

**JOINT MEETING – Somerset Borough Council & Municipal Authority of the
Borough of Somerset
October 23rd, 2023 - 5:00 p.m.**

JOINT MEETING AGENDA

1. Joint Meeting Called to Order:

- a) Borough Council Meeting Called to Order – *President Ream*
- b) Municipal Authority Meeting Called to Order – *Chairman Flower*

2. Pledge of Allegiance

3. Roll Call:

- a) Borough Council Members present: *Pam Ream; Lee Hoffman; Ruby Miller; Steve Shaulis; Jim Clark and Ian Mandichak.*
- b) Mayor: *Fred Rosemeyer* also present.
- c) Borough Council Member absent: *Sue Opp*
- c) Also present were the following: *Borough Manager, Michele Enos; Municipal Authority Manager, Jessica Sizemore; Director of Finance, Brett Peters; Administrative Assistant, Roger Bailey; Solicitors, James Cascio & Allyson Lonas, and Consulting Engineer Tom Reilly.*

Roll Call:

- a) Municipal Authority Members present: *Ruby Miller; Ben Flower and Lee Hoffman.*

Public Attendance:

- a) *Regina Coughenour*

4. New Business – Joint Discussions:

- a) Municipal Authority Board Member – *Borough Council to authorize the appointment of Jeff Shaffer to fill the vacancy on our Municipal Authority Board.*

Motion

Mrs. Miller moved, seconded by Mr. Hoffman to appointment Jeff Shaffer to fill the vacancy on our Municipal Authority Board.

Motion Unanimously Carried

- b) Executive Session – *To discuss contract negotiations regarding the Intermunicipal Agreement with STMA.*

Motion

Mr. Clark moved, seconded by Mrs. Ream to go into Executive Session to discuss contract negotiations regarding the Intermunicipal Agreement with STMA.

Motion Unanimously Carried
5:21p.m.

Back in Session

5:58 p.m.

MUNICIPAL AUTHORITY MEETING AGENDA

1. Approval of Minutes of Previous Meeting(s):

a) September 25th, 2023 – *Municipal Authority Meeting Minutes.*

Motion:

Mr. Flower moved, Mr. Hoffman seconded, to approve the September 25th, 2023 Municipal Authority Meeting Minutes.

Motion Unanimously Carried

b) Approval of Agenda – *Consider approving the agenda as presented.*

Motion:

Mrs. Miller moved, Mr. Hoffman seconded, to approve the October 23rd, 2023 Agenda.

Motion Unanimously Carried

2. New Business:

a) Manager's Report – *Update on Municipal Authority Portal, Board Member Press Release, LCRR, and Operations.*

Mrs. Sizemore welcomed the new Municipal Authority Board Member, Jeff Shaffer, and thanked him for taking the time to serve.

Mr. Shaffer introduced himself to the Board. He explained that he had graduated from Somerset High School in 2008 with Council Member Ian Mandichak. He said that he had been a Borough resident his entire life residing in the Brierwood area. He worked in IT for 9 years, and he presently works in surveillance. He has been working with Ms. Enos & Mrs. Sizemore through his current job.

Mrs. Sizemore noted that the Municipal Authority Portal is up and running. Some of the things included in the Portal are agreements, back studies that were done for sewer & water, construction plans and contract drawings. She added that everything is included.

Mrs. Sizemore mentioned that there was a Press Release, about the construction update, published by the Daily American on October 14, 2023. She noted that it is also on the Borough's website where it can be viewed.

Mrs. Sizemore said that we will be starting up the Lead & Copper inventory in the next month. There will be 2 dedicated field employees doing inventory inside the homes. On the website, there will also be a page dedicated to "Customer Notification" letting them know about the project, what we are doing and why we are inventorying the service lines. Everything needs to be inventoried by October 16, 2024, so we are going to try to do all the things we need to do in the homes over the winter into the next year. Then we will have to do some pot holing and other things come next spring.

Lastly, Mrs. Sizemore mentioned that we have 2 open positions in the Borough. These postings are on our website, as well. The 2 postings are for a *Water Treatment Operator (Trainee)*, and a *Laborer I*, which is a Public Works/Water Distribution position.

b) Facility Reports – Provided on the portal for informational purposes.

Mrs. Sizemore noted that the Facility Reports are also on the Portal and can be viewed there.

c) Stormwater Facilities Ownership Transfer – Motion to approve the transfer of ownership from the Borough of Somerset to the Municipal Authority of the Borough of Somerset for existing and future Stormwater Underground Facilities.

Solicitor Cascio said that they created a draft on how to transfer this ownership from the Borough to the Municipal Authority. He said that it should be put in a form of a Resolution for the next meeting to be finalized. He said that whatever pipes are buried underground will essentially be the Municipal Authority's.

Ms. Enos said that she and Mrs. Sizemore have also been working on this draft with Solicitor Cascio. She said that the transfer of the stormwater, which is presently the responsibility of the Borough, is going to be moved to the responsibility of the Municipal Authority where there will initially be a flat rate structure. This will generate some income to put in the stormwater facilities as part of the Sewer Project, as well as for the future, because we have so much flooding, especially in sections of Brierwood.

Ms. Enos said that what Solicitor Cascio proposed was the Deed from the Borough to the Authority. It will be a Quick Claim Deed of the Borough's entire title interest in all existing underground facilities associated with water, sewer, stormwater management and other future uses.

Ms. Enos read the draft, in its entirety, to the Municipal Authority.

Solicitor Cascio added that, by default, anything that is underground would now be deemed to be the property of the Municipal Authority. Unless anything else is put underground that specifically says it belongs to some other entity, it will be deemed to be the property of the Authority.

Motion:

Mr. Flower moved, Mr. Hoffman seconded, to put in the form of a Deed the transfer of ownership from the Borough of Somerset to the Municipal Authority of the Borough of Somerset for existing and future Stormwater Underground Facilities.

Motion Unanimously Carried

d) Ligonier Construction Co., Inc. Change Order No. 1 & 2, Contract 2 – Acknowledgement of an increase of \$2,425.00 and \$4,804.00 for equipment, labor and materials for the installation and modifications of the fences around the well and tanks at Shaffer Run Facility.

Motion:

Mr. Flower moved, Mrs. Miller seconded, to approve the acknowledgement of an increase of \$2,425.00 and \$4,804.00 for equipment, labor and materials for the installation and modifications of the fences around the well and tanks at Shaffer Run Facility.

Motion Unanimously Carried

- e) Darr Construction Pay App. Contract 3 – Acknowledgement of Darr Construction Pay Application in the amount of \$90,585.00.

Motion:

Mr. Flower moved, Mr. Hoffman seconded, to approve the acknowledgement of Darr Construction Pay Application in the amount of \$90,585.00.

Motion Unanimously Carried

- f) PennVEST Payment Request No. 8 - Acknowledgement of PennVEST Request No. 8 in the amount of \$2,263,717.68.

Motion:

Mr. Flower moved, Mr. Shaffer seconded, to approve the acknowledgement of PennVEST Request No. 8 in the amount of \$2,263,717.68.

Motion Unanimously Carried

- g) Kukurin Contracting Pay App. No. 7 - Acknowledgement of the approval of the pay application in the amount of \$2,110,837.06.

Motion:

Mr. Hoffman moved, Mr. Flower seconded, to approve the acknowledgement of the pay application in the amount of \$2,110,837.06.

Motion Unanimously Carried

3. Payment of Bills/Requisitions:

- a) *None*

4. ADJOURNMENT

Motion:

Mr. Shaffer moved to adjourn, seconded by Mr. Flower.

Motion Unanimously Carried
6:05 p.m.

BOROUGH COUNCIL MEETING AGENDA

1. Approval of Minutes of Previous Meeting(s):

a) August 28th, 2023 – Borough Council Meeting Minutes.

Motion:

Mr. Mandichak moved, Mr. Shaulis seconded, to approve the *August 28th, 2023* Borough Council Meeting Minutes.

Motion Unanimously Carried

b) September 25th, 2023 – Borough Council Meeting Minutes.

Motion:

Mrs. Miller moved, Mr. Hoffman seconded, to approve the *September 25th, 2023* Borough Council Meeting Minutes.

Motion Unanimously Carried

c) Approval of Agenda – Consider approving the agenda as presented.

Motion:

Mr. Shaulis moved, Mr. Mandichak seconded, to approve the October 23rd, 2023 Agenda.

Motion Unanimously Carried

2. Opening of Bids:

a) *None*

3. General Public Comments:

a) Regina Coughenour – Concerns about the gaming machines in certain areas of the Borough.

Mrs. Coughenour mentioned that, approximately eight months ago, she heard that Borough Council was looking into the electronic sweepstake machines around town. She said that, since then, several have come into the Borough. She feels that games of skill are not an issue when they are in a manned operation, like a club or a bar. Games of skill are all across the country. She said that it was a topic of discussion at the latest Pennsylvania Downtown Center Manager Meeting. She expressed that they are not a good sign for a Community. She said that she has also seen an increase in crime Uptown, which has been discouraging. There is a 24-hour sweepstakes place by the Dollar General Store. She expressed that as a parent, a Borough resident, and in her role at Somerset Inc., it is very concerning.

Mrs. Coughenour said that there are zoning overlays that allow limitations to games of skill, such as mandating their hours to business hours and not 24 hours, or mandating them Borough wide so that they mirror the hours of the establishments that are doing it properly. There are also zoning overlays that can be employed to limit them, or ban them, within 1,000 feet of churches, child care facilities, schools, daycares, public parks, libraries, government offices, private schools and group home facilities. She added that they can be limited to establishments primarily attended by, or serving, persons above 18 years of age.

Mrs. Coughenour stated that she wanted to come before Council since it has been a long time since she initially heard that Borough Council was looking into this issue, and since then, there has been no lack of motion from other people.

She said that with plans for 219 to be completed, we have seen development from outside. She noted that she has been a recipient of some of these calls from people outside of the area who want to rent a space in the Borough and put games of skill in that will not be manned but be 24 hours. She expressed that this is a haven for drug use.

She encouraged Council to move forward quickly with this issue being that it is not good for our Community. She doesn't want to see an increase in crime in the Borough, or see anything from bad activity. There is a way to make it allowable where it is appropriate. Mrs. Coughenour reiterated that she would like to see swifter action with Council regarding this.

Mrs. Coughenour also noted that the Borough has several property owners whose buildings are for sale or rent. She said that once the renters are there, you cannot get rid of them, and if the landlords are out of town and not present, it is bad. She expressed that this is the exact same trend that happened in Meyersdale and in Boswell. The residents in those areas are saying that crime is centered around these places, so they have impacted communities negatively.

Ms. Enos said that this is a legal issue and that Zoning Districts can be created for these places.

Solicitor Lonas brought out that in the State, there are some tensions between the regulation of the use of skill games and games of chance. She said that there are different ways the Borough can legally approach this issue, but it is a gray area to make sure we do it by law. There are different specifications that we may be able to follow. She added that this is the legal side of it the Council has been looking into and discussing.

Solicitor Lonas said that there are, currently, some pending cases in the Commonwealth Court that are deciding the Regulations & Rules regarding these specific skill games. In the meantime, the Borough does not want to get themselves involved in any litigation by improperly regulating. So they are trying to see how these cases will be ruled, or alternatively, find a way to do it by business hours rather than completely banning them, because so far, that hasn't worked in the Courts.

Mrs. Coughenour agreed that it is a fine line, and the Council does not want to overstep, but she expressed that the games are not bringing anything good.

Mr. Clark said that he discussed this issue with Senator Stefano, early on, when the games first start appearing in the Borough. He has also spoken with Ms. Enos about it. He said that the games are not regulated, and there is no direction from the State, therefore, Senator Stephano said it will be up to the locals to figure how they want to handle this situation, so this is something the Council has to figure out.

Solicitor Cascio added that you can potentially regulate it, but you cannot prohibit it.

Discussion, ways to handle the situation, along with personal concerns continued among Borough Council regarding this issue.

Mrs. Ream agreed that this issue needs to be addressed before more games pop up in the community.

Ms. Enos noted that if an Ordinance is created that amends anything, those who currently have the games in their establishments will be "grandfathered" in, because no regulations existed when they were there.

Mrs. Ream said that the Council will look at this from their prospective, then they may have to make adjustments based on what happens at the State level.

4. Administrative Business:

a) Communications (None)

b) Payment of Bills for the months of September and October 2023.

Motion:

Mr. Mandichak moved, Mrs. Miller seconded, to approve the payment of bills for the months of September and October 2023 numbered 40630 - 40754 totaling \$950,748.04.

Motion Unanimously Carried

c) Department Reports – Consider approving the Departmental Reports for the months of August/September 2023.

Motion:

Mr. Hoffman moved, Mr. Mandichak seconded, to approve the Departmental Reports for the months of August/September 2023.

Motion Unanimously Carried

5. Policy Agenda:

Old Business:

a) Somerset Vol. Fire Dept – Update from Solicitor concerning the request to create an ordinance to bill for services.

Solicitor Allyson Lonas said that, after conversations, a final draft has been written up. She added that a motion was needed to advertise for an Ordinance, and that this could then be voted on at the next Council Meeting.

Motion:

Mrs. Ream moved, Mrs. Miller seconded, to advertise for the Ordinance to bill for services for the Somerset Volunteer Fire Department.

Motion Unanimously Carried

New Business:

a) Resolution No. 2023-08 – Consider adopting a Resolution authorizing the submission of our updated Emergency Operations Plan.

Ms. Enos said that we are required to update our Emergency Operations Plan when there is a change. She added that the changes have all been personnel changes.

Motion:

Mr. Clark moved, Mr. Shaulis seconded, to adopt a Resolution authorizing the submission of our updated Emergency Operations Plan.

Motion Unanimously Carried

BOROUGH OF SOMERSET

RESOLUTION NO. 2023-08

THIS RESOLUTION approved and adopted by the Council of Somerset Borough, Somerset County, Pennsylvania, on the date here forth.

WITNESS TO:

WHEREAS, Section 7503 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. Section 7101 et seq. mandates that Somerset Borough prepare, maintain and keep current an emergency operations plan for the prevention and minimization of injury and damage caused by a major emergency or disaster within this Borough; and

WHEREAS, in response to the mandate stated above, this Borough has prepared an emergency operations plan to provide prompt and effective emergency response procedures to be followed in the event of a major emergency or disaster; and

WHEREAS, this Borough has also prepared an emergency operations plan in order to reduce the potential affects of a major emergency or disaster and to protect the health, safety and welfare of the residents of this Borough.

NOW, THEREFORE, we, the undersigned Council of Somerset Borough do hereby approve, adopt and place into immediate effect the Emergency Operations Plan of Somerset Borough. This Plan shall be reviewed every two years to make certain that it conforms to the requirements of the Somerset County Emergency Operations Guideline.

b) *Resolution No. 2023-09 – Consider adopting a Resolution to deposit Commonwealth monies into Borough Pension Plans.*

Ms. Enos said that this is annual amount we receive from the Commonwealth based on full-time employees which gets deposited into certain Pension Plans. This has to be done annually by Resolution when we receive it.

The amount of \$80,856.74 is being deposited into the Non-Uniform Collective Bargaining Pension Plan, and \$193,054.00 is to be allocated towards the Police Pension Plan. She added that this is based upon our outside Actuary and what the plan requires in each.

Motion:

Mr. Mandichak moved, Mr. Shaulis seconded, to adopt a Resolution to deposit Commonwealth monies into Borough Pension Plans.

Motion Unanimously Carried

Resolution No. 2023 -09

WHEREAS, the Borough of Somerset has received a direct deposit from the Commonwealth of Pennsylvania dated September 27th, 2023 in the amount of Two Hundred Seventy-Three Thousand, Nine Hundred Ten and 74/100 (\$273,910.74) Dollars, representing the Commonwealth's allocation from the General Municipal Pension State Aid Program, and;

WHEREAS, Act 205 of 1984 provides that pension allocations must be deposited in the Municipal Pension Plan within thirty (30) days of receipt by the Municipal Treasurer, and;

WHEREAS, the governing body must determine by Resolution the amount to be distributed into its various plans;

NOW THEREFORE, BE IT RESOLVED, that Eighty Thousand, Eight Hundred Fifty-Six and 74/100 (\$80,856.74) Dollars be allocated to the Non-Uniformed Collective Bargaining Pension Plan; and One Hundred Ninety-Three Thousand, Fifty-Four and 00/100 (\$193,054.00) Dollars be allocated to the Police Pension Plan.

ADOPTED this 23rd day of October 2023.

c) Resolution No. 2023-10 – Consider adopting a Resolution eliminating member contributions to the Police Pension Plan for 2023.

Ms. Enos said that this goes hand-in-hand with the Commonwealth monies. The Actuary decides whether contributions are required or not required under each Plan. They have attested that it is not required to fund this Plan. So by Resolution we eliminate it for that year.

Motion:

Mr. Shaulis moved, Mr. Hoffman seconded, to adopt a Resolution eliminating member contributions to the Police Pension Plan for 2023.

Motion Unanimously Carried

Resolution No. 2023-10

WHEREAS, Ordinance No. 1144, Section XI relating to the Police Pension Fund states that the monthly contributions for participants may be reduced or eliminated by an annual Resolution if an actuarial study annually indicates that such reductions or elimination for that year will not adversely affect the actuarial soundness of the fund, and;

WHEREAS, a letter from Lori R. Owen, QPA, Consultant, Dunbar, Bender & Zapf, Inc., dated September 29th, 2023, states "that the Borough may eliminate employee contributions in the Police Plan for 2023 ...

NOW THEREFORE, BE IT RESOLVED, that the five (5) percent contributions from Police Officers for the year 2023 be eliminated.

ADOPTED this 23rd day of October 2023.

d) Resolution No. 2023-11 – Consider adopting a Resolution eliminating member contributions to the Police Pension Plan for 2024.

Motion:

Mr. Mandichak moved, Mrs. Ream seconded, to adopt a Resolution eliminating member contributions to the Police Pension Plan for 2024.

Motion Unanimously Carried

Resolution No. 2023-11

WHEREAS, Ordinance No. 1144, Section XI relating to the Police Pension Fund states that the monthly contributions for participants may be reduced or eliminated by an annual Resolution if an actuarial study annually indicates that such reductions or elimination for that year will not adversely affect the actuarial soundness of the fund, and;

WHEREAS, a letter from Lori R. Owen, QPA, Consultant, Dunbar, Bender & Zapf, Inc., dated September 29th, 2023, states “that the Borough may eliminate employee contributions in the Police Plan for 2024 ...

NOW THEREFORE, BE IT RESOLVED, that the five (5) percent contributions from Police Officers for the year 2024 be eliminated.

ADOPTED this 23rd day of October 2023.

e) Resolution No. 2023-12 – Consider adopting a Resolution to apply for a grant to fund equipment through the Department of Community and Economic Development. There is no local match required.

Ms. Enos said that this is a Resolution to apply for a multi-use mower and street sweeper. There is zero local match which means nothing is required on our part.

The amount we are seeking is \$624,408.00. A Resolution needs to be passed to submit the Application.

Motion:

Mrs. Miller moved, Mrs. Ream seconded, to adopt a Resolution to apply for a grant to fund equipment through the Department of Community and Economic Development. There is no local match required.

Motion Unanimously Carried

THE BOROUGH OF SOMERSET, SOMERSET COUNTY, PENNSYLVANIA

RESOLUTION NO. 2023-12

A RESOLUTION OF SOMERSET BOROUGH TO APPLY FOR A STATEWIDE LOCAL SHARE ASSESSMENT GRANT THROUGH THE PENNSYLVANIA DCED AS WELL AS AUTHORIZING THE BOROUGH MANAGER AND COUNCIL PRESIDENT AS OFFICIALS TO SIGN ALL DOCUMENTS NECESSARY TO APPLY FOR THE AFOREMENTIONED GRANT.

Be it RESOLVED, that Somerset Borough of Somerset County hereby requests a Statewide Local Share Assessment Grant through the PA DCED in the amount of \$624,408 to be used for the purchasing of equipment necessary to continue the maintenance of the right of ways within the Borough of Somerset.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Michele Enos, Borough Manager or Pamela Ream, Council President as the official(s) to execute all documents and agreements between the Borough of Somerset and the PA DCED to facilitate and assist in obtaining the requested grant.

I, Michele Enos, duly qualified Secretary of the Borough of Somerset (Name of Applicant), Somerset County, (Name of County), Pennsylvania, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Borough of Somerset Council (Governing Body) at a regular meeting held October 23, 2023 and said Resolution has been recorded in the Minutes of the Borough of Somerset Council (Applicant) and remains in effect as of this date.

ADOPTED: October 23, 2023

f) Meal & Travel Policy – Discussion concerning proposed changes to our meal and travel reimbursement policy.

Ms. Enos said that this has not changed for quite some time. It is currently at \$30.00 a day for meals. Administratively, we are proposing to increase it by at least \$10.00 a day.

Motion:

Mr. Mandichak moved, Mr. Shaulis seconded, to change the amount of the meal portion reimbursement from \$30.00 to \$50.00 a day, in our Meal and Travel Reimbursement Policy.

Motion Unanimously Carried

g) Zoning Ordinance – Discussion concerning antenna regulations as allowed by our Zoning Ordinance.

This subject was “tabled”.

h) Police Pension Plan Ordinance No. 1387 – Consider adopting the Pension Ordinance to create the “Drop Program” as part of the Police Pension Plan. This was the result of the police contract negotiations.

Motion:

Mr. Shaulis moved, Mrs. Ream seconded, to adopt the Pension Ordinance to create the "Drop Program" as part of the Police Pension Plan.

Motion Unanimously Carried

ORDINANCE NO: 1387

BOROUGH OF SOMERSET, SOMERSET COUNTY

**AN ORDINANCE AMENDING ORDINANCE #1307
THE BOROUGH OF SOMERSET POLICE PENSION PLAN**

WHEREAS, the purpose of this Ordinance is to amend a certain portion of the Borough of Somerset Police Pension Plan, as heretofore enacted, amended, and revised; and

WHEREAS, the Council of the Borough of Somerset wishes to establish a DROP PROGRAM for its eligible members of the Police Force under the terms of this Ordinance,

NOW, THEREFORE, it is hereby enacted and ordained as follows:

DEFINITIONS

1. The following words and phrases, when used in this Provision, shall have the meanings given to them in this Section only unless the context clearly indicates otherwise:
 - a. "DROP:" The in-service retirement option to continue in employment as a working member of the Police Force while collecting a retirement benefit established by this Ordinance and administered by the Borough.
 - b. "DROP Participant:" A retired member of the Police Force who is eligible to participate in a DROP under the terms of this Ordinance and who has elected to participate in the DROP.
 - c. "DROP Participant Account:" The current pension trust fund ledger account balance for a DROP Participant.
 - d. "Pension Fund" and "Fund Account" The Borough of Somerset Police Pension Fund maintained pursuant to the provisions of Act 600 and any amendments thereto, to be maintained by annual appropriation received (i) from taxes paid by foreign casualty insurance companies, (ii) from charges against each member of the Police Department, (iii) by appropriations, gifts, grants, devises, or bequests granted to the Pension Fund.

- e. "Normal Retirement Pension Benefit:" The retirement benefit payable to a Participant of Somerset Borough's defined benefit pension Plan at the point in time when the Participant satisfies the age and service requirements for full, unreduced retirement benefits.
- f. "Subsidiary DROP Participant account:" The separate, interest-bearing, subsidiary DROP Participant account established for a DROP Participant under this Ordinance.

ELIGIBILITY AND PARTICIPATION

1. **Eligibility of Employee to Participate in DROP:** An Employee who is eligible for a Normal Retirement Pension Benefit under the Borough's pension Plan is eligible to be a DROP Participant by filing a written application with the Somerset Borough Retirement Plan Administrator at least thirty (30) days prior to the Employee's effective date of retirement.
2. **Participation in DROP:** An eligible Participant may elect to participate in the DROP during a period beginning on the date of the Employee's retirement and expiring on the fifth anniversary thereof. Upon deciding to participate in a DROP, a Participant must submit, on forms provided by the Borough, fully completed and signed originals of the following documents:
 - (a) The Participant's binding and irrevocable letter of resignation from regular employment with the Borough of Somerset specifying the Participant's retirement date, which shall conclusively establish, confirm, and disclose the Participant's stated intent to retire and establishes the Participant's retirement date.
 - (b) The Participant's irrevocable written election to participate in the DROP specifying the effective date of DROP participation which is the calendar day after the Participant's specified retirement date the "Effective Date, and further specifies the DROP termination date, which shall be no more than five years following the Effective Date. The calendar date specified by the Participant under this subparagraph (which date shall also be the Participant's termination of employment date), which, in the Borough's determination, satisfies the limitation in this Section, details a DROP Participant's rights and obligations under the DROP and includes an agreement to forgo:
 - i. Active membership in the retirement Plan;
 - ii. Any growth in the salary base used for calculating the regular retirement benefit;
 - iii. Any additional benefit accrual for retirement purposes.

As a condition to Participation in the DROP, the DROP Participant shall provide any other information reasonably required by the Borough.

3. **DROP Participation:** A DROP Participant's participation shall begin the day following the Effective Date of the DROP Participant's regular retirement and shall end on the last day of the participation period specified in the ordinance establishing the DROP, based on the Effective Date of the retired Employee's participation in the DROP, which shall also, for all purposes, be conclusively presumed to be the DROP Participant's termination of employment date.
4. **DROP Participation Termination:** No penalty shall be imposed for early termination of DROP participation. A DROP Participant may change the DROP termination date to an earlier date strictly within the limits established by this Section 4. Upon either early or regular termination of DROP participation, the DROP Participant shall be separated from employment by the Borough and the retirement Plan shall pay the balance in the DROP participant's subsidiary DROP Participant account to the terminating Participant.
5. **DROP Participation Effect on Participant Contributions:** A DROP Participant's participation in the DROP shall suspend any obligation of the DROP Participant to make contributions to the Borough Police Pension Plan (Fund Account) for the duration of the DROP Participant's participation in the DROP.

DROP BENEFITS

6. **Fixed retirement Benefits, Retirement Date and DROP Dates:** Effective with the date of retirement, which must be the day immediately before the effective date of DROP participation, the DROP Participant's Normal Retirement Benefit under the pension Plan, the Employee's effective date of retirement and the Employee's effective dates of beginning and termination employment as a DROP Participant shall be fixed.
7. **Normal Retirement Benefit Payments and Accruals:** The DROP Participant's monthly Normal Retirement Benefit, together with any supplemental amounts provided to a Participant after retirement as cost-of-living increases and interest on that benefit at a fixed annual rate of 3.5% per annum, shall be credited to the DROP Participant's subsidiary DROP Participant account in the pension trust fund as of the Participant's Retirement Date and on the first day of each month thereafter during the Participant's Normal Retirement Benefit accumulation under the DROP shall be calculated annually and provided to the Participant.
8. **Payment of DROP Benefits:** Beginning on the effective date of a DROP Participant's termination of employment with the Borough, participation in the DROP shall cease; and the retirement Plan shall

calculate and pay the Participant's total accumulated DROP benefits in the DROP Participant's subsidiary DROP Participant account to the Participant subject to the following provisions:

- (a) The terminating DROP Participant or, if the terminating DROP Participant is deceased, the Participant's named Beneficiary shall elect on a form provided by the retirement Plan Administrator to receive payment of the DROP benefits in the DROP Participant's subsidiary DROP Participant account by selecting one of the following options:
 - (i) The balance in the DROP Participant's subsidiary DROP Participant account, less withholding taxes, if any, remitted to the Internal Revenue Service, shall be paid in full within forty-five (45) days by the retirement Plan from the account to the DROP Participant or surviving Beneficiary; or
 - (ii) The balance in the DROP Participant's subsidiary DROP Participant account shall be paid within forty-five (45) days by the Borough of Somerset Police Pension Plan from the account directly to the custodian of an eligible retirement Plan as defined in section 402(c)(8)(B) of the Internal Revenue Code of 1986 or in the case of an eligible rollover distribution to the surviving spouse of a deceased Participant, an eligible retirement Plan which is an individual retirement account or an individual retirement annuity as described in section 409(c)(9) of the Internal Revenue Code of 1986; or
 - (iii) If the DROP Participant or Beneficiary fails to elect a method of payment within sixty (60) days after the Participant's termination date, the retirement Plan shall pay the balance directly to the Employee or the custodian of an eligible retirement plan as provided in subparagraph (i).

The form of payment selected by the DROP Participant or surviving Beneficiary shall comply with the minimum distribution requirements of the Internal Revenue Code of 1986.

- (b) The terminating DROP Participant shall commence receipt of the monthly Normal Retirement Benefit directly starting with the first day of the month coincident with or next following termination of employment with the Borough.

9. Taxation, Attachment, and Assignment of DROP Participant's Account

- (a) Except as provided in paragraphs (b), (c) or (d), the right of a DROP Participant to any benefit or right accrued or accruing under the provisions of this DROP and the money in the DROP Participant's subsidiary DROP Participant account are exempt from any State or municipal tax, levy, and sale; garnishment; attachment; spouse's election; or any other process.
- (b) Rights under a DROP shall be subject to forfeiture as provided by the Act of July 8, 1978 (P.L.752, No. 140) known as the Public Employee Pension Forfeiture Act. Forfeitures under this

provision or under any other provision of law shall not be applied to increase the benefits that a Participant otherwise would receive under this DROP.

- (c) Rights under this DROP shall be subject to attachment in favor of an alternate payee as set forth in a final, un-appealed Domestic Relations Order issued by a court of competent jurisdiction.
- (d) Under Section 8, a Distributee may elect to have an eligible rollover distribution paid directly to an eligible retirement Plan by way of a direct rollover. As used in this paragraph, the following words or phrases have the following meanings:
 - (i) “Distributee” shall include a DROP Participant, a DROP Participant’s designated Beneficiary, and a DROP Participant’s former spouse who is an alternate payee under a qualified Domestic Relations Order.
 - (ii) “Eligible retirement plan” in the case of an eligible rollover distribution to a surviving spouse shall include an “individual retirement account” as defined in section 408(a) of the Internal Revenue Code of 1986.
 - (iii) “Eligible rollover distribution” As defined in section 402(f)(2)(A) of the Internal Revenue Code of 1986.

- 10. Pre-Retirement Benefits: Except for those benefits specified in section 2(b) as forgone by the member, a DROP Participant shall be eligible for any employee benefits provided to active employees before retirement by the Borough and those otherwise provided by law, including but not limited to benefits under the Act of June 2, 1915 (P.L. 736, No. 338), known as the Workers’ Compensation Act; the act of June 28, 1935 (P.L. 477, No. 193) referred to as the Enforcement Officer Disability BENEFITS Law; the act of December 5, 1936 (2nd Ap. Sess. 1937 P.L. 2897, No. 1), known as the Unemployment Compensation Law; the act of June 24, 1976 (P.L. 424, No. 101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act; and the Public Safety Officers’ Benefit Act of 1976 (Public Law 94-430, 42 U.S.C. §90 stat. 1347).
- 11. Disability Pension Benefits: If a DROP Participant becomes eligible for a disability pension benefit under the provisions of the Borough of Somerset Police Pension Plan (Fund) the monthly Normal Retirement Benefit of the DROP Participant shall terminate upon commencement of disability pension benefit payments.
- 12. Service Increments: A DROP Participant’s service during any DROP participation period will not count as service for purposes of determining entitlement to or the amount of disability pension benefit payments.

DROP DEATH BENEFITS

13. DROP Benefits for Designated Beneficiary: If a DROP Participant dies before the DROP Participant receives all funds due the Participant under the DROP, the Participant's designated Beneficiary shall be entitled to apply for and receive the benefits accrued in the DROP Participant's subsidiary DROP Participant account as provided in Section 7.
14. Final Credited Monthly Retirement Benefit: The monthly retirement benefit accrued in the DROP Participant's DROP Participant account during the month of a DROP Participant's death shall conclusively establish the final monthly retirement benefit credited for DROP participation.
15. DROP Eligibility Termination Upon Participant's Death: A DROP Participant's eligibility to participate in the DROP terminates upon the DROP Participant's death. If a DROP Participant dies on or after the effective date of participation in the DROP but before the monthly retirement benefit of the Participant accruable for the month has accrued in the DROP Participant's subsidiary DROP Participant account, the Borough shall pay the monthly retirement benefits, as prescribed in the Plan, as though the Participant had not elected DROP participation and had died after the Employee's effective date of retirement but, before receipt of the retired Employee's first regular retirement benefit.
16. Survivors Ineligible for Active Employee's Death Benefit: The survivors of a DROP Participant who dies shall not be eligible to receive retirement death benefits payable in the event of the death of an active Employee, except as provided for in Section 17.
17. DROP Participant Killed in Service: If otherwise qualified as a "family member" under the killed-in-service provision of Act 600, the named Beneficiary of a DROP Participant who is killed in service in an incident or event when the Participant is acting as a Somerset Borough Police Officer shall be entitled to apply for and receive a recalculation for payment of Survivor Benefits at one-hundred percent (100%) of the DROP Participant's salary as fixed at the Participant's date of retirement.
18. Subsequent Employment and Renewal of Active Membership: Following the occurrence of (i) the termination of the Participant's employment as a police officer with the Borough (ii) and the expiration of the DROP participation period, a former DROP Participant shall be subject to the same re-employment limitations applicable to other retired Employees and shall be eligible for renewed membership as an active Participant in the Borough of Somerset Police Pension Plan. Any employee who has been a DROP Participant shall be ineligible to re-enroll in the DROP.

ADMINISTRATIVE PROVISIONS

19. DROP Participant Account: When the Borough establishes a DROP for an eligible Employee, it shall establish a DROP Participant account to hold that eligible DROP Participant's funds in a separate interest-bearing, ledger book account in its pension trust fund. The account balance shall be accounted for separately but need not be physically segregated from other pension trust fund assets. One separate, interest-bearing, subsidiary DROP Participant account shall be established for each DROP Participant.

When a retired Employee is re-employed as a DROP Participant, the Employee's monthly Normal Retirement Benefit and supplemental amounts provided to a Participant after retirement as cost-of-living increases and interest on that benefit shall be credited to the DROP Participant account under Section 7, interest shall be compounded and credited monthly at a fixed annual rate of 3.5%. When a DROP Participant terminates employment with the Borough as a DROP Participant, the Participant's total accumulated benefits shall be calculated, charged to the DROP Participant account, and paid out of the Pension Trust Fund under Section 8.

The balance in the DROP Participant account shall be excluded from actuarial valuation reports of the retirement Plan prepared and filed under Act 205. The DROP Participant account shall be held in trust for the exclusive benefit of DROP retired Participants who are or were DROP Participants or the beneficiaries of these Participants or an alternate payee pursuant to Section 8.

20. DROPs Existing Prior to Enactment of this Ordinance: If the Borough of Somerset Police Pension Plan DROP in existence on the effective date of any future modification as a result of amendments or revisions to Pennsylvania DROP legislation does not conform to the provisions of the amended DROP legislation the Borough shall amend its Plan within one hundred eighty (180) days of the effective date of this legislation or when the current labor-management agreement creating the Plan expires, whichever is later, to conform with the then current and effective legislative provisions, or as required by future amendments, repeals or modifications to applicable legislation.
21. Noncompliance: If the Borough of Somerset fails to comply within ninety (90) days with a final, non-appealed finding or determination by the Pennsylvania Auditor General of noncompliance, or, if such finding is appealed, within ninety (90) days of the conclusion of the appeal process by a non-appealed or unappealable final order, failure to comply shall be deemed sufficient refusal by the Borough to comply with its duty precedent to the commencement of a mandamus action and the Auditor General shall refer the finding to the Attorney General, following an administrative proceeding in accordance with Pennsylvania Law (relating to administrative law and procedure) shall proceed in the name of the Commonwealth to institute a legal proceeding for mandamus, and no other remedy at law shall be deemed to be sufficiently adequate and appropriate to bar the commencement of this action.

22. Suspension of DROP: In no case shall the Borough be obligated to continue the DROP if the existence of the DROP requires the Borough to make any additional payments into any pension plan at any time. Should it be determined that the existence of the DROP requires the Borough to make additional payments into any of its pension plans, no Participant shall be permitted to enter the DROP after the date of determination. Upon the expiration of the DROP Participation period for DROP Participants who were participating in the DROP at the date of the determination that the existence of the DROP would cause the Borough to make additional payments into any of its pension plans, the DROP shall be suspended and shall not be reinstituted unless and until an actuarial study performed by the Plan's Actuary demonstrates that the DROP can be reinstituted without requiring the Borough to make additional payments into any other pension plan the Borough maintains.
23. All Ordinances or portions of Ordinances inconsistent and/or conflicting with the provisions of this Ordinance are hereby repealed.
24. This Ordinance shall be effective immediately upon passage.

DULY ENACTED AND ORDAINED this 23rd day of October, 2023, by the Borough Council of the Borough of Somerset, in public session.

- i) *Police Pension Plan Ordinance No. 1388* – Consider adopting the Pension Ordinance to create an early retirement option under the Police Pension Plan. This was the result of the police contract negotiations.

Motion:

Mrs. Miller moved, Mrs. Ream seconded, to adopt the Pension Ordinance to create an early retirement option under the Police Pension Plan.

Motion Unanimously Carried

ORDINANCE NO: 1388

**BOROUGH OF SOMERSET, SOMERSET COUNTY
AN ORDINANCE AMENDING THE BOROUGH OF SOMERSET POLICE PENSION PLAN**

WHEREAS, the purpose of this Ordinance is to amend a certain portion of the Borough of Somerset Police Pension Plan, as heretofore enacted, amended, and revised.

NOW, THEREFORE, it is enacted and ordained:

Section 1. By adding the definition of **Early Retirement** to §45-14, Age and service requirements of Article II.

C. Each person who has been employed by Somerset Borough as a member of the police force for twenty (20) years in the aggregate before their superannuation retirement date may file a written request to the Borough for an Early Retirement Date, and such date cannot be earlier than the first day of the month on or after the date they have filed the written request. The participant's Early Retirement Benefit shall be determined by applying the percentage the member's years of service bears to the years of service which the member would have rendered had the member continued to work until his/her superannuation date. The determination will be made based on the monthly average salary during the thirty-six (36) months before the member's Early Retirement Date. The Early Retirement Benefit will also be actuarially reduced for commencement before the superannuation date using the actuarial assumptions reported in the last actuarial valuation report filed with the Public Employee Retirement Commission under Act 205.

Section 2. All Ordinances or parts of Ordinances inconsistent with this Ordinance are repealed.

Section 3. This Ordinance shall be effective when the Mayor of the Borough of Somerset approves and signs it or on the date of enactment by the council over the mayor's veto under the provisions of the Borough Code and shall apply retroactively as may be necessary as required by law.

DULY ENACTED AND ORDAINED this 23rd day of October, 2023, by the Borough Council of the Borough of Somerset, in public session.

j) *Parking Fee Ordinance No. 1389 – Consider adopting the Ordinance that changes the structure of the fines for parking violations.*

Ms. Enos said everything has been changed to Council's wishes, has been advertised and ready for adoption. It will be effectively immediately.

Motion:

Mrs. Ream moved, Mrs. Miller seconded, to adopt the Ordinance that changes the structure of the fines for parking violations.

Motion Unanimously Carried

ORDINANCE NO. 1389

AN ORDINANCE OF THE BOROUGH OF SOMERSET ESTABLISHING PENALTIES FOR VARIOIUS PARKING VIOLATIONS

BE IT, AND THE SAME IS HEREBY ORDAINED AND ENACTED as follows:

SECTION 1. Any person who commits an overtime parking infraction in the Borough of Somerset by parking a vehicle at a time-expired parking meter, or in a non-metered, but time-limited parking space, whether on a public street or within a public parking lot, shall be assessed the following penalty:

THIRTY (\$30.00) DOLLARS per infraction. In the event payment of the penalty is made not more than three (3) days after the date of issue of the parking ticket, a payment of Fifteen (\$15.00) Dollars will be accepted as payment of the penalty in full, UNLESS more than one (1) parking ticket had been issued because the same vehicle had been wrongfully parked at the same location on the same day, whereupon in such case no reduction in the penalty amount for any of such parking ticket shall be applied. In the event there is no payment in full of the penalty due within fifteen (15) days of the date of issue of the parking ticket, then the amount of the penalty shall be increased to SIXTY (\$60.00) DOLLARS per infraction.

SECTION 2. Any person who commits a parking infraction in the Borough of Somerset by parking a vehicle during prohibited hours, shall be assessed the follow penalty:

TWENTY FIVE (\$25.00) DOLLARS per infraction.

SECTION 3. Any person who commits a parking infraction in the Borough of Somerset by parking a vehicle within a prohibited distance from a certain object or physical feature, shall be assessed the following penalty:

TWENTY-FIVE (\$25.00) DOLLARS per infraction.

SECTION 4. Any person who commits a parking infraction in the Borough of Somerset by parking a vehicle in a place where official signs prohibiting parking have been erected, shall be assessed the following penalty:

TWENTY (\$25.00) DOLLARS per infraction.

SECTION 5. Any person who commits a parking infraction in the Borough of Somerset by parking a vehicle against the flow of traffic, shall be assessed the following penalty:

TWENTY-FIVE (\$25.00) DOLLARS per infraction.

SECTION 6. Any person who commits a parking infraction in the Borough of Somerset by parking a vehicle which blocks or interferes with a sidewalk, a non-public driveway or lane, or which fails to fall within lines marking out a vehicular parking space, shall be assessed the following penalty:

TWENTY-FIVE (\$25.00) DOLLARS per infraction.

SECTION 7. Any person who commits a parking infraction in the Borough of Somerset by parking in violation of the Residential Parking Permit provisions, shall be assessed the following penalty:

TWENTY-FIVE (\$25.00) DOLLARS per infraction.

SECTION 8. Any person who commits a parking infraction in the Borough of Somerset by backing into public parking lot parking spaces which have been designated for “head-in” parking, shall be assessed the following penalty:

TEN (\$10.00) DOLLARS PER INFRACTION.

SECTION 9. Any person who commits a parking infraction in the Borough of Somerset by parking in violation of Pennsylvania law regarding Handicap Parking provision, shall be assessed the following penalty:

TWO HUNDRED (\$200.00) DOLLARS per infraction.

SECTION 10. All Ordinances or parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

SECTION 11. Any provision contained within this Ordinance that is inconsistent with the laws of the Commonwealth of Pennsylvania, now in effect or hereafter enacted, is deleted herefrom as surplus, and shall not affect the applicability and validity of the remaining portions hereof.

SECTION 12. This Ordinance shall take effect immediately.

ENACTED AND ORDAINED this 23rd day of October 2023 by the Borough Council of the Borough of Somerset.

k) Appointment of Treasurer – Discussion concerning the appointment of a Treasurer.

Ms. Enos said that Somerset Trust used to act as the Borough's Municipal Treasurer. They have since said that they no longer wish to be the Treasurer, because they would want more access to financial records, and they feel like they are not part of the internal function of the Borough. So they have opted not to continue in this role.

She said that in the Borough Code, it does allow for the Borough Manager to also be the Treasurer and be separately bonded. It also states that the Director of Finance should not act as Treasurer because he is preparing the financials. Ms. Enos said that if Council chooses to do this, she would take on the responsibility, which is no different than how it is presently being done. It will just be a more formal Resolution. Ms. Enos added that she would make sure that we have proper bonding. She also noted that she gave the Borough's Insurance Company a "heads up" on this, as well.

It was mentioned that another Resolution would need to be drawn up, repealing the current one, which states that Somerset Trust is the Borough's current Treasurer.

Motion:

Mrs. Miller moved, Mr. Shaulis seconded, to authorize that a new Resolution be prepared for the next Council Meeting stating that Ms. Enos is the Borough's new appointed Treasurer.

Motion Unanimously Carried

Motion:

Mr. Mandichak moved, Mrs. Ream seconded, to authorize the adoption of a Resolution to remove Somerset Trust Company as the appointed Treasurer for Somerset Borough.

Motion Unanimously Carried

Motion:

Mrs. Miller moved, Mr. Hoffman seconded, to designate the amount of the bond, required by section 1106A of the Borough Code, be determined by the Insurer not to exceed \$700,000.00.

Motion Unanimously Carried

l) Parking Regulations – Consider affirming the suspension of parking regulations during construction and through the Fire & Ice Festival.

Motion:

Mr. Hoffman moved, Mr. Mandichak seconded, to suspend parking regulations during construction, and through the Fire & Ice Festival.

Motion Unanimously Carried

- m) *Fire & Ice Festival* – Consider purchasing a one block ice sculpture in the amount of \$395.00 for the 2024 Fire & Ice Festival.

Mrs. Ream said this is something that is done each year, and something that they like to do.

Motion:

Mrs. Ream moved, Mr. Shaulis seconded, to purchase a one block ice sculpture in the amount of \$395.00 for the 2024 Fire & Ice Festival.

Motion Unanimously Carried

- n) *Stormwater Facilities Ownership Transfer* – Motion to approve the transfer of ownership from the Borough of Somerset to the Municipal Authority of the Borough of Somerset for existing and future Stormwater Underground Facilities.

Motion:

Mrs. Miller moved, Mr. Mandichak seconded, to approve the transfer of ownership from the Borough of Somerset to the Municipal Authority of the Borough of Somerset for existing and future Stormwater Underground Facilities. The transfer will also include a Deed.

Motion Unanimously Carried

Committee, Administration, Special Reports

- a) *Manager's Report* - (Enos)

Ms. Enos reminded Council Members of the upcoming Special Budget Meeting that will be held on Monday November 13, 2023 at 5:00 p.m.

- b) *President's Report* – (Ream)

Mrs. Ream thanked the Sewage Treatment Plant for entertaining the School District. She said that this type of program, like ones being held at UPMC Somerset Hospital, helps to bring in school students so that they can see what options are out there. It is a good way to find individuals who may be interested in working in these types of environments. She added that it was well received, and added, that this was nice to do.

c) Finance Report – (Peters)

Mr. Peters stated that the Finance Report for September 2023 is on the Portal of the Somerset Borough's website for Council's review.

<u>General Fund:</u>	<u>Water Fund:</u>	<u>Sewer Fund:</u>
Revenues – 92.95%	Revenues – 192.09%	Revenues – 83.97%
Expenses – 78.52%	Expenses – 212.85%	Expenses – 92.26%

d) Engineer's Report - (Reilly)

Mr. Reilly discussed the following updates to the Engineer's Report:

WATER:

1) Water System Capital Improvement Projects:

Mr. Reilly said that Kukurin Contracting is currently 50% complete with the Water Line Project. They are still putting in waterline, but their intention is to get all of the trench restoration done before the weather gets bad so we don't have maintenance issues and plowing issues.

He said that the inspection staff is going around with Kukurin taking a look at specific roads and looking at the existing restoration to make sure it is going to be adequate for the winter. Some issues have been identified and will need to be corrected.

Mr. Reilly also mentioned that work is continuing in Bakersville.

2 & 3) East Main Street Water Line & Patriot Manor Loop:

Mr. Reilly said that there is still a lot of funding applications for these areas. CFA from DCED may have a meeting in November to talk about those grant projects.

SEWER:

1) Assessment, Repair, and Abatement Plan (Hydraulic Overload):

Mr. Reilly said that the preliminary design for the Large Sewer Project is 30% complete. He said that we are getting to the point where we can start scheduling an initial funding application to PennVEST because we are going to use them again for the sewer funding. Permits need to be in hand before we can complete the PennVEST application process.

A tentative schedule for the first funding application will probably be for February or May of 2024. Mr. Reilly expressed that it is important to get the funding application in the first part of 2024, because PennVEST is currently throwing out some really attractive financing offers for these projects.

Mr. Reilly said we still have the H2O funding application in for Brierwood for the sanitary sewers. There has not been much word on whether CFA is going to do anything with those H2O projects.

GENERAL:

1) Church Street – Box Culvert Repair:

Mr. Reilly mentioned that this is done. The project close-out remains, but the overall construction is completed.

2) Center Ave. Sidewalk:

Mr. Reilly said that there is still a lot to do with this project. Most of the utilities are renewed now, but we are at a 20% progress and there is a lot of sidewalk work to do.

e) Somerset Inc. Representative – (Hoffman)

Mr. Hoffman said that there is ongoing planning for both “Light-Up Night” and “Fire & Ice”. He mentioned that the Brinker Building progress continues.

A number of Façade Grants were issued. Mr. Hoffman expressed that it is good to see a lot of the buildings being improved through these grants.

Discussion regarding the squatter situation in the Borough was discussed among Borough Council, and how it can to be dealt with legally.

Mr. Hoffman noted that this problem is something that is increasing in the Borough. He also thanked the Police Force for their help in a recent squatter incident he was involved in through work. He expressed that their responsiveness was very helpful and insightful.

f) Fire Department Representative - (Shaulis)

Mr. Shaulis said that from September 25th the Fire Department had a total of 32 fire calls, 13 were in the Borough, 17 were in the Township and 2 were on the PA Turnpike. Total man hours between those calls were 1,865.68 hours, which is all volunteer time.

The Fire Department recently held a Golf Scramble at the Country Club, and also hosted a Cash Bash. He added that the Fire Department made out very well on both of those events.

Mr. Shaulis also mentioned that the Fire Department is getting ready to winterize.

g) PSAB Representative – (Rosemeyer)

Mayor Rosemeyer said that the PSAB recently held their Conference in Erie, PA. He added that it went very well.

He mentioned that he and Mr. Clark were discussing the recent issue where the Borough had 3 gas hits in one day, which brought 4 different fire companies here to the Borough. They want to send a Letter of Appreciation to these fire companies for coming here to help us. He said that 3 gas leaks, in one day, brought a lot of volunteers here to the Borough.

Mayor Rosemeyer also mentioned setting a date for a special meeting to discuss Chief Coxes retirement. He and Ms. Enos discussed hiring a temporary Assistant Chief before his retirement.

Mayor Rosemeyer said that he spoke with a Cadet at the Westmoreland County Police Academy who will be graduating in a month. He is very interested in coming to Somerset Borough as a Police Officer. Mayor Rosemeyer expressed that we need help, and noted that Chief Cox is

working shifts and covering weekends because of the staffing problem. He expressed that he hopes the upcoming special meeting will solve some of these problems.

h) Solicitor's Report – (Cascio)

Solicitor Cascio had nothing further to report.

i) Mayor's Report – (Rosemeyer)

Mr. Rosemeyer had nothing further to report.

6. Executive Session – None requested.

7. ADJOURNMENT

Motion:

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

Motion Unanimously Carried
6:55 p.m.

Michele A. Enos, Borough Manager/ Secretary