

Borough of Somerset Council Meeting
October 26, 2015 – 7:00 p.m.

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

Roll Call:

Ruby Miller, Fredric Rosemeyer, Judy Pyle, Pamela Ream, Stephen Shaulis, Gary Thomas, Council Members. Mayor Scott Walker was also present.

Also present were Borough Manager, Michele A. Enos; Director of Finance, Brett B. Peters; Chief of Police, Randy Cox; Public Works Director, George Svirsko; Assistant Manager Joshua Summits; Solicitor, Jack Dirienzo; and Consulting Engineer ,Thomas Reilly.

Approval of Previous Council Meeting Minutes

Pam Ream moved to approve minutes of the September 28, 2015 Council Meeting minutes – motion seconded by Judy Pyle.

Unanimously Carried.

General Public Comments

(a) Police Dog Ceremony

Officer Brian Harbart was asked to repeat the following:

“I, Brian Keith Harbart do solemnly swear, that as a Somerset Borough Police K-9 handler, that I will support the Constitution of the United States of America, the Constitution of the Commonwealth of Pennsylvania, and to perform my duties with fidelity, honesty and integrity to the best of my ability.

On my honor, I will never use my K-9 Partner, “AJ”, to betray my badge, my integrity, my character or the public trust.

I will always uphold the Constitution, my Community, and the Somerset Borough Police Department.”

Chief Cox presented the following to the K-9 Team’s families:

“Law enforcement is certainly not the easiest profession for the practitioner, but also places unique demands upon them and there are no demands more unique than those associated with being a K-9 Officer.

At this time when Brian is formally dedicating himself and AJ in serving the Somerset Community as the K-9 Team of the Somerset Borough Police Department, we wish to thank you for the support you provided in assisting in and reaching this milestone, and acknowledge the sacrifice that you will be called upon to make in the future”.

He thanked all for their dedication in keeping the K-9 on the streets here.

Administrative Business

(b) Payment of Bills

Steve Shaulis moved to pay the following bills; seconded by Gary Thomas:

Check Numbers 26540 to 26702 - Total amount: \$847,752.60

Unanimously Carried.

New Business

(a) Resolution Number 2015-05 – Depositing State Aid Monies /Borough’s Pension Plans

Mrs. Enos explained that this Resolution is considered when the Commonwealth annually sends monies to help fund municipal pension plans. The Resolution distributes these funds into the various Borough Pension Plans as needed, based on an actuarial study of the pension plans.

Motion

Mrs. Pyle moved, seconded by Mr. Rosemeyer, to adopt the following Resolution approving the fund deposits:

WHEREAS, the Borough of Somerset has received a direct deposit from the Commonwealth of Pennsylvania dated September 24, 2015 in the amount of One Hundred Seventy-Six Thousand, Four Hundred Thirty Seven and 56/100 – (176,437.56) Dollars, representing the Commonwealth’s allocation from the General Municipal Pension State Aid Program, and;

WHEREAS, Act 205 of 1984 provides that pension allocations must be deposited into the Municipal Pension Plan within thirty (30) days of receipt by the Municipal Treasurer, and;

WHEREAS, the Governing Body must determine by Resolution the amount to be distributed into its various plans;

NOW THEREFORE, BE IT RESOLVED – that Thirty-Three Thousand, Nine Hundred Twenty-Five and 56/100 – (\$33,925.56) dollars be allocated to the Non-Uniformed Collective Bargaining Pension Plan, and One Hundred Forty-Two Thousand, Five Hundred Twelve and 00/100 (\$142,512.00) Dollars be allocated to the Police Pension Plan.

Unanimously Carried.

(b) Resolution Number 2015-06 – Hazard Mitigation Plan

Mrs. Enos explained that each Municipality and County is required under the Federal Disaster Mitigation Act to adopt a Hazard Mitigation Plan.

Motion

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

Somerset County 2015 Hazard Mitigation Plan
Municipal Adoption Resolution

WHEREAS, the Borough of Somerset, Somerset County, Pennsylvania, is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship, and threats to public health and safety, and;

WHEREAS, Section 322 of the Disaster Mitigation Act of Year 2000 (DMA 2000) requires State and Local Governments to develop and submit for approval to the President a Mitigation Plan that outlines processes for identifying their expressive natural hazards, risks and vulnerabilities, and;

WHEREAS The Borough of Somerset acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and;

WHEREAS, the Somerset County Year 2015 Hazard Mitigation Plan has been developed by the Somerset County Commissioners and the Somerset County Emergency Management Agency, in cooperation with other County Departments and officials and citizens of the Borough of Somerset, and;

WHEREAS, the Somerset County Year 2015 Hazard Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural and human-made hazards that face the County and its Municipal Governments.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body for the Borough of Somerset:

The Somerset County Year 2015 Hazard Mitigation Plan is hereby adopted as the Official Hazard Mitigation Plan of the Borough of Somerset, and;

The respective Officials and Agencies identified in the implementation strategy of the Somerset County Year 2015 Hazard Mitigation Plan are hereby directed to implement the recommended activities assigned to them.

Unanimously Carried.

(c) Recommendation of Somerset Borough Planning Commission to approve the Somerset Trust/Mosholder Subdivision Request

Mrs. Enos pointed out the Somerset Trust/Mosholder subdivision request is for a property located at 136 West Patriot Street, and is a “lot - line” change.

Motion

Mr. Thomas moved to accept the Planning Commission’s recommendation to approve the subdivision request of Somerset Trust/Mosholder, motion seconded by Mr. Rosemeyer.

Unanimously Carried.

(d) Somerset County Economic Development Council

Mrs. Enos explained that this is an annual request for financial support from all municipalities in the County, based on each municipality’s population. Therefore based on the Borough’s population of 6,277, the Borough’s contribution (at 10 cents Per Capita), would be \$627.70.

Motion

Mr. Rosemeyer moved, seconded by Mr. Thomas, to approve the Economic Development Council Per Capita Contribution Approval.

Unanimously Carried.

(e) PennVest Waterline Project – Discussion on Status

Mrs. Enos mentioned that the Pennvest Waterline Project Surplus Funding was allocated to replacing the 12-inch line running along Coxes Creek.

Mr. Reilly, EADS Consulting Engineer stated that they were aware that we were under budget on this project so they executed a Change Order with the Water Line Contractor, for \$152,000 dollars. It was explained that the Contractor started building the line and ran into problems with soil contaminated with petroleum, in the area of the Gilmour By-pass.

DEP's position is that since the Borough or Authority does not own the property but the Borough is responsible for any contaminated soils that they excavate from this ditch area, their advice was to stop the work and obtain prices on continuing to build the line and allocate the extra price - or not to replace the line.

The cost estimate is \$85,000 to \$105,000 to remediate the soil and replace it, a conservative estimate. Meeting with Borough staff shows \$58,000 left in Pennvest funds and along with DEP they stated that this can be used for the soil remediation.

Therefore to continue completion of this water line construction the estimated cost is \$27,000 to \$47,000, to be funded from our Water Fund Reserves.

Motion

Mr. Thomas moved to continue with this waterline project – motion seconded by Mrs. Pyle.

Unanimously Carried.

(f) Redevelopment Authority of Somerset County – Cooperation Agreement

Mrs. Enos said execution of the Cooperative Agreement for administration of our CDBG Program for Year 2015 is something we enter into with the Redevelopment Authority and the County of Somerset every year.

Motion

Mrs. Pyle moved, Mr. Shaulis seconded to execute the Cooperation Agreement for our CDBG Program Grant for Year 2015.

Unanimously Carried.

Committee, Administration, Special Reports

Manager's Report

Mrs. Enos reported the following:

She attended the PSAB Fall Conference along with other Council Members.

All rights-of-way for the PennDOT Route 31 Road Widening Projects were obtained.

Leaf Collection Week is scheduled for November 16, 2015.

The Mayor presented the Red Ribbon Week Proclamation on October 9th – with the ceremony held at the Court House.

She met with Brett and the Finance Committee on October 9th to continue the Year 2016 Budget Preparation.

She met with Mr. Summits, EADS, and the Redevelopment Authority to discuss storm water projects that may qualify for Community Development Block Grant funding.

“WPSU Our Town” (part two) – was broadcast on Thursday, October 22nd at 8:00 p.m.

Reminder – Christmas Decorations will be put up on Sunday, November 8th beginning with a breakfast at the Public Safety Building at 7:00 am.

The first of two Public Hearings for our 2015 CDBG funds will be held at the Borough Building tomorrow at 1:30 P.M.

The “Eggs and Issues” breakfast meeting with Senators’ Stefano, Wozniak and Stevello will be held at the Country Club on Friday.

She attended the Municipal Summit on October 21, 2015 along with Ruby and Josh.

President’s Report

Ruby Miller:

The Halloween Parade is to be held at the Georgian Place on 10/29/15.

They attended the Municipal Summit.

Engineer’s Report

Tom Reilly reported the following:

Permits for the Hickory Hill Tank Projects have been submitted.

They are working on the Water Line Project.

The Public Works Building Roof Bid Opening is scheduled for the beginning of December.

The SR-31 Waterline Relocation will begin within the next couple of weeks, with the 16-inch line first and the 6-inch line to begin in the spring.

Public Works Committee

Gary Thomas’ Report:

Upcoming Budget Needs were reviewed, along with Street Paving.

Mr. Svirsko presented October’s activities:

Leaf Collection was started. They hauled 14,000 pounds to the Walker farm.

A water leak on West Patriot Street was repaired. A rain storm on September 30th required manhole checks, with no flooded basements shown.

Stop signs were replaced, along with catch basins and manholes throughout the Borough.

They placed blacktop curbing on West Garrett Street and Vincent Avenue, helping residents with water problems.

Stumps/dirt was removed from uptown planters so the trees can be planted.

A new water line service was installed at the Public Safety Building, re-routed off Union Street.

The 16-inch transmission line coming from the water plant had an air valve leak, and was replaced.

Repairs were completed on the sanitary sewer line on East Main Street.

The contractor working at the 911 Center cut the power line feeding the traffic signal at the intersection of Union and Center, which is being repaired by Tel Power.

Our monthly jobs consist of weed cleaning, patching, trash pickup, gas detectors, one-calls and hauling brush and debris.

(e) Public Safety Committee

Mr. Rosemeyer congratulated the Police Department and Police Chief on the K-9 Dog Ceremony.

He introduced the part-time Police Officer, Jason Upton, an Air Force Veteran and Air Force Security Police.

(f) Finance Committee

Mr. Rosemeyer reported the following:

All information for the Year 2016 Budget is being prepared.

General Fund

Revenues: 88.49%

Expenses: 69.79%

Water Fund

Revenues: 91.97%

Expenses: 83.31% (with Capital Improvements)

Sewer Fund:

Revenues: 104.22%

Expenses: 89.20%

He said we are financially in excellent shape, and thanked Brett, Michele, and all who worked with the budget. The figures reported were from January through September, which is for 75% of the year.

Ruby Miller referred back to the Public Safety meeting continuation:

Motion

Gary Thomas moved to approve adding Officer Jason Upton to the part-time Police Officer Roster - motion seconded by Steve Shaulis.

Unanimously Carried.

(g) Somerset Inc. Representative

Judy Pyle reported the following:

The Subcommittees of Somerset Inc. "Beautify the Borough" contest will meet next Wednesday to discuss details/plans.

They reviewed Light-up Night and parking for Thanksgiving and New Years.

The Economic Development Committee will meet next Thursday.

The "Fire & Ice" gala will be held at the Country Club this year.

They discussed metered parking, whether for light-up night, free parking, etc.

Motion

Steve Shaulis moved to have free parking from Light-up Night until New Years Day – motion seconded by Judy Pyle.

Unanimously Carried.

(h) Somerset Volunteer Fire Department

Gary Thomas presented the following:

They have been extremely busy in addition to assisting other Fire Departments.

They have calendars and other fund raisers for sale that will help to pay for the new truck.

Christmas decorating is planned for November 8th with breakfast at 7:00 a.m.

They received 355 fire calls so far, and are very busy.

Ruby Miller asked about PSAB's Fire Law. Fred Rosemeyer said this is still in Court and they are awaiting results.

She announced the Somerset County Boroughs Association Banquet will be held at the Oakhurst Tea Room on Nov. 19, 2015.

(i) Solicitor's Report

Solicitor Dirienzo reported on a Facility Noise Issue complaint. The facility appears to shut down for a while, and testing must be done while the facility is running. He suggested referring this to part of next year's budget.

Solicitor Dirienzo said Pittsburgh is the nearest engineering consulting firm to do sound testing, and any specialized equipment needed was as cost-per-hour each, plus mileage and expenses. Mr. Dirienzo said it appeared that it was not the complete package needed; it would need to be tested. Therefore at budget time we might want to consider whether our current budget allows for these types of expected costs, plus we still do not know when there is a violation. A number of things neighbors complained about we cannot address, but noise might be one of them. But this would require a scientific evaluation development of the facts before determining whether there was a violation.

(j) Mayor's Report

Mayor Scott Walker reported the following:

He attended the Red Ribbon Week Ceremony, which was very well attended.
The WPSU Our Town Project did an excellent job of highlighting our community.

Adjournment

Mr. Thomas offered a motion to adjourn, seconded Mr. Shaulis.

Unanimously Carried
8:29 p.m.

Michele A. Enos
Borough Manager/Secretary