this is not a certainty.

(f) Finance Committee

Mr. Rosemeyer presented the following Finance Committee Report:

General Fund

Revenues: 3.81%

Expenses: 9.02%

Water Fund

Revenues: 7.35%

Expenses: 9.37% (with capital improvements)

## Sewer Fund

Revenues: 6.52%

Expenses: 13.95% (with the Lagoon Liner Project).

### (g) Somerset Inc. Representative

Mrs. Pyle reported that the Somerset Inc. meeting was postponed until the next day because we received an \$8,000 Tourism Grant which Stephanie accepted.

### (h) Somerset Volunteer Fire Department Representative

Mr. Thomas reported that the Fire Department has been responding to broken pipes from the freezing cold, a lot of fire alarms and alarms from furnaces, etc.

The Fire Department will need a new ladder truck to replace our old one.

We lost one of our fire fighters yesterday, and the funeral will be coming up within the next several days.

### (i) Solicitor's Report

Mr. Dirienzo reported the following:

Circle Drive has been cleaned up, and next we will work on the Scout Building. We need to find out who keeps track of it, insurance, etc. and what the best arrangement would be. He will likely propose that we develop a land lease with the Lions club, since the Borough still owns the ground here. He said he found three deeds: one for the playground, one that previously was someone's home, and a deed for the Public Safety Building.

The deed for the property behind the house still belongs to someone. He may have a report at next meeting.

Secondly, regarding the Turnpike Project, traffic lights are generally paid for by municipality, for electricity. In this case we received replacement intersection traffic signal that replaces what was in the back access road to McDonalds. McDonalds has been paying for this and now decided that do not want this bill; there's no benefit to them.

We therefore will need to have the Administration check this over and make arrangements to pick this up on the Borough's tab to relieve the McDonalds Corporation of the electricity.

Third item is on the Citizens Police Academy Form. We asked for Social Security numbers on the applicants' form; if we need it, have it in a special setting, in a more secure private way. (It may be needed for background checks.)

(j) Mayor's Report

Mayor Walker: Expressed his appreciation of the work Noah Frazier has done with the Citizens Police Academy. This will be a lesson from the Police Department in general, to understand what our Police Officers do on a day to day basis.

He commended Noah in highlighting his abilities in what the Eagle Scout Program can offer to the young men.

Ms. DiAndrea's presentation was amazing; she deserves to be commended.

He mentioned that he received many complaints about Saturday meter parking. Many approached him relating to parking. There are complaints about metered parking near the Court House. There appears to be more people looking to park there than the number of meters available.

He suggested looking at revenue generating through the demand for metered parking on Saturdays and make it easier for uptown businesses to attract people on Saturdays.

Mr. Cox said he looked at the number of tickets written monthly. A suggestion was to eliminate metered parking fees for Saturdays and Sundays (holidays and Sundays are already exempt).

Concerning business owners parking in front of their businesses all day, a question was whether this would require an ordinance – Mr. Dirienzo said we do a new ordinance, specific to the topic and to the new regulations, repealing everything else, with probably a cost associated with it since new signs may be needed.

Mr. Cox pointed out an inexpensive way to avoid dealing this – vinyl adhesive stickers to be wrapped on the pole stating operations days.

Further discussion centered on new meters, an ordinance in Ligonier allowing Council to experiment with a change in parking regulations such as meters, traffic, etc., allowing them to approve something on a trial basis for 90 days. If it turned out to be a good idea with no consequences they amended the ordinance, or if it did not go as well, it did not result in changing the ordinance.

Concerning Mr. Frazier's Eagle Scout Project, he suggested that Council thank them on behalf of the Borough.

Motion

Mrs. Opp moved to request an Executive Session for the purpose of discussing Personnel Matters – motion seconded by Mr. Shaulis.

Unanimously Carried  
8:25 p.m.

Back in Regular Session 8:38 p.m.

Motion

Mr. Rosemeyer moved, seconded by Mrs. Opp, to ratify the same hourly rate for Benedict G. Vinzani, Jr. to receive as a consultant as he received when he was Borough Manager.

Adjournment

Mrs. Ream moved, Mrs. Opp seconded to adjourn.

Unanimously Carried  
8:40 p.m.

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Michele A Enos  
Interim Borough Manager / Secretary