

Borough of Somerset Council Meeting August 28th, 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 Engineers Tom Reilly and Jake Bolby.

Announcements:

(a) None

Approval of Previous Council Meeting Minutes:

(a) July 24th, 2017 – Borough Council Meeting Minutes.

Motion

Mr. Rosemeyer moved, Mrs. Opp seconded to approve the July 24th, 2017 Borough Council Meeting Minutes.

Motion Unanimously Carried

Award of Bids:

(a) 2017 Tar and Chip Project – Award bid to the lowest responsible bidder.

Ms. Enos explained that we had companies express interest in the project, beginning the second bidding advertisement for the job. With their schedule, and all the rain we received this year, companies were delayed in their projects, and felt the tar and chipping couldn't be accomplished in the Borough before the end of the good weather season. So no one put a formal bid in. As a result, Ms. Enos stated that we cannot tar and chip this year.

Mr. Thomas made a recommendation that the money proposed for the tar and chipping this year, be added to the budget for next year. He stated that we could actually advertise earlier in the year for tar and chipping then.

Motion

Mr. Thomas moved, Mrs. Opp seconded to recommend that the money proposed for the tar and chipping this year, be added to the budget for next year.

Motion Unanimously Carried

Solicitor Cascio commented that this motion doesn't bind you into next year's budget. At this point, it's the sense of the Council to want to do that. But the final adoption of the budget is a separate matter.

Ms. Enos mentioned that every budget stands on its own January thru December 31st. This motion alone stands on next year's budget. If Council chooses, they can add the amount not used for tar and chipping from this year's budget, into next year's budget for when the season opens for it to be done.

(b) Coxes Creek Water Plant Roof Replacement – Award bid to the lowest responsible bidder.

Ms. Enos mentioned that we received bids from three (3) local contractors. The lowest bid was Knieriem Construction, Inc. of Somerset, PA. Their bid was in the amount of \$11,904.00, and we're recommending that award.

Motion

Mrs. Opp moved, Mr. Rosemeyer seconded to award the bid to Knieriem Construction, Inc. of Somerset, PA of Somerset, PA. in the amount of \$11,904.00.

Motion Unanimously Carried

General Public Comments:

(a) Kevin & Laura Miller from Cherry Lane

During the public comment section, Kevin & Laura Miller discussed flooding along the Cherry Lane stream area. They also submitted a letter to Council, along with pictures of the affected flooded area from May 28th, 2017.

Ms. Enos explained that Mr. Bolby, and herself, requested a meeting with DEP in Pittsburgh, to specifically discuss the Cherry Lane Project. She explained that they had to wait 6-8 weeks to get the pre-application meeting with DEP. The meeting was granted to them, and held, 4 days ago. Notes from the meeting were not yet formulated for Council, because the meeting was just recently held last Thursday afternoon. Ms. Enos is planning to discuss with Mr. Bolby the information they received from DEP, and what it's going to require as far as a permit application. She stated that they went under

the General Permit Application Request for this project, because similar projects have been approved under the General Permit. All through the course of the project, they were told by DEP that the permit was coming. The Redevelopment Authority decided that they were going to bid the project in hopes they would have a permit in hand. When the contractors were ready to begin the project, and we were to have a meeting with Mr. & Mrs. Miller to discuss the project and what was to transpire, we received notice, 2 days prior to our meeting, that the permit was going to be denied. So that stopped the project dead in its tracks. Ms. Enos stated that after the meeting with the Millers, it was decided on to go to DEP in Pittsburgh to see what permit they would have to apply for that is going to be granted. She explained that we also need to know what will be attached to that, as far as the responsibility for Council, and for future expense for us. She stated that they talked with DEP about what is going on downstream, as well. Ms. Enos mentioned that she will be glad to share with the Miller's, and Council, the information she received from the meeting in Pittsburgh with DEP, as soon as she is able to get all the information together.

Mr. Reilly explained that the denial of the application from DEP is a regulatory decision that cannot be appealed.

Solicitor Cascio commented that there is not a direct line of appeal that they can request from DEP.

Mrs. Ruby Miller stated to Mr. & Mrs. Miller that they will be given the information as soon as possible.

Mr. Miller said that information is what he and his wife are asking for. He explained that they wrote a letter to DEP in response to the denial of the permit. He stated that they have taken a number of steps to keep things moving.

Ms. Enos stated that the Borough has also done the same to help their situation. She stated that all through the process, they did not know the permit was going to be denied from DEP until they were ready to start the project. She stated now that they realize that we are not going to be issued the General Permit, it doesn't end at that point. She explained that this is the reason they set up the pre-application meeting with DEP in Pittsburgh to see what could be done.

Administrative Business:

(a) Communications – (None)

(b) Payment of Bills.

Motion

Mrs. Opp moved, Mrs. Ream seconded to approve the payment of bills numbered 29798 – 29967, totaling \$349,168.70.

Motion Unanimously Carried

Policy Agenda:

Old Business:

(a) There is no old business.

New Business:

(a) PSAB Junior Council Person Program – Authorization to participate in the PSAB's Junior Council Program.

Motion

Mrs. Opp moved, Mr. Rosemeyer seconded to authorize Maria Weimer to participate in the PSAB's Junior Council Program.

Motion Unanimously Carried

(b) Pledge of Office – Swearing in of Maria Weimer to serve as a Junior Council Person for a one-year term beginning August 2017 to August 2018.

Mr. Rosemeyer stated to Maria that it was an honor to have her as the first Junior Council Person in Somerset Borough. Mr. Rosemeyer then proceeded to the swearing in of Maria Weimer as the Junior Council Person for a one-year term beginning August 2017 to August 2018. Maria was welcomed aboard to her Council position by all in attendance.

Ms. Weimer thanked everyone for this opportunity, and stated how she appreciated it and was very excited.

(c) Resolution No. 2017-08 – Authorizing the donation of surplus water meter parts to Jennerstown Municipal Authority.

Resolution No. 2017-08

WHEREAS, the Borough of Somerset (the “Borough”) maintains an inventory of replacement parts for water metering equipment used in association with the operating of the water treatment and distribution system owned by the Municipal Authority of the Borough of Somerset (the “Water System” and “Parts Inventory”);

WHEREAS, the Parts Inventory includes various parts and other items consisting of replacement and repair parts for Sensus type water meters, previously used in the operations of the Water System, but no longer used to measure water consumption at the point of sale to the customers of the Water System (the “Excess Parts Inventory”); and

WHEREAS, the Borough has undertaken an investigation of the value and marketability of the Excess Parts Inventory and determined that it is of a value less than \$1,000.00; and

WHEREAS, the Borough has received a request to provide items from the Excess Parts Inventory from the Jennerstown Municipal Authority, which currently uses Sensus type water meters in its public drinking water system; and

WHEREAS, Jennerstown Municipal Authority has agreed to take delivery of the entire Excess Parts Inventory on the terms and conditions set forth in this resolution; and

WHEREAS, it is in the best interests of the Borough of Somerset to remove the Excess Parts Inventory from the Borough’s inventory; and

WHEREAS, the Pennsylvania Borough Code (8 Pa.C.S.A §§ 1201.2 and 1201.3) permits the Borough to transfer the Excess Parts Inventory to a Municipal Authority without advertisement or bidding; and

WHEREAS, the Borough Council has determined that it desires to pursue the taking of such action,

NOW THEREFORE, BE IT RESOLVED that the Borough sell the Excess Parts Inventory to Jennerstown Municipal Authority for the sum of [\$1.00], on the express condition that Jennerstown Municipal Authority shall maintain the Excess Parts Inventory as long as it employs water meters and make items from the Excess Parts Inventory available to other municipal water systems in Somerset County, Pennsylvania that may have a use for items from the Excess Parts Inventory.

Ms. Enos stated that this was discussed at the last Committee of the Whole meeting. Jennerstown Municipal Authority has requested its inventory of water meter parts that we have at the Borough. She stated that we no longer use these meters, so the parts are of no benefit to us. Their receiving the parts has to be agreed upon by resolution. Jennerstown Municipal Authority, as part of the resolution, will also make these parts available to all Water Authorities who may be requesting these parts.

Motion

Mrs. Ream moved, Mr. Rosemeyer seconded to authorize the donation of surplus water meter parts to Jennerstown Municipal Authority.

Motion Unanimously Carried

(d) Resolution No. 2017-09 – Authorizing the submission of an application to PennDOT for the ownership, operation, and maintenance of the traffic signal to be installed at the intersection of North Center Ave. and Water Works Road.

(see attached Resolution No. 2017-09)

Ms. Enos explained that this resolution is required as part of an application that the Turnpike is making to PennDOT. She explained that we do this for all traffic signals. This is part of the North Center Avenue / Turnpike/Bridge Replacement Project. She stated that this is a normal activity due with any new traffic signal installation. The Borough takes over the ownership and maintenance of it.

Motion

Mr. Rosemeyer moved, Mrs. Opp seconded to authorize submission of an application to PennDOT for the ownership, operation, and maintenance of the traffic signal to be installed at the intersection of North Center Ave. and Water Works Road.

Motion Unanimously Carried

(e) Bishop McCort High School – Requesting permission to tie teal ribbons around trees in Somerset Borough as part of their “Turn the Town Teal Campaign” for the National Ovarian Cancer Awareness Month. (Sept 1st to Sept 30th)

Motion

Mrs. Opp moved, Mrs. Ream seconded to authorize permission to tie teal ribbons around trees in Somerset Borough as part of their “Turn the Town Teal Campaign” for the National Ovarian Cancer Awareness Month. (Sept 1st to Sept 30th)

Motion Unanimously Carried

(f) November Council Meeting – Authorization to reschedule the November 27th Council Meeting to November 20th due to the holiday.

Motion

Mr. Shaulis moved, Mrs. Opp seconded to reschedule the November 27th Council Meeting to November 20th due to the holiday.

Motion Unanimously Carried

(g) December Council Meeting – Authorization to reschedule the December 25th Council Meeting to December 18th due to the holiday.

Motion

Mrs. Ream moved, Mr. Thomas seconded to reschedule the December 25th Council Meeting to December 18th due to the holiday.

Motion Unanimously Carried

Executive Session – *Schedule an executive session to discuss Police Personnel Issues.*

It was agreed upon to reschedule the executive session after the next Committee of the Whole meeting

Mr. Rosemeyer stated that Senator Stefano introduced a Bill that got passed in the Senate, Bill #667. This Bill would grant powers on blighted properties. Mr. Rosemeyer wanted to make a recommendation for Council to consider writing to the Representatives to support Bill #667. He stated that it would really help us out for possibly getting us monies, and also in taking care of some of the blighted properties we have in our Borough.

Solicitor Cascio stated that perhaps he could get a copy of Senate Bill #667, and prepare a summary. Then he could have Michele circulate it so everyone knows what's in it. And if they agree with Mr. Rosemeyer, they can have instructions on who to contact. Solicitor Cascio also mentioned that if Mr. Rosemeyer wants, he can provide names of local members of the General Assembly.

Mr. Bolby stated that they are working to get the Hickory Hill Tank on-line. They submitted the documentation to be able to make that happen. He also mentioned that The Trickling Filter Project at the Sewer Plant is underway. Within the next couple weeks, it will be wrapped up.

Mrs. Ruby Miller personally wanted Michele to thank the Public Works Department, Fire Department, Police Department, Mr. Reilly, Mr. Bolby, Mr. Craig Smith, everyone that manned the phones, and everyone that helped with the water line break last weekend.

Ms. Enos mentioned that our Public Works Department had a 15-hour work day last Saturday with the water line break. She mentioned that we still have a “boil water” notice in effect for some of the residents in the Borough. She stated that she certainly appreciates everyone’s help that was received that day.

Mrs. Miller also wanted to welcome Maria Weimer as Junior Council Member.

She also mentioned that the County Banquet will be held September 21st, at Berlin Borough, for those that are interested in going.

Mr. Mark Weimer wanted to thank the Borough, and Chief Cox for the Memorial Day Parade. He stated that all the help from the Police Department was really beneficial. He said he really appreciated all that was done for that one day.

Chief Cox mentioned that Mark was the one who stepped up when we were going to lose that Parade. We wouldn’t have if it wasn’t for him.

Adjournment:

Mr. Thomas moved to adjourn, motion seconded by Mr. Shaulis.

Motion Unanimously Carried
7:30 p.m.

Michele A. Enos, Borough Manager/Secretary