

Borough of Somerset Council Meeting August 27th, 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; Judy Pyle; Sue Opp and Gary Thomas. Mayor Scott Walker also present.

Absent were Council Members: Fred Rosemeyer; Pam Ream and Steve Shaulis.

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

Announcements:

(a) *None*

Approval of Minutes of Previous Meetings:

(a) *July 9th, 2018 – Committee of the Whole Meeting Minutes*

Motion

Mr. Thomas moved, Mrs. Opp seconded, to approve the July 9th, 2018 Committee of the Whole Meeting Minutes.

Motion Unanimously Carried

(b) *July 23rd, 2018 – Borough Council Meeting Minutes*

Motion

Mrs. Pyle moved, Mr. Thomas seconded, to approve July 23rd, 2018 Borough Council Meeting Minutes.

Motion Unanimously Carried

Award of Bids:

(a) *None*

General Public Comments:

(a) None

Administrative Business:

(a) *Communications (none)*

(b) *Payment of Bills -*

Motion

Mrs. Opp moved, Mrs. Pyle seconded, to approve the payment of bills numbered 31589 – 31773 totaling \$473,473.29.

Motion Unanimously Carried

Policy Agenda:

Old Business:

(a) *There is no old business.*

New Business:

(a) Resolution No. 2018-12 – *Consideration of Resolution approving the transfer of a Liquor License into the Borough of Somerset.*

Solicitor Cascio read Resolution No. 2018-12 aloud to Council.

RESOLUTION 2018-12

A RESOLUTION OF THE BOROUGH OF SOMERSET, COUNTY OF SOMERSET, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF LIQUOR LICENSE NO. R-3116 INTO THE BOROUGH OF SOMERSET

BACKGROUND

WHEREAS, Act 141 of 2000 and Act 10 of 2002 (collectively, the “Act”) amended the Liquor Code to allow, in certain instances, the transfer of liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in the Borough of Somerset, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the intermunicipal transfer of the liquor license prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one public hearing be held for the purpose of permitting individuals residing with the municipality to make comments and recommendations regarding applicant's intent to transfer a liquor license into the receiving municipality.

NOW, THEREFORE, BE IT RESOLVED, by the Somerset Borough Council that TH Minit Markets, LLC, has requested the approval of the Borough of Somerset for the proposed transfer of Liquor License NO. R-3116 (acquired by TH Minit Markets, LLC from the Pennsylvania Liquor Control Board via Public Auction) by TH Minit Markets, LLC to facilities within the Borough of Somerset located at 829 North Center Ave., Somerset Borough, Somerset County, Pennsylvania 15501 with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the Somerset Borough Council has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer; and

BE IT FURTHER RESOLVED, that the Somerset Borough Council approves, by adoption of this Resolution, the proposed intermunicipal transfer of the Liquor License No. R-3116 into the Borough of Somerset by TH Minit Markets, LLC; and

BE IT FURTHER RESOLVED, that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

Motion

Mr. Thomas moved, Mrs. Opp seconded to approve the transfer of Liquor License No. R-3116 into the Borough of Somerset.

Motion Unanimously Carried

(b) Municipal Authority Board – Consider appointing Jessica Sizemore to fill the vacancy left by the resignation of Joe Egly whose term would expire January 1, 2023.

Ms. Enos explained that a letter of interest was received by Borough resident, Jessica Sizemore, who was originally interested in serving as a Planning Commission Member.

After Ms. Enos explained to Ms. Sizemore that there were no positions currently open on the Planning Commission, Ms. Sizemore inquired about other openings that

may be available on the Boards of Commissions. Ms. Enos told her that there were two vacancies on the Municipal Authority Board. Ms. Sizemore then resubmitted her letter requesting to be considered on the Municipal Authority Board.

Motion

Mrs. Pyle moved, Mr. Thomas seconded, to appoint Jessica Sizemore to fill the vacancy left by the resignation of Joe Egly whose term would expire January 1, 2023.

Motion Unanimously Carried

Mr. Bolby provided updates on two projects. He stated that both contracts for the Sewer Projects are under way, and things are happening. Mr. Bolby also mentioned that both projects should be completed by the end of September 2018.

He also brought out that the Water Project, which deals with the Coxes Creek Plant, is underway. Mr. Bolby mentioned that this project will be completed in approximately 4-6 weeks.

Mrs. Pyle mentioned that in September 2018, Somerset Inc. will be getting back to the Trinity Park meetings that were not held during the summer months.

She brought out that since they did not have the funding to finish the park's last stage, they used the park all summer, which turned out well. Somerset Inc. is also expecting to hear about their last grant, towards the end of the year, to complete the work at Trinity Park.

The Historic Sign Committee is going to have their unveiling at the Antique Fair. Mrs. Pyle brought out that they have 25 signs to put on buildings.

Mrs. Pyle mentioned that there are individuals in the Recycling Committee that are very involved.

She mentioned Ray Shroyer who is opening a recycling place in Chickentown where things can be recycled on site. Mrs. Pyle expressed that she hopes his place gets open and running.

Mrs. Pyle mentioned that a Community Foundation Grant award of \$19,000.00 was shared between the Library, Somerset Inc. and Laurel Arts.

Mrs. Pyle brought out that Somerset Inc. has applied for a Facade Grant, and a Community Foundation Grant.

"Not Too Shabby" opened in the Glades Court building, and is doing well.

"Chalk the Block" was a success, and was definitely enjoyed by everyone who attended. Mrs. Pyle mentioned that "Shooter Showdowns" attendance was down a little this year. The participants who were there were enthusiastic, and really want to help promote it as opposed to just Somerset Inc. promoting it.

Mrs. Pyle mentioned that Mark Albert Supply (the shoe repair place) closed down. Mr. Thomas questioned whether the Uptown Sidewalk Project is still moving along. Ms. Enos stated that it was. She brought out that the construction start date is in September.

Mr. Thomas acknowledged that he knew the tar and chipping was done on some of the streets, and stated that they did a good job on it.

Ms. Enos mentioned that there were a lot of good phone calls about the street work.

Mr. Thomas stated that he feels that tar and chipping should be done next year on the less traveled streets.

Mr. Thomas also asked when the paving will begin on the Borough's streets that are to be paved this year.

Ms. Enos brought out that she met with New Enterprise last week. She stated that with the weather, and New Enterprise being pushed back because of the weather conditions, it probably will not be done until the end of September, or early part of October.

Mr. Thomas expressed concern that the streets will not have enough time to "set up" at this late date in the year. He mentioned about putting a limit of "September 1st" as a start date in the contract for next year's paving.

Ms. Enos stated that if we put a time frame on it, we may not get a bid next year. She mentioned that New Enterprise's State Contracts always come first, and then they move into their smaller contracts. Ms. Enos brought out that New Enterprise was our only bidder for paving, and if a time frame to start our street paving is involved, we may not receive that bid.

Ms. Enos mentioned that other municipalities are also experiencing the same delays with their paving.

Executive Session – *None requested.*

ADJOURNMENT:

Mrs. Opp moved to adjourn, seconded by Mrs. Pyle

Motion Unanimously Carried
7:17 p.m.

Michele A. Enos, Borough Secretary

