

Somerset Borough Council Meeting
April 19, 2010 – 7:30 p.m.

Meeting was called to order by Ruby Miller, President.

Present: Paul Urbain, Ruby Miller, Frank Koval, Hank Parke, Fred Rosemeyer, Wanda Miller, Scott Walker, Council Members. Ben Vinzani, Jr., Borough Manager; Michele Enos, Assistant to the Manager; Brett Peters, Director of Finance; George Svirsko, Director of Public Works; Tom Reilly, Consulting Engineer; John J. Dirienzo, Jr., Borough Solicitor; William Meyer, Mayor; Randy Cox, Chief of Police.

Meeting opened with recitation of the Pledge to the Flag.

Accreditation Commission Ceremony

Mr. Mastroianni, Law Enforcement Accreditation Commission member, thanked all guests and presented special introductions. He explained accreditation requirements, stating that the Borough of Somerset's Police Department is comprised of part of the 8 percent accredited police departments in the Commonwealth. He pointed out that officers have many standards to abide by in order to show compliance for accreditation, and on March 31, 2010 the Accreditation Commission unanimously voted to approve full accreditation status for the Borough of Somerset.

The following plaque was presented to Chief Cox and members of his Department on behalf of the PA Chiefs of Police and PA Law Enforcement Accreditation Commission:

To all who see this certificate, know that the Somerset Borough Police Department, having fulfilled the necessary qualifications and mandatory requirements of the PA Law Enforcement Accreditation Program and the PA Chiefs of Police Association by voluntarily complying with the provisions of a professional law enforcement accreditation program by means of achieving and demonstrating the highest acknowledged standard that is required by the PA Law Enforcement Accreditation Commission, is hereby recommended, approved and authorized to receive this Certificate of Law Enforcement Accreditation, the 21st day of March, 2010.

The Mayor introduced the Police Department, and displayed a PLEAC Service Bar that identifies an accredited law enforcement agency, to be given to each officer.

Mr. Rosemeyer presented the following Proclamation:

WHEREAS, the 12th day of March, 2010 marked the effective date in which the PA Law Enforcement Accreditation Commission recommended, approved and authorized the Somerset Borough Police Department to receive this Certificate of Law Enforcement Accreditation;

WHEREAS, the Somerset Borough Police Department, having fulfilled the necessary qualifications and mandatory requirements of the PA Law Enforcement Accreditation Program of the PA Chief of Police's Association;

WHEREAS, the Somerset Borough Police Department complied with the mandatory requirements of the Professional Law Enforcement Accreditation Program by means of achieving and demonstrating the highest standards as required, acknowledging that the Somerset Borough Police Department subscribes, in the words of Aristotle, "we are what we repeatedly do, excellence, therefore, is not an act, but a habit";

NOW THEREFORE, along with members of the Somerset Borough Council, we do hereby congratulate Chief Cox, the Mayor and the officers and staff of the Somerset Borough Police Department by proclaiming April 19, 2010 as the "recognized day for the Somerset Borough Police Department Accreditation in the Borough of Somerset."

Officer Jordan Shaulis was introduced, then sworn in as a part-time police officer.

Chief Cox said it has become a tradition to present the following declaration to officers' families:

"Law Enforcement is certainly not the easiest profession for the practitioner, but it also places unique demands upon the officer's family.

At this time Jordan Shaulis is dedicating himself to serving the Somerset Community as an officer of the Somerset Borough Police Department, and we wish to thank you for the support you have provided in assisting him in reaching this milestone and acknowledge the sacrifice that you will be called upon to make in the future."

At this time a brief recess was called.

Meeting reconvened, 8:15 p.m.

Previous Meeting

Minutes of the previous meeting of March 22, 2010 were approved, on motion of Mr. Koval, seconded by Mr. Parke.

Unanimously Carried.

Bill Payment

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

Check nos. 15304 to 15416

Total: \$185,721.00

Vote: Mrs. W. Miller, yes; Mr. Parke, yes; Mr. Koval, yes; Mrs. R. Miller, yes; Mr. Urbain, yes; Mr. Rosemeyer, yes, Mr. Walker, yes;

Unanimously Carried.

Old Business

Snow Removal Emergency Policy/Ordinance

Mr. Vinzani said the Public Works Committee is seeking ways to address snow emergencies. They discussed using area church parking lots for overnight parking.

New Business

Proclamation

The Mayor read the following Proclamation concerning National Osteopathic Medicine Week:

WHEREAS, there are currently more than 60,000 osteopathic positions in the U.S, and;
WHEREAS, DEOs have made a tremendous contribution to the American Health Care System since osteopathic medicine was founded by Andrew Taylor Still in 1874;
WHEREAS, DEOs believe that a person's lifestyle including their home, work and social environment plays a significant role in the health of that individual, and;
WHEREAS, DEOs practice a hands-on, whole body approach which includes osteopathic manipulative medicine to diagnose health problems, treat dysfunctions, preserve good health and prevent the spread of disease;
WHEREAS, DEOs have treated U.S. Presidents, Olympic Athletes, contributed to the fight against AIDS and served on Nationwide Health Care Panels, and;
WHEREAS, Somerset's practicing osteopathic physicians are dedicated to improving the health of their community through education and awareness-based efforts, as well as delivering quality health services, and;
WHEREAS, citizens of Somerset recognize the need for osteopathic physicians who are committed to improving the health of all Americans;
NOW, THEREFORE, I, William A. Meyer, Mayor of Somerset Borough, do hereby proclaim April 18 to 24, 2010 to be National Osteopathic Medicine Week in Somerset.

PEMA Snow Removal Cost Reimbursement – Resolution 2010-06

The Manager reported that they worked with County 911 on reimbursement of snow removal costs. They need to designate someone to prepare and submit the paperwork.

Mrs. W. Miller moved to designate the Borough Manager, Benedict G. Vinzani, Jr. as this agent, motion seconded by Mr. Koval.

Unanimously Carried.

Rezoning Request

A rezoning request has been received from Mr. Terry Fitzgerald. The request was referred to the Planning Commission for their recommendation. Following a public meeting they recommend that Council hold a Public Hearing on this matter as the next step, according to the PA Municipalities Planning Code.

Mr. Vinzani explained that if we accept the Planning Commission's recommendation, we would schedule a Public Hearing in conjunction with our next Council meeting, separately advertised. Property owners within 100 feet of the property (the Bender Implement Company, located in rear of the school property) are notified and may submit written and/or oral comments.

Mr. Rosemeyer moved to approve the Public Hearing – motion seconded by Mr. Urbain.

Unanimously Carried.

Cooperation Agreement

Mr. Vinzani explained that this Agreement is executed annually with the County and its Redevelopment Authority for administration of our Community Development Block Grant funds.

Mr. Parke moved, Mr. Rosemeyer seconded to authorize execution of the Cooperation Agreement between the Borough, County of Somerset and its Redevelopment Authority.

Unanimously Carried.

Somerset Hospital Request

Mr. Rosemeyer moved to have the Borough act as an applicant for a DCNR grant for the Borough's Wellness Park – motion seconded by Mr. Parke.

Unanimously Carried.

DEP Notification Requirements

The Manager informed Council that DEP is directing all public water systems to develop a plan to notify customers of any water health hazards. We are a participant in the World Water Association and are recommending the annual pay-as-you-go subscription plan in order to be in compliance with DEP regulations. Price is \$1,335.00 for the setup and if used, 5 cents-per-30-second call per customer. Approximately 3,000 customers would have to be notified. We received proposals from other companies, and this can be adjusted to certain areas only in case of a water break.

Mrs. W. Miller moved, Mr. Walker seconded to authorize the Agreement, with SwiftReach Networks.

Unanimously Carried.

Demolition Grant Request

Mr. Wayne Beeghley submitted a letter requesting to proceed with a grant application to demolish a structure at 132 Cannel Drive. We have previously used CDBG

monies for code enforcement, demolition and housing rehabilitation. Council questioned whether the land would be sold after demolition, value of the property, clean-up enforcement, and if multiple properties are involved.

Mr. Dirienzo pointed out that demolishing the property is expensive if funded with our general revenues. At this time, if it is unoccupied but boarded up we are unable to do anything about it. Under the block grant, the property would be demolished, backfilled and lines disconnected and Mr. Beeghley would still own it. Mr. Dirienzo will check on whether a lien can be placed on the property if using a CDBG grant to fund demolition.

Mr. Parke moved to table this item until next month's meeting so that the Solicitor can know if a lien can be placed on the property – motion seconded by Mr. Walker.

Unanimously Carried.

Sale of Surplus Equipment

Mr. Vinzani described a vehicle to be sold through the bidding process, a 1994 GMC pickup truck that will not pass inspection. They discussed donating it to a scrap yard or the Vo-Tech garage, and possible sale prices.

Mr. Parke moved to advertise the 1994 GMC truck for sale, seconded by Mrs. W. Miller.

Unanimously Carried.

Somerset County Flag Committee

Mr. Koval moved to donate \$25.00 to the Somerset County Flag Committee, motion seconded by Mr. Rosemeyer.

Unanimously Carried.

Daily American Challenge Donation Request

Mr. Rosemeyer moved to donate the \$200.00 requested. They spoke about being consistent with previous year donations, budget considerations, and various ways in which the Daily American supports us. Mr. Koval then seconded the motion.

Unanimously Carried.

Manager's Report

Meetings attended:
Webinar sponsored by PSAB re: sanitary sewer systems;
Safety Committee;
Redevelopment Authority – discussed potential projects for our 2010 CDBG program;
PennDOT Public Plans Display meeting re: replacement of East Main Street bridge;

Southern Alleghenies Planning & Development Commission's Energy Advisory Council, concerning rebate programs for replacing older fixtures;

The County Borough's Association meeting is scheduled for May 20, 2010, 6:30 p.m. at the Public Safety Building;

Comcast Work Day at the Union Street Playground is scheduled for this Saturday.

Mr. Vinzani said he was informed that while PennDot is replacing the East Main Street Bridge on Route 31, two lanes of traffic will be maintained because of traffic and emergency vehicles on Route 31.

Mr. Vinzani also stated that preliminary indications are that Somerset Borough will be eligible to apply for reimbursement of our snow removal costs.

Our PA H2O applications were not funded the first time and we have until June 1st to revise or amend any of our applications. He suggested re-submitting them again for consideration. We have the opportunity to prepare new projects for consideration. Earlier we had discussed underground or above-ground retention of storm water for our sanitary sewer system, to alleviate surcharging during heavy rain. It could cost up to \$10,000 to get this project to the point of application. The round for these applications is due June 1st.

Mr. Vinzani stated that if we wanted to act on the PA H2O authorization for the new project, we could act before the end of the meeting.

Mr. Koval offered a motion to authorize the PA H20 project for above ground or underground retention of storm water for our sanitary sewer system - motion seconded by Mr. Urbain.

Unanimously Carried.

Mr. Parke moved, Mr. Rosemeyer seconded to keep the existing PA H2O projects in consideration for funding.

Unanimously Carried.

Engineer's Report

Mr. Reilly reported that the Hickory Hill Sewer Preconstruction Job Conference is scheduled with the contractor for Thursday of this week.

Public Works Committee

Mr. Parke moved to purchase the demo camera B from A&H Equipment Company. It is still on factory warranty, and will help in detecting illegal hookups. Motion was seconded by Mr. Walker.

Unanimously Carried.

Public Safety Committee

Mr. Rosemeyer asked about the status of replacing the fire department door in back. Mr. Svirsko reported that they are waiting for four parts to come in and Revello Contracting will begin.

Mr. Rosemeyer thanked Chief Cox and those involved in achieving our Accreditation Status. They received a round of applause.

A suggestion was offered to have the newspaper mention the placement of our stop signs, which are now official. They pointed out locations of the signs, discussed traffic violation fines, and a request was made to establish a no-parking zone at the north side of Fairview Street heading westbound where parking obstructs view of the sign.

Finance Committee

Mr. Urbain reported on the budget – total expenditures are 23.4 percent, 25% of our budget. No red flags are seen – extra snow costs are not included.

Shade Tree Committee

Mr. Parke reported that the Committee will meet and consider this year's planting, which will fill our obligation from the year 2008 Hotel Tax grant, and cover tree and shrubbery at the Turnpike entrance.

Somerset, Inc.

The "Rocking on the Ridge" festival has been canceled.

Solicitor's Report

Mr. Dirienzo said they are completing the waterline relocation rights-of-way for the Turnpike Road Construction Project. After meeting with the Turnpike Acquisition person, it appears we are overlapping on rights-of-ways to a greater extent than anticipated. Our engineer will re-examine the rights-of-ways that we are looking at and we want to avoid any condemnation proceedings. The design is scheduled to be competed this year.

Mayor's Report

The Mayor stated he already read his proclamation and had nothing else to report.

Adjournment

Mrs. W. Miller moved to adjourn, motion seconded by Mr. Koval. Mr. Rosemeyer stated that he had one other issue with "time off" reports. Mrs. R. Miller stated that she didn't need them. Mr. Rosemeyer stated he didn't believe they were allowed to have them unless the employee agrees. Mrs. R. Miller thought she read that you needed to have permission before you could copy it or to be reprinted. Mrs. R. Miller then asked if we had permission. Mr. Vinzani stated that he did not get permission from them. Mr. Rosemeyer questioned if this was a dead issue. Mr. Vinzani stated that if Council directs him not to issue this, he will not. Mr. Rosemeyer made a motion that it not be a part of the packets and that information not be given out. Mr. Parke seconded the motion. Mrs. R. Miller asked if there were any discussion concerning this.

Unanimously carried.

Mrs. R. Miller stated that it is in the fine print that you cannot recopy this information. Mrs. W. Miller said that Mrs. R. Miller was reading the "scandal sheet" not the "off-time" report. Mrs. R. Miller asked if there was a reason we should have that. Mr. Rosemeyer said that he is speaking for the employees and stated, "It's not needed".

Mrs. R. Miller stated that we had already moved to close the meeting. She thanked everyone for staying.

Unanimously Carried

Time: 9:01 p.m.

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