

Borough of Somerset Committee of the Whole
April 10th, 2017 5:00 p.m.

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

Roll Call:

Council Members present: Ruby Miller; Judy Pyle; Pam Ream; Sue Opp; Steve Shaulis; and Gary Thomas. Council Member Fred Rosemeyer not present. Mayor Scott Walker also present.

Also present were the following: Borough Manager, Michele Enos; Director of Finance, Brett Peters; Chief of Police, Randy Cox; Solicitor, James Cascio; and Consulting Engineer, Jake Bolby.

Announcements:

(a) An executive session was held at 5:00 pm on March 13th, 2017 Committee of the Whole Meeting to discuss matters of collective bargaining and personnel issues.

Approval of Minutes of Previous Meeting:

(a) Committee of the Whole – Minutes from the March 13th, 2017 Committee of the Whole Meeting.

Motion

Mrs. Opp moved, Mrs. Ream seconded to approve the March 13th, 2017 Somerset Borough Committee of the Whole Meeting Minutes.

Motion Unanimously Carried

General Public Comments:

(a) None Registered.

Policy Agenda:

Old Business:

(a) *None*

New Business:

(a) *Proposed Ordinance – Establishing attorney fees associated with collecting delinquent accounts under the Municipal Claims and Tax Liens Act. (Discussion for potential adoption at April's Regular Council meeting)*

Mr. Cascio stated that it is recommended to have such an ordinance because of recent actions taken under Codes Enforcement and other situations with which the Borough has been dealing. This ordinance would establish how attorney fees would be calculated if the Borough had to pay attorneys, either its own solicitor or independent council, to collect money due to the Borough from property owners. Statute Section 7106-A1 (The Municipal Claims and Tax Liens Act) requires that if the Municipality wants to collect on the cost of the liens, it must have an ordinance which establishes how the attorney fees are collected. Mr. Cascio stated that if the Borough is going to file a lien, it should also be able to get the cost of recovery. This ordinance would say that if someone owes the Borough under the collection proceedings, they are responsible to pay the same rate the Borough does for charges incurred to the Borough. Mr. Cascio said they would suggest this ordinance rather than having to re-enact every year. Then when the Borough goes to collect from one of its "lienee's", the Borough could then add on costs that it has been putting out for the legal services. You could legally and effectively pass along those costs to the people that have incurred the expense with this ordinance.

(b) *PSAB Voting Delegate – Consider the appointment of a voting delegate to the Annual PSAB Conference.*

Mrs. Ream moved, Mrs. Opp seconded to approve the appointment of Mr. Rosemeyer as a voting delegate to the 2017 Annual PSAB Conference.

Motion Unanimously Carried

(c) *Year to Date Financial Report – Provided through the month of March 2017.*

Mr. Peters discussed the Financial Statement provided through the month of March 2017. He mentioned, at this point, we're through "a quarter" or 25% of the year. The following Fund's Revenues and Expenditures are based through the month of March 2017:

General Fund: Revenues – 9.1% Expenses – 21.78%

Water Revenue Fund: Revenues – 28.43% Expenses – 27.74%

Sewer System Operating Fund: Revenues – 23.11% Expenses – 18.12%

Mr. Peters mentioned that if anyone had questions concerning the report, he could be contacted by phone, and he would be glad to answer any questions.

(d) Daily American – Requesting a donation for the 4th of July Fireworks.

Mrs. Opp moved, Mrs. Pyle seconded to donate \$600.00 to the Daily American for the 4th of July Fireworks.

Motion Unanimously Carried

(e) Somerset Inc. Report - Given by Judy Pyle.

Mrs. Pyle mentioned that a Sidewalk Chalk event has been added to the Calendar of Events for July 22nd.

She also mentioned that the windows of the businesses were going to be decorated soon by Laurel Arts and the art teacher at the High School.

(f) Somerset Volunteer Fire Dept. Report – Given by Gary Thomas.

Mr. Thomas said that the Fire Department had only 4 calls this past week. He also mentioned that they sold 2 vehicles to Garrett and Berlin. He stated that the Fire Department is getting another utility vehicle to help be a “people mover,” and to also use for traffic control and things of this nature. He stated that there are 2 training classes coming up the end of this month and in October. These classes are to certify employees to drive the equipment, which is required by the insurance company. The Fire Department is doing a lot of training in cooperation with other fire departments on structure fires and vehicle accidents. He stated that the Fire Department is working more and more with other fire departments, which is great for all departments involved.

Chief Cox mentioned that he didn’t realize, until Council passed the Amendment to the Meter Parking Ordinance, that he had suspended parking meter enforcement during

the aftermath of the snow storm in the middle of March. He mentioned that he knew he was obligated to inform Council about this, which he stated he had done in his report that he gave to all Council members. Mr. Cascio stated that until the next regular Council Meeting, Chief Cox or the Mayor, could suspend it on an interim order. Chief Cox mentioned that he didn't do anything with parking, he just suspended the meter enforcement with a start date and an end date. Mr. Cascio stated that if Council wanted to continue it on a permanent basis, they could act by resolution or motion. He mentioned that if Council does not take action to ratify the suspension, it will expire with the end date.

Mrs. Ream asked Chief Cox what the proper procedure was if a street light was not changing. Discussion was held regarding this.

Mayor Walker mentioned that the Tableland Board and the County Commissioners are quite concerned with one of the proposed budget cuts that our new President is touting, which will be the elimination of Community Development Block Grants. He stated that this will have a terrible impact on Tableland and the County. Ms. Enos mentioned that it will also have the same impact on the Borough. He mentioned that Council as a whole may want to look at taking some kind of action. The Tableland Board was developing a letter to send to the Federal Representatives.

Mr. Bolby stated that Hickory Hill is moving along on schedule. He said that we will start to see much more progress in the next month. He also mentioned that everything is in place and on-line with the Telemetry System. Also, the Sewer Treatment Plant Project will be coming along as soon as we get out of the wet weather. The Redevelopment Authority Project, that is involving Oak Street and Cherry Lane storm sewers, issued a notice of award to James Excavating out of Johnstown.

Mr. Cascio mentioned that he and Mr. Bolby collaborated during the month on an issue we've been talking about concerning awarding bids to the lowest, responsible bidder. We're introducing the notion that the Borough reserves the right to inquire and consider the bidder's history, experience, staffing, supervision available, and other factors which might make the lowest cost bidder not necessarily the lowest responsible bidder. It requires a good bit of judgement on the part of the Engineers. He stated that you want to give your advisors the flexibility of saying "don't get seduced by the lowest number" because often times, with a low bid, you're buying a real problem. He stated that it was recommended that when you get a bid in, you consider more than just the cost, because sometimes you can end up spending a lot more because of having to do a "redo" or litigate.

Mr. Thomas asked Ms. Enos if we received all the information about the Grant Uptown. Ms. Enos stated that Mr. Reilly and their architect, who has to design the project, had a “kick-off meeting” about this. She stated that they are working with PennDOT right now to get everything they need in. Ms. Enos mentioned that the project is going to be scaled back a little bit, because the original estimates that were used are a little lower, so they are still working that out.

Mr. Thomas then asked about the status of the Christmas decorations. Ms. Enos stated that she talked to Regina Coughenour of Somerset Inc. and told her about the interest in setting up a meeting. Regina asked whether they could meet in May. Ms. Enos stated that she would talk to Mr. Thomas about this.

Mr. Thomas also stated his concern with trying to get started with paving the streets and bringing in PennDOT. Ms. Enos stated that she would like to get a list for PennDOT, so that when they come in, they’ll know what we’re looking at to do.

President Miller asked 3 questions pertaining to the “Review of Road Construction” PennDOT report. The first was “Why do we have to go by the States demands and pave Patriot Street Ext., which “dead ends” and those houses are going to fall down?” Next she asked, “Where is drainage improvements on the 300 block in Somerset Borough?” And lastly, she asked “Where are the bridges on W. Main Street 300 & 400 block?” Ms. Enos mentioned that these are all PennDOT projects. President Miller was concerned with where these projects were occurring, because she could not locate them within the Borough.

Mr. Thomas asked if the debris, on the 400 block that came from the Skiver Property, was ever covered up. President Miller and Ms. Enos said that it was leveled out. He asked whether it was to the Borough’s specifications. Ms. Enos stated that she would have to check with Tom to be sure.

Discussion was held whether the work being done at the Hickory Hill Water Project was going to improve the water pressure, because the question is being asked by the public. Mr. Bolby stated that an additional tank would have to be built to increase water pressure. A study was done approximately 8 years ago to put a pump station in, and Mr. Bolby said it would have cost several hundred thousand dollars to do that.

Executive Session – *To discuss matters of personnel and litigation.*

Motion

Mrs. Ream moved to go into executive session, motion seconded by Mrs. Opp.

Motion Unanimously Carried
5:40 pm

Adjournment

Motion

Mrs. Opp moved to adjourn, motion seconded by Mr. Thomas

Motion Unanimously Carried.
5:55 p.m.

Michele A. Enos, Borough Secretary