

Borough of Somerset
March 28, 2011 – 7:30 p.m.

Meeting called to order by President Ruby Miller, opening with recitation of the Pledge to the Flag.

Present:

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

Approval of Minutes

Minutes of the February 28, 2011 Council Meeting were approved, on motion of Mr. Rosemeyer, seconded by Mr. Parke.

Unanimously Carried.

General Public Comments

Emily Evans, Chief Oil & Gas Representative, asked about concerns or requests regarding the application of Chief Oil and Gas to conduct seismic testing on Borough-owned property in Jefferson Township. Council had requested additional information about the project. She explained that the test is a survey that maps rock formations and they would be conducting the test on approximately 45 acres of Borough property. They are looking for Borough approval. She explained that the test does not show oil or gas. When drilling, they stay within the rock formation to avoid hitting a fault line which would cause a blowout.

She explained in detail how the test is performed in steps, marking homes, buildings, water lines and gas lines. The area within three hundred feet of these lines is called a shock point. The test is conducted by a series of vibrations.

They are asking for permission to be on the property to conduct the one-time test, called a non-exclusive permit. The cable is the only thing that is consistently on the property, possibly two to three weeks, with no energy running through the cables and nothing to cause harm by coming into contact with them. They will return and assess any damages, and will compensate for any repairs.

Council had questioned whether Chief would be interested in leasing any Borough property, and why we should give permission. Ms. Evans explained that a company will lease as much as they can in an area, and when the information is available they will look to see where they hold the majority of their leases. They will see who is not leasing and who is interested in leasing and will contact them.

The cable, (size of an exterior extension cord) will be laid out by the crews without use of any heavy equipment. She said if another outfit comes in with interest in leasing our property they would contact Chief, and Chief would sell the information to them so that it can be utilized.

In answer to the Solicitor's question about the holes, Ms. Evans said they place a small, two pound charge at the bottom of the hole, cap it, and backfill it with a substance that when it expands, helps to seal the hole and becomes a fertilizer. Depending upon the rock formation, they will add another bag of gravel to compact it. It appears there will be six or seven holes. They look for the cable placement and check for what is called the "path of least resistance" and avoid farmer's crops, etc. Any settling will be backfilled. At all of their charges, a crew will walk and pull up lead wires to make sure the area is clear.

Mr. Dirienzo asked if the DEP regulates the holes – Ms. Evans said they will be in close contact with them during the process. The benefit comes from having the information available on the property, which cuts down on needless drilling and information about any fault lines in the area is useful. He questioned whether they are aware that some Borough property is tied up with an existing shallow well unit within this area. Ms. Evans said the permit shows a map of the property; the specific parcel is on the southern part of their test, which is 60 square miles between south of the Turnpike and north of Highway 30. They will be on approximately 45 acres of the 141.06 acre property.

In answer to question on safety, and whether all drilled holes exploded, she said they are aware of which ones are set off; if it would not set off, they dig wires and pull them out and over time they will disintegrate. She reiterated that they have the 300 foot radius, away from any structures, to a depth of 20 feet. They work with residents about specific areas of concern.

Gary Thomas, Somerset Fire Department

Mr. Thomas said they are going forward to make a transfer to the County with HazMat. The license re-certification will be in their (the County) name. The equipment will be taken on both sides and either traded off or bought out because the Fire Department owns most of the HazMat equipment. It will be good for both parties. The truck will stay in our department and will answer all calls and is available to any fire department in the County for help with HazMat. A technician's class will be coming in, paid by a grant.

Sally Deist

Sally Deist of 525 South Rosina Avenue said the Borough did drainage repair work in 2008 and she is requesting to have her yard restored. Mrs. Ruby Miller assured her that this work will be finished when the weather is suitable.

Sanner Street Parking

Sanner Street Parking - Mr. Vinzani said Council could continue the pattern established during the snow removal months. Mr. Cox said the pattern permits parking on the south side and prohibits parking on the north side for all of Sanner Street. Council would need to establish a parking pattern as requested, and he and the Manager agree that this is warranted.

Mr. Vinzani said Council could authorize the Solicitor to prepare and advertise an ordinance establishing no parking on the south side of the 200 block of East Sanner Street, between Kimberly and end of the street. Mr. Cox said he is concerned that more immediate action is needed at this time since there is nothing to prohibit vehicles from parking on both sides, which could make it difficult for an emergency vehicle.

Mr. Parke moved to place the temporary signs back up temporarily and authorize the Solicitor to prepare the ordinance. Motion was seconded by Mr. Urbain.

Unanimously Carried.

Mr. Cox asked to have their department made aware of parking prohibitions. Mr. Vinzani said we have a book of ordinances available. The Solicitor said they had discussed establishing their own pattern, attaching a repealer clause.

Bill Payment

Ms. Wanda Miller moved to pay the following bills/requisitions – motion seconded by Mr. Urbain:

Check Nos. 17192 to 17352 Total Amount: \$401,010.92

Vote: Mr. Urbain, yes; Mrs. Ruby Miller, yes; Mr. Koval, yes; Mr. Parke, yes; Mr. Rosemeyer, yes; Mrs. Wanda Miller, yes; Mr. Walker, yes.

Unanimously Carried.

Old Business

Update – Peddler’s Ordinance

Mr. Dirienzo referred to the list of various issues to be considered concerning door to door sales. We need to have a meeting to make decisions so he can know what to draft.

They discussed plans for the meeting – time period, having a smaller group meet first, appointing a chairman. The Solicitor said the list can be re-sent and include comments.

Concerning use of signs, in the meantime we can rely on State law as opposed to Borough ordinance. If a sign is displayed and a salesperson comes to a door, 911 can be called for an arrest. Sign pricing will be addressed at next meeting.

Sprinkler System

Mr. Vinzani reported that he received recent information on the status of the Bill. It passed the House and still has to be signed into law if the Senate should approve it. Some areas do not want it and believe it is not fair. It will be costly in this area since water would have to be heated, pressurized, etc. They discussed placement of the systems, multiple dwellings, and whether it could be voluntary.

Chief Oil & Gas

Mrs. Ruby Miller said we need to vote on authorizing the seismic testing. Mr. Parke moved to authorize it - at this point the Solicitor was asked if he reviewed the proposal. Mr. Dirienzo said he examined the map out of concern

about the existing unit. Regarding the watershed issue, there were terms with the engineers on certain provisions needed such as shallowness of the holes.

Mr. Parke withdrew his motion in order to address any questions with Chief, for a vote at next month's meeting.

Update – Somerset Hospital 4-Way Stop Request

Mr. Vinzani reported that we received a response from Mr. Farrell indicating that they are not interested in assuming costs involved with this project. At this point the matter is closed.

New Business

Redevelopment Authority, Somerset County

Mr. Vinzani said we execute an annual Agreement with them. We receive funds through the CDBG Program and they administer it and do the contracting for us.

Mr. Walker moved, Mr. Rosemeyer seconded to authorize the Cooperation Agreement between the Borough and Redevelopment Authority for administration of our Year 2011 CDBG Program.

Unanimously Carried.

Somerset County Commodities Flow Study

Mr. Rosemeyer presented an update on the Somerset County Commodity Flow Study. Regarding termination of HazMat services, a serious issue, they are attempting to get a county-wide HazMat team to provide services. The HazMat truck should be kept in our Fire Department to be readily available. A serious issue is the area at Pleasant and Main where they will allow two lanes of traffic to travel on the bridge. One lane would back up traffic by the railroad tracks and all heavy truck traffic.

Discussion included talk about taxing trucking companies, wear and tear on our roads, number of trucks and hazardous materials passing through, plus coal truck traffic is expected to increase. He advised contacting PennDOT about the small bridge since there's no room to expand, and that it should be a county-wide team effort. All of Somerset County should be involved, to come up with a solution.

Manager's Report

The Manager reported the following:

- He attended a 4-part “Essential Records Management” series sponsored by FEMA. A list of what is to be separated from our normal records retention will be prepared, for emergency management purposes.
- The Director of Public Works attended the bi-monthly joint utility meeting.
- He attended the County Drought Task Force meeting March 8th.
- The Finance Committee met March 18th
- Safety Committee meeting met March 22.
- He gave a presentation at the Jr. High School on Blight.
- He gave a presentation to the Rotary Club March 4th.

Engineer's Report

The Engineer asked about the Interchange Access Road to be constructed in 2011. Mr. Vinzani said he does not believe this will happen this year. We have rights-of-way to consider and the relocation of our facility lines. They discussed concern about truck backup on the Turnpike when construction begins.

Public Works/Equipment

Ms. Wanda Miller pointed out a road sink-hole situation at a manhole at the intersection of South Center Avenue and Church Street.

Mr. Parke moved to authorize the Borough Manager to prepare bids for year 2011 paving and patching – motion seconded by Mr. Walker.

Unanimously Carried.

Mr. Parke moved to negotiate for the purchase of a replacement for the inspection department van and meter reader's vehicle, not to exceed \$10,000 on each vehicle. Further discussion consisted of questions on type of vehicles, possible federal surplus, etc. Motion was then seconded by Mr. Koval.

Unanimously Carried.

Public Safety Committee

The committee recommended that Council to meet in Executive Session to discuss personnel matters.

Finance Committee

Mr. Urbain reported on the various funds. General Fund expenditures: 14.4 percent; Water Revenue Fund expenditures: 13.1 percent, with revenue at 17.2 percent. Sewer System Fund expenditures: 15.0 percent with a revenue of 32.5 percent however we received money for Hickory Hill from Somerset Township therefore we are in good standing.

Somerset Inc.

Mr. Terry Neechai will be conducting a visioning session at 5:30 pm this coming Wednesday. Mr. Vinzani and Mrs. Ruby Miller will also be in attendance.

Mayor's Report

The Mayor spoke about a request from the Pa Osteopathic Medical Association for us to proclaim April 27th as "National Osteopathic Medicine Week".

Mr. Walker moved to deny this request, motion seconded by Ms. Wanda Miller.

Unanimously Carried.

Executive Session

Mr. Rosemeyer moved to enter into an Executive Session for the purpose of personnel issues – motion seconded by Ms. Wanda Miller.

Unanimously Carried.

8:49 p.m.

Regular meeting resumed at 9:14 p.m.

Adjournment

Ms. Wanda Miller moved to adjourn, motion seconded by Mr. Koval.

Unanimously Carried - 9:16 p.m.

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