

## **Council Meeting**

**July 27, 2009 – 7:30 p.m.**

The meeting of Somerset Borough Council was held this date, chaired by Vice President, Ruby Miller.

### Present:

Ruby Miller, Frank Koval, Fred Rosemeyer, Hank Parke, Peggy Shaffer, Council Members. Randy Cox, Chief of Police; Ben Vinzani, Borough Manager; William Meyer, Mayor; John J. Dirienzo, Borough Solicitor; Michele Enos, Assistant to the Manager; Brett Peters, Director of Finance; George Svirsko, Director of Public Works; Tom Reilly, Consulting Engineer; Gary Thomas, Fire Chief. (Sign-in sheet is on file, Minute Book)

Meeting opened with recitation of the Pledge of Allegiance to the Flag.

### Approval of Previous Meeting Minutes

Mr. Parke moved to approve minutes of the June 22, 2009 meeting – motion seconded by Mr. Koval.

Unanimously Carried.

### Certificate of Appreciation

The Mayor presented Officer David Deist with a Certification of Appreciation from the PA Aggressive Driving Enforcement and Education Program, in recognition of his contributions to their effort.

### General Public Comments

Sienna Davis presented a petition from residents concerning parking on West Garrett Street. There are numerous reasons why they do not want students from the high school to park here. The School Board tried to help discourage students from parking here. She said they are asking for help from the Borough Police Department. The Mayor said there are signs that are not enforceable since an active ordinance was not adopted. An option might be to make the area “no parking” all the time or during certain months or hours, but residents there do not have any other place to park. He recommended looking at the “resident only parking” ordinance but those who want the ordinance would have to be 75 percent. Other suggestion is to make the “resident only” parking more workable.

Mr. Vinzani said changing the ordinance would mean preparing and advertising. To administer the program would require taking an application, reviewing it, making a determination of who is eligible, then issuing the stickers and passes.

Mr. Cox said resident parking would probably mean issuing a large amount of tickets, but if backed by an ordinance, they would just ticket the vehicle and officers would not have to run plates.

Mrs. Davis pointed out problems that occur here with bus congestion, skateboards, students parking the wrong way and pulling out in front of buses on Columbia, and that it has become very dangerous.

They discussed fees (\$10 per vehicle) and residents having to pay to park on their street. Mr. Parke said Council is trying to figure out how to solve the problem and deciding which of three options is best. Mrs. Miller asked if the visitors' fee could be dropped. The Solicitor said it is part of the ordinance.

A suggestion was offered to merely enforce the signs that are there by tagging students that are there from 8 to 12 p.m. A problem is that when the signs were placed, these hours were appropriate but now it starts too late and the signs are not enforceable. Mrs. Miller asked about giving each resident a tag for their car – Mr. Dirienzo said this is clearly a residential/non-residential parking problem. There is some resistance to paying any fee at all for the permit, and it is difficult to declare it a certain zone.

If we are to consider an adjustment for declaring a residential parking area, it would require an ordinance amendment; reducing the fee could then be done at the same time. Before restricting non-residents from parking here, find out if this is the problem. Concerning students, they will not be residents; therefore it is a question of adjusting the ordinance to confirm this. It is more of a neighborhood function, other than a police function. We can relax the standard, adjust the procedure and eliminate the permit fee in a single ordinance amendment. There would need to be some mechanism put into place as to how long the temporary “no parking” signs can be used.

In answer to a complaint regarding a utility pole placed in a driveway area, Mr. Vinzani stated the Borough is not involved in this issue - the Utility Commission should be contacted

The School Board said they are willing to help with the parking problem, but cannot force students to park on the school property. Many parking on the street have permits to park at the school.

This will be tabled, after consultation with the Public Safety Committee, Chief, and Mrs. Davis, to come up with the best three options for next month's meeting. Mrs. Miller said that in the meantime we could check to see who the residents are and how many cars are here from 7:30 a.m. to around 3:00 p.m.

## Street Paving Bids – 2009

Mr. Vinzani presented the one bid received from New Enterprise Stone & Lime Company, for “superpave wearing course-in-place”, and recommended award.

Mr. Rosemeyer moved to award the bid as follows, motion seconded by Miss Shaffer:

<u>Item:</u>	<u>To:</u>	<u>Amount:</u>
Superpave Wearing Course-in-place	New Enterprise Stone & Lime Co.	\$78.45/ton

Unanimously Carried.

Gary Thomas reported on the old council room renovations, which they are doing themselves. It will become a meeting room and can be used by the public as well. They are placing a contract to buy a new engine with a 75-foot ladder, built to specifications. The new engine will supply us with rating for insurance services and lower and keep our insurance services low. They are now at Class IV and are attempting to move to Class III.

Mrs. Miller said the Somerset County Boroughs Association meeting will be held on September 17, and asked the Police Chief to be present to show the new fingerprinting machine. They are looking at a grant from the State to repair or replace the grid for the alarms.

### Payment of Bills

Mr. Koval moved to pay the following bills as printed, motion seconded by Mr. Parke:

Check Nos. 13745 to 13943                      Total Amount: \$360,940.56

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

Unanimously Carried.

### Old Business

Concerning a stop sign request from Robert Baum for the intersection of Patton Street, Chief Cox said he recommends against placing the stop sign here since there is no history of accidents at this intersection, and the volume of traffic traveling this street is not enough to justify placement of a stop sign.

Mr. Parke moved to follow the Chief’s recommendation as stated – motion seconded by Miss Shaffer.

Unanimously Carried.

### Recommendation – Meal Policy

Mrs. Miller said the Finance Committee reviewed our “reimbursement for meals policy”, and recommends that reimbursement be kept at a maximum of 30 dollars per day, with tipping not to exceed 15 percent per meal, capping at \$4.50 per day for every Borough employee including Council. Mrs. Miller said she feels that 30 dollars is reasonable, and any differences can be paid by the employee/councilperson.

Miss Shaffer moved to continue our meal reimbursement policy at a maximum of 30 dollars per day, with tipping not to exceed 15 dollars per meal with a cap of \$4.50 per day – motion seconded by Mr. Parke.

Vote: Miss Shaffer, yes; Mrs. Miller, yes; Mr. Parke, yes; Mr. Rosemeyer, no; Mr. Koval, no.

Motion Carried (3 – 2)

### Ordinance – Vacant Property

Mr. Vinzani said at the last meeting they intended to form a committee with the Solicitor to look at vacant properties and present something to Council for consideration. Mr. Dirienzo said we need to know if there are things that are wanted or not wanted in the ordinance. It requires formation of commissions and review agencies. Mr. Vinzani said we have an ordinance requiring a permit to demolish a building, regardless of condition or if in a historic district.

In discussing historic preservation, it was pointed out that some may say they can simply go to the Redevelopment Authority for money to demolish a building, rather than spend money to renovate. A draft ordinance from Altoona will be circulated.

### New Business

#### Laurel Arts Donation Request

A request was received from Laurel Arts for a donation of \$500 to help defray costs of “no parking” signs and Fire Police for the Somerfest parade. Chief Cox said they contract two officers for the park’s concert and three officers for Somerfest, at regular time. A newly hired officer would be lower; an experienced officer would be higher, along with overtime pay.

Mr. Parke offered to donate five hundred (\$500.00) dollars to Laurel Arts towards cost of police presence; motion seconded by Miss Shaffer.

Unanimously Carried.

Mr. Rosemeyer commented on the outstanding job performance of the Borough Police officers in handling a disorderly conduct situation at Somerfest.

### Committee, Administration, Special Reports

#### Manager

- Mr. Vinzani said he attended a seminar concerning energy efficient grants available to municipalities. He has been participating in committee discussions regarding Light up Night, in which they are considering adding some new activities.
- The Shade Tree Commission met July 6 and 21.
- The County Drug Task Force met July 14.
- The Conservation District met on July 8. They discussed a program to provide rain barrels for our residents to address water conservation and storm water management. These can make a difference in preventing ponding, and he and the Director of Public Works looked at areas of the Borough which might benefit from this.
- The Finance Committee met July 17.

Mr. Koval said the Somerset County Boroughs Association is offering shirts, jackets, pins, etc. in celebration of its 100<sup>th</sup> Anniversary. He moved to have the Borough buy each Council member an item for the SCBA's 100<sup>th</sup> Anniversary. Several members suggested having each buy their own.

Motion died, for lack of a second.

Chief Cox explained a new system now in use with the School District that will do phone calls, text messages and emails. They pay a significant price, and the company, "Nixel" will provide the same thing minus the phone call. Representatives would be established as administrators. Other municipalities are using it. It is a program effort that is incorporated, but funded by private funding sources. It is designed only for municipalities or governmental agencies.

Mr. Rosemeyer moved to follow up on this system – motion seconded by Miss Shaffer.

Unanimously Carried.

#### Engineer's Report

Mr. Reilly reported that the Borough opened bids on the Hickory Hill sewer, and they will have a recommendation in August.

#### Public Works Committee

Mrs. Miller said the Public Works department is in good shape, however one truck may not pass inspection.

### Equipment Committee

Mrs. Miller informed them of three manholes needing repair. They are too deep, and will be raised. The newspapers will be notified of the date.

### Public Safety Committee

Mr. Dirienzo said our parking system needs to be redone. This would be a sizeable undertaking, and we must be sure that the administration has the ability to collect the proper information.

Mr. Vinzani said we have some ordinances that establish parking and speed limit regulations that were done years ago. Mr. Cox said they found places that should be speed signed that are not, and found some that are signed that should not be or have the wrong speed limit. Three ordinances need to be drafted; Clover Hill area, Forrest, McKinley and Colby. Mr. Svirsko has specifics for Brierwood.

Mrs. Miller asked if a privacy fence would be installed between Village Way and Brierwood III. She said there are problems with children entering the senior complexes and causing disturbances. Mr. Vinzani said he will make an inquiry.

### Finance Committee

Mr. Peter's report shows no red flags and they are trying to work up the budget with no tax increase.

### Shade Tree Committee

Mr. Parke said we need to get an inventory started. Major areas identified are from the Turnpike through Main Street; a block on either side of the Diamond and back onto Tayman and Patriot.

### Somerset, Inc.

Mrs. Miller said the recent festival held at Cernics Kawasaki/Suzuki Sales should have more publicity, and could become an asset to Somerset.

### Mayor's Report

Mr. Meyer invited all to attend Somerset National Night Out on August 4. He said he is invited to a groundbreaking ceremony at the Lutheran Commons, Plank Road, a senior housing ministry of the Allegany Lutheran Social Ministries.

Concerning the traffic signs, Mr. Cox said Brierwood was not presented at last month's speed limit and stop sign approvals.

Mr. Rosemeyer moved to include all stop signs and speed limit signs on one ordinance – motion seconded by Mr. Parke.

Unanimously Carried.

Mr. Vinzani said there are problems with some concrete slabs that were poured in last Fall's Uptown Replacement Project. The contractor has agreed to replace them at no cost to the Borough.

Adjournment

Mr. Koval moved to adjourn, seconded by Miss Shaffer.

Unanimously Carried.

9:17 p.m.

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