

Borough of Somerset Council Meeting June 26th, 2017 at 7:00 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; Fred Rosemeyer; Judy Pyle; Pam Ream; Sue Opp; Steve Shaulis; and Gary Thomas. Mayor Scott Walker also present.

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

Announcements:

(a) None

Approval of Previous Council Meeting Minutes:

Motion

Mrs. Opp moved, Mrs. Ream seconded to approve the May 22nd, 2017 Borough Council Meeting Minutes.

Motion Unanimously Carried

Award of Bids:

(a) None

General Public Comments:

(a) None registered.

Administrative Business:

(a) Communications – Letter received from EPA. Discussion as follows.

Ms. Enos explained that EPA is coming into the Penn Carbose site, which is the old Uptegraff Plant, and will be mobilized there all week. EPA is going to take possession of the property, for the chemical clean-up of the interior of the property. The

Borough's contact person for EPA is Chief Cox, and he was on site today with the group.

Chief Cox then spoke about the details of this site visit. He stated that EPA has a "Super Fund." It is used to clean up hazardous waste sites. He explained that Somerset Trust is involved with the property, so they had brought a company in to do an assessment on what it would take to remove those chemicals. While they were there, they discovered what looked like a meth lab. In turn, 911 was called and police were dispatched. A member of the Pennsylvania State Police Meth Lab Team was brought in. It was determined that what was there was not a meth lab. However, when the Meth Lab Team is dispatched, there is an automatic call that goes to EPA. So EPA, in its follow-up of the matter, was out once to tour the site. EPA then placed this site on their "Super Fund" list. This means, for the benefit of everyone involved, that the EPA will pick up all the costs for all of the clean-up. No one else involved with be responsible for any costs.

Attorney Cascio stated that as far as the "Super Fund" is concerned, what the law provides is that the EPA can then go after whomever placed those chemicals there.

Chief Cox also mentioned that the person who did the most work at this was Joel Landis from Somerset County 911. He did a lot of the phone calling and e-mailing, and bringing it to their attention. Chief Cox mentioned that he did a good job.

(b) Payment of Bills.

Motion

Mr. Shaulis moved, Mrs. Opp seconded to approve the payment of bills numbered 29,498 – 29,651 totaling \$499,878.13.

Motion Unanimously Carried

Policy Agenda:

Old Business:

(a) There is no old business.

New Business:

(a) PSAB Cecil K. Leberknight Award – Presentation of award to Council President Ruby Miller.

Ms. Enos stated that this award, as explained from the PSAB, is "an award that was created by the PSAB to promote interest in good Borough government, and to recognize faithful and effective service by elected and appointed Borough officials. Ms.

Enos mentioned that Mrs. Miller was unable to go to the convention to receive her award. PSAB has honored her with a plaque in recognition of 10 or more years of dedicated service. Ms. Enos, and all present, congratulated Mrs. Miller.

(b) PennDot's Winter Traffic Service Agreement – Consider authorizing an agreement for the Borough to provide Winter Maintenance on Franklin Avenue for the 2017-2018 winter season.

Ms. Enos stated that this agreement, and contract, came in after the last Committee of the Whole meeting. This is something we do annually. They are increasing our reimbursement by 3% this year for winter maintenance of Franklin Avenue. She stated that it makes sense to us to continue this agreement with PennDOT, because our snow plows use that road and travel it no matter where we go within the Borough. The total reimbursement would amount to \$4,052.53 for the 2017-2018 season. Ms. Enos recommended that Council approve this agreement.

Motion

Mrs. Opp moved, Mr. Rosemeyer seconded to approve an agreement for the Borough to provide Winter Maintenance on Franklin Avenue for the 2017-2018 winter season.

Motion Unanimously Carried

(c) Stormwater Management Study – Discussion on the proposed stormwater management study.

Ms. Enos stated that at the last Committee of the Whole meeting we discussed what our options are for the Stormwater Management Study. She mentioned that she spoke with Mr. Reilly and Mr. Bolby about this study. She reiterated that it was going to cost \$20,000.00 to perform this study. Ms. Enos stated she had a few updates to discuss before Council made a decision. First, Ms. Enos mentioned, if Council so chooses, Mr. Reilly has agreed to invoice \$10,000.00 of the cost out of this year's budget, and \$10,000.00 out of next year's budget to split the expense. Secondly, Ms. Enos stated, that she and Mr. Bolby discussed how another Municipality received Stormwater Projects, as far as PennVest Grant opportunities. There are grants available, if we are eligible, when we realize what it is our project will be. And to know what we're going to need in those areas, we have to do a study to realize what that will be. She mentioned, that on a grant application, they typically ask how much the project

is going to cost, if you had a study performed, and what has been the outcome of that study. Most organizations, especially PennVest, usually require the answers. Ms. Enos mentioned that she and Mr. Peters discussed the financial impact, because this is General Fund monies. She mentioned that we are currently at 15% of our budget in our engineering line items. Ms. Enos stated that she and Mr. Peters believe that we can potentially pay for \$10,000.00 this year by using the current amount budgeted. She mentioned that this could change, but on the course we're on right now, Mr. Peters and she feel that we could absorb that amount in this year's budget. Ms. Enos stated that, she feels, if Council chooses to move forward in doing this study, it is better on our General Fund budget to split that expense. Ms. Enos explained it's going to be a Borough wide study, as EADS outlined in their presentation at the recent Committee of the Whole meeting. She stated that \$5,000.00 will go to finding existing problems throughout the Borough and that they'll concentrate their efforts in the areas that they know are issues. But the cost factor is probably going to be more concentrated in the Brierwood Area, because that is the bulk of our issue. So the Brierwood Area is where the bulk of the money will be spent.

Motion

Mrs. Pyle moved, Mr. Rosemeyer seconded to move forward with the Stormwater Management Study.

Motion Unanimously Carried

(c) Proposed Agreement – Among Somerset Township, Somerset Borough and Somerset Area School District – Update from Solicitor Cascio.

Solicitor Cascio stated that we decided to accommodate the school district's fiscal year. The Somerset Borough Police provide, by agreement, a Resource Officer for the school district. That includes services at Maple Ridge, which is in the Township and not the Borough. Solicitor Cascio mentioned that they're recommending that we go through the procedure that's laid out in the school code and the Pennsylvania law. This permits the Somerset Township Supervisors to grant jurisdiction to the police officers of Somerset Borough to conduct activities in the Township. It essentially would be on the road on Route 281. As long as you're on school property, it's alright. But every day the Borough Police Department will control traffic, on the road, so that the buses can leave Maple Ridge. If somebody violated the law there, the officers would not necessarily have the arrest powers there and other authority. So we are going to follow the procedure in the statute. Solicitor Cascio discussed this with the Township Solicitor, and stated that there wasn't a problem. He stated that, if possible, he'd like all the adopting ordinances to be advertised roughly at the same time. This would give the Township a

chance to review it and act on it. He mentioned that if everything gets approved, in sequence, we can probably be advertising the ordinance for the Council to act on in the July Council meeting. Solicitor Cascio stated that they would like to have it in place for the next school year.

Motion

Mrs. Ream moved, Mrs. Opp seconded to authorize the advertising of the ordinance.

Motion Unanimously Carried

Mrs. Pyle mentioned that “The Blues on Main” Festival went well for the first year and mentioned the next upcoming event is the “Chalk the Block” on July 22nd.

Ms. Enos explained how much more rainfall we have had. She stated that we’ve had record rainfall totals for the last 2 months. The rainfall total was 12 inches, already, just for the month of June. She stated that the rainfall, on Memorial Day weekend, came down in surges. She explained that when normal or heavy rainfall is forecasted, we can plan accordingly. She mentioned that our employees worked long hours to help our residents.

Mr. Bolby mentioned that the sludge pumps should be on their way. He also mentioned that all the equipment for the Trickling Filter Project, at the Sewage Treatment Plant, should be coming in early to mid-August.

Mr. Rosemeyer mentioned to Chief Cox that Krista Mathias, the Superintendent at the Somerset Area School District, asked him to inform Chief Cox that this was a very good school year. She stated that the officers that were assigned there were very flexible in working with the students. He stated that Krista really appreciated what was done.

Executive Session – None Requested.

Adjournment:

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

Motion Unanimously Carried
7:30 p.m.

Michele A. Enos, Borough Manager/Secretary