

**Borough of Somerset Council Meeting
March 26, 2018 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; Gary Thomas. Mayor Scott Walker also present

Absent was Junior Council Member Maria Weimer

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

Announcements:

(a) None

Approval of Minutes of Previous Meetings:

(a) February 12th, 2018 – Committee of the Whole Meeting Minutes

Motion

Mrs. Opp moved, Mrs. Ream seconded to approve the February 12th, 2018 Committee of the Whole Meeting Minutes.

Motion Unanimously Carried

(b) February 12th, 2018 – Joint Borough/Township Meeting Minutes

Motion

Mr. Rosemeyer moved, Mr. Thomas seconded to approve the February 12th, 2018 Joint Borough/Township Meeting Minutes.

Motion Unanimously Carried

(c) February 26th, 2018 – Borough Council Meeting Minutes

Motion

Mrs. Opp moved, Mr. Rosemeyer seconded to approve the February 26th, 2018 Borough Council Meeting Minutes.

Motion Unanimously Carried

Award of Bids:

(a) None

General Public Comments:

(a) Chief Cox introduced to Council the new Station Commander at the Pennsylvania State Police Somerset County Barracks, Sergeant Jerry Nemes.

Sergeant Nemes introduced himself to Council, and explained that he took over approximately one month ago as Station Commander at the Somerset Barracks.

He stated that he was looking forward to working with Chief Cox and the rest of the Department in the County, along with the people as well. He was employed here a few years ago as a Corporal.

Sergeant Nemes was warmly welcomed back by Council.

Administrative Business:

(a) Communications – None

(b) Payment of Bills -

Motion

Mrs. Ream moved, Mrs. Opp seconded to approve the payment of bills numbered 30846 – 30959 totaling \$486,716.60.

Motion Unanimously Carried

Policy Agenda:

Old Business:

(a) There is no old business.

New Business:

(a) Resolution No. 2018-08 – Request from Somerset Hospital to designate March as National Nutrition Month in the Borough of Somerset.

Amy, from Somerset Hospital, spoke concerning “National Nutrition Month”. She explained that they are trying to do a lot of education for the community, as well as all the patients in the hospital. She further explained that “National Nutrition Month” really encourages to cut back on food waste by planning meals, and then also cutting back on calories.

President Miller then read the “March - National Nutrition Month” Resolution out loud to Council.

RESOLUTION
NO. 2018-08

MARCH - NATIONAL NUTRITION MONTH

WHEREAS, food is the substance by which life is sustained; and...

WHEREAS, the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and...

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to enhance healthy eating practices;

NOW THEREFORE, BE IT RESOLVED, and it is hereby resolved that March 2018 is National Nutrition Month in the Borough of Somerset, and we encourage all citizens to join the campaign and become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

ADOPTED this 26th day of March 2018.

Motion

Mrs. Ream moved, Mr. Rosemeyer seconded to approve the request from Somerset Hospital to designate March as National Nutrition Month in the Borough of Somerset.

Motion Unanimously Carried

(b) Letter of Resignation – Considering accepting the resignation of Clyde Mostoller from the Somerset Borough Municipal Authority Board.

Ms. Enos stated that we received Clyde Mostoller’s letter, and it was passed on to Council. She stated that they have had some interest in residents serving on our Municipal Authority Board.

She mentioned that they are going to send a letter to Mr. Mostoller for all the years he served on the Municipal Authority Board. In addition, he served for years as a member of Council.

Motion

Mr. Thomas moved, Mrs. Opp seconded to accept the resignation of Clyde Mostoller from the Somerset Borough Municipal Authority Board.

Motion Unanimously Carried

(c) Tax Claim Bureau – Acknowledging a private sale of property at 3 Lynn Avenue. If there are no objections, the Borough needs to consider accepting this transaction knowing the property will be sold free and clear of back Real Estate taxes. This amounts to \$2,934.02 of Borough Real Estate Tax from 2013 through 2018.

Solicitor Cascio stated that under the Pennsylvania Law, when Real Estate Taxes are not paid, the remedy involves a tax sale. He explained that if the property is not bid on, this exposes it to the tax sale. He stated that the property goes into the Repository, or the legal custody of the Tax Claim Bureau, and it sits there for a couple different options. One, of which occurs here, is a private sale. Solicitor Cascio explained that a bidder can come in and offer to purchase it for whatever amount of money they offer, which is usually not the full arrearages of taxes. This triggers a process, where by the Municipalities receive a letter indicating that this property, and offer, has been made giving the taxing Districts the opportunities to object or take no action. This offer was \$447.00. Solicitor Cascio explained that the past due taxes on the property are just under \$3,000.00. These are taxes that were not paid to the Borough. He stated that this would include the School and County Taxes, as well. Solicitor Cascio stated that the person who acquires it this way, under the law, take subject to any other liens or claims that might exist, like a mortgage. He stated that if Council chooses to object, the sale just won't happen. Solicitor Cascio explained that the County's Policy is generally to go along with whatever the other taxing bodies want. He stated that he's not sure if the School has acted on this or not. Many Municipalities would say "Whatever it takes to get it back on the tax rolls." He stated that the Borough would receive something, but not everything that is due on the property. But as a result, it would then go back on the tax rolls, and be subject to collections going forward.

Motion

Mr. Rosemeyer moved, Mrs. Pyle seconded to accept the private sale of property at 3 Lynn Avenue. The Borough is accepting this transaction knowing the property will be sold free and clear of back real estate taxes. This amounts to \$2,934.02 of Borough Real Estate Tax from 2013 through 2018.

Motion Unanimously Carried

(d) School Based Officers – Consider authorizing to advertise for action at the April 9th Committee of the Whole Meeting to revise the Memorandum of Understanding with the Somerset Area School District for School Based Officers.

Solicitor Cascio stated that they are in the process, with the School District, to review the existing arrangement for School Based Officers. He stated that it has been a few years since there has been a real review of the Agreement. Solicitor Cascio stated that the plan would be to line it up with how it's actually being done, and provide a little more flexibility in terms of staffing, certain times or as need arises. So working with the School District, Solicitor Cascio stated that we're going to try to have a Revised Agreement. This would be what's called an "Intermunicipal Agreement of the Pennsylvania Law", which would require that an Ordinance be advertised and passed. Solicitor Cascio stated that this would be for the purpose of allowing for the sharing of functions between two Municipal Governments. He stated that, for that purpose, in order to bring this to a conclusion, if the Police Department and the School District can come to an understanding on the Agreement, we can advertise the Ordinance and have it available for Council's consideration at the Committee of the Whole Meeting.

Motion

Mrs. Opp moved, Mrs. Ream seconded to authorize to advertise for action, at the April 9th Committee of the Whole Meeting, to revise the Memorandum of Understanding with the Somerset Area School District for School Based Officers.

Motion Unanimously Carried

President Miller thanked the Public Works Department for all their hard work during all the storms.

She also wished everyone a Happy Holiday.

President Miller also recognized, and gave her warm wishes, to a few of the Borough's staff members for their upcoming birthdays.

Mr. Rosemeyer stated that we're very fortunate with what we have with our Police Department, and the working relationship with the State Police. He mentioned that the PSAB TV show in Harrisburg was about Borough Police. He stated that we're also very fortunate to have a Resource Officer full-time. He mentioned that there are many places that do not have one.

He also reminded Council that we will be hosting the Somerset County Boroughs Association, in the Public Safety Building's Community Room, here in Somerset, on May 17th, 2018. He encouraged everyone to come.

Mr. Rosemeyer also wanted to remind individuals who have pets, to take advantage of a Rabies Clinic, here in Somerset by Giant Eagle, which will be held on Wednesday April 18th, 2018.

Mrs. Pyle mentioned that “Spring Cleanup” is Uptown from 10:00 am -1:00 pm on Saturday April 14th, 2018. She stated that anyone wanting to volunteer can do so.

She also mentioned that “Earth Day” will be Uptown, for the kids, on Saturday April 21st, 2018, and will have more participants this year.

Executive Session – *None requested.*

Adjournment:

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

Motion Unanimously Carried
7:18 p.m.

Michele A. Enos, Borough Manager/Secretary