

**Council Meeting**  
**March 23, 2009 – 7:30 p.m.**

Meeting was called to order by Council President, Mary Ann Smith.

Present: Hank Parke, Ruby Miller, Peggy Shaffer, Mary Ann Smith, Council Members. Brett Peters, Director of Finance; Benedict G. Vinzani, Jr., Borough Manager; Michele Enos, Assistant to the Borough Manager; George Svirsko, Director of Public Works; John Dirienzo, Borough Solicitor; Eric Critchfield, Engineer; William Meyer, Mayor; Randy Cox, Chief of Police. (Sign-in sheet is on file).

Meeting opened with recitation of the Pledge to the Flag.

Mr. Vinzani introduced Becky Minnick from the Somerset School District, explaining that they will be videotaping tonight's meeting as part of their curriculum. He offered to answer questions during any part of the taping.

Previous Meeting

Mrs. Miller moved to approve minutes of the previous meeting of February 23, 2009 – motion seconded by Mr. Parke.

Unanimously Carried.

Exchange Club Anniversary

Mr. Vinzani introduced members of the Exchange Club of Somerset, thanked them for attending tonight's meeting, and presented them with a Proclamation, proclaiming March 24, 2009 to be "The Exchange Club of Somerset's 30<sup>th</sup> Anniversary in the Borough of Somerset".

Flag Committee

Jay and Sue Carson, representing the Somerset County Flag Committee, addressed Council concerning the flag located behind the Quality Inn which was destroyed due to severe weather. They feel that the flag is important to our community and should be replaced. They are looking for financial help and manpower to remove and install it. Flight 93 is involved. They will have a re-dedication on Flag Day. The Quality Inn representatives stated they will cover insurance. They described work to be done in the general area and associated costs. Flight 93 people say they will supply the flag. Others will be contacted and are offering assistance.

Bill Payment

Mrs. Miller moved to pay the following bills as presented, motion seconded by Mr. Parke:

Check Numbers: 13049 to 13220 - Total Amounts: \$368,168.41

Vote: Miss Shaffer, yes; Mrs. Miller, yes; Mrs. Smith, yes; Mr. Parke, yes.

Unanimously Carried.

Sanitary Sewer Ordinance

The Solicitor said the original draft regarding information from realtors for the sanitary sewer testing ordinance made the distinction between commercial versus residential. He provided a draft ordinance for council's consideration, revising it to remove the distinction; they have other terms for each piece of real estate in the Borough regardless of its use. Mr. Vinzani said we are still waiting for information from realtors.

CGI Communications

Mrs. Smith said the Manager recommends authorizing an agreement for an updated community video, as a way to promote Somerset.

Mr. Parke moved to authorize an Agreement for an Updated Community Video – motion seconded by Miss Shaffer.

Unanimously Carried.

Record Retention Guidelines

A brief synopsis of the new set of major record retention changes in the law was sent to Council concerning the Commonwealth's record retention guidelines. Mr. Vinzani said electronic media addressed in this guideline was not envisioned earlier, and in some cases it requires more retention of more records.

Miss Shaffer moved to adopt the new Commonwealth of Pennsylvania Record Retention Guidelines – motion seconded by Mrs. Miller.

Unanimously Carried.

Shade Tree Commission

Mr. Parke said Carroll Rickenbrode has agreed to attend one of the tree care programs. Mr. Vinzani said we would share 50 percent of the \$200 cost for her training for a tree survey this summer.

Mr. Parke moved to add the additional member to the Shade Tree Commission, plus pay half of the cost to train her.

At this point the Solicitor said he understands that she should be added to the committee, instead of commission.

Mr. Parke then moved to add Carroll Rickenbrode to the Shade Tree Committee, and pay half of the cost for her training. Motion seconded by Mrs. Miller.

Unanimously Carried.

Change Order for Chemical Feed Building

Mr. Critchfield presented the summary of requested changes for the chemical feed building:

<u>Requested Changes</u>	<u>Justification</u>	<u>Amount</u>
1. Install telephone mast & conduit.	To provide telephone service for instrumentation control after low frequency radio controls failed to function properly.	\$580.00
2. Install circulating pump on chemical analyzer waterline.	Will recycle 1,400 gpd of water otherwise lost from the system. Will pay for installation in 1-1/2 years.	\$1,700.00
3. Install frost wall under exterior sidewalk.	Owner requested change to construct the sidewalk at the same elevation as the building floor slab to permit easier loading of chemicals.	\$4,500.00
4. Install conduit and control wire to tie existing tank level sensors into new control system.	Owner requested change to improve information reliability.	\$1,300.00

He said the project is approximately 96 percent complete and he does not foresee any additional contingency items.

Mr. Parke moved to authorize the four change items of the Change Order for the chemical feed building – motion seconded by Mrs. Miller.

Unanimously Carried.

Penn Dot Resolution – Sidewalk Project

Miss Shaffer moved to adopt the following Resolution; motion seconded by Mrs. Miller:

RESOLUTION NO. 2009-06

WHEREAS, the Commonwealth of Pennsylvania, acting through the Department of Transportation, has agreed to transfer to the Borough of Somerset all of its right, title and interest in and to the sidewalk system to be installed on North Center Avenue (S.R. 601, Section 005) included in the North Center Avenue Turning Lane Project in the Borough of Somerset, Somerset County, Pennsylvania, in accordance with the terms, condition and covenants of the attached Agreement, and;

WHEREAS, the Borough of Somerset, Somerset County, desires to approve the Agreement;

NOW THEREFORE, BE IT RESOLVED, and it is hereby resolved by authority of the Somerset Borough Council, Somerset County, that the Agreement is hereby approved, and that Vice President of Council, Ruby W. Miller, is hereby authorized and directed to execute the attached Agreement on its behalf and that Borough Secretary Benedict G. Vinzani, Jr., is authorized and directed to attest the same.

Unanimously Carried.

Donation Request – 10-K Race

Mrs. Smith said the Daily American has requested a donation for their 10-K Race. The Finance Committee met Friday and after discussing the matter, Mrs. Miller pointed out that a certain amount is budgeted each year for donation requests.

Mrs. Miller moved to donate \$200.00 for the 10-K Race, motion seconded by Miss Shaffer.

Carried 3-1  
(Mr. Parke voted “no”)

### Zoning Ordinance Amendment

Attorney Carroll asked Council to consider a 12-foot high chain link fence for our athletic fields, for safety measures. Presently, our ordinance allows for a 7-foot high fence. An amendment would allow our zoning ordinance to exceed 7-foot fencing for athletic fields. They discussed safety measures, location, fence coating material and the need for the Planning Commission's recommendation, in accordance with the municipality's Planning Code.

Mrs. Miller then moved to refer Attorney Carroll's request to the Planning Commission, for an amendment to our Zoning Ordinance to allow a 12-foot high chain link fence for our athletic fields – motion seconded by Mr. Parke.

Unanimously Carried.

### Safety Building Renovation

Gary Thomas, Somerset Fire Department, said they hope to have the fire hydrant markers on each hydrant within the next couple of years. This makes it easier to find the hydrants in snow, and the markers will have flags to indicate the hydrant pressure.

He asked if the Fire Department might acquire the small room adjacent to the council room for a second exit and small meeting room. Mr. Vinzani said we still have things to be archived in that room and he would like to re-assess the situation once the Borough has relocated everything that needs to be moved to that room from the Public Works Garage and Borough Building. Mr. Vinzani said that we (the Borough) had always planned to utilize that space and that if we do not have it available, we will most likely be requesting that Council provide us with additional space. We went on record before that we needed every room up there even before we decided to let the Fire Department use the entire Council Room. Mr. Vinzani mentioned to Gary on two occasions that the Borough would like to finish its move and re-assess its situation to see if there is enough room for ourselves. Because we still have things at the garage and at the Municipal Building to be archived over there, Mr. Vinzani said that he did not want to get into a situation where he has to ask council for more space. But the realistic part is that we are not yet finished with our records placement. Mr. Vinzani thought we had agreed to wait until we're all done moving and then reassess the situation.

Mr. Parke moved to give the Fire Department permission to renovate the Council room – motion seconded by Mrs. Miller.

Unanimously Carried.

## Committee Reports

Mr. Vinzani reported on the following meetings/seminars:

- Attended the County's Annual Weather Exercise, along with Mrs. Miller, Mr. Rosemeyer and Mr. Svirsko, sponsored by the County's 911 System. Purpose is to help us become more familiar with emergency management procedures.
- Bi-monthly meeting of the Somerset Area Joint Utilities, along with Mr. Svirsko.
- Finance Committee meeting.
- Customer Relations Committee meeting.
- He and Mr. Svirsko were "presenters" at an LED seminar sponsored by the Southern Alleghenies Planning & Development Commission to convey their experience on the Borough's LED traffic signals. Savings are substantial, and other communities are interested.
- Safety Committee meeting.
- A Community Strategy meeting, sponsored by the County Redevelopment Authority.

## Engineer's Report

Mr. Critchfield said the chemical feed building construction is essentially complete. Some glitches were encountered with the start-up and calibration of the equipment, and they are working with the equipment suppliers to resolve them, along with some on the County's side where there was a water surge. He will report on the project at the next meeting.

## Public Works Committee

Mrs. Miller reported the following: A recall on the vector has been addressed. Mr. Svirsko bought a Dodge used van, at 27,000 miles. The old vehicle was given to Mr. Jury. All is going well at Public Works. Interns will be hired for the summer. Streets will be repaired. She attended the Somerset County Boroughs Association meeting in Meyersdale.

Chief Cox raised the issue of the COPS Program (Community Oriented Police Service). Because of the time frame, they submitted the grant for money to supply police services here. The grant is for 100-percent funding for three years, then we would be committed to keeping the officer for one year - new, full time officers only, or for "re-hired officers who have been laid off or are scheduled to be laid off at a future date." Council would need to approve the grant, but the submittal date is before next council meeting. They discussed the past history of part-time and full-time officers' years of employment, upcoming retirees, and possible need for new hires.

## Finance Committee

Mrs. Miller reported that tax funds are coming in; Mr. Peters said the due date is next month. Mrs. Smith added they are looking at all expenses very carefully.

## Somerset Inc.

Mr. Parke said they are preparing for a fund raiser, “Kings in the Kitchen” scheduled for mid-April.

## Solicitor’s Report

Mr. Dirienzo said the Code Enforcement cases have been continued.

## Mayor’s Report

Mr. Meyer said he was asked to read a proclamation declaring this week “National Boys and Girls Club Week”.

## Executive Session

Miss Shaffer moved to enter into Executive Session for the purpose of negotiations – motion seconded by Mrs. Miller.

Unanimously Carried – 8:32 p.m.

## Adjournment

Regular Council meeting reconvened, and then adjourned, on motion of Miss Shaffer, seconded by Mrs. Miller.

Unanimously Carried. – 9:07 p.m.

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Benedict G. Vinzani, Jr., Ph.D.  
Borough Manager-Secretary