

Public Hearing - November 21, 2011

7:30 p.m.

The Public Hearing was called to order by Council President Ruby Miller, opening with recitation of the Pledge to the Flag.

Present:

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

Scott Benning Request to cancel the layout of an alley

Mr. Vinzani stated that the Public Notice concerning Mr. Benning's request to close or cancel the layout of an unnamed alley bisecting 259 East Fairview Street was advertised on November 2, 2011. The seven property owners within 100 feet of the adjoining alley were sent the notice by certified mail. We have Mr. Benning's paperwork indicating his request, along with his promise to pay all costs associated with cancelling of this layout.

No public testimony was offered and the Public Hearing adjourned, at 7:32 p.m.

Somerset Borough Council Meeting

Announcements

The President reported that an Executive Session for Contract Negotiations was held at 5:00 pm, October 31, 2011.

Swearing-in Ceremony

The Mayor introduced Officer Chuck Welsh, a police officer since 2007 and also a licensed paramedic. The swearing-in ceremony was conducted by the Mayor, and Officer Welsh was congratulated and presented with a copy of the Oath. His family was present and given a copy of the following:

Approval of Minutes

Minutes of the minutes of the October 24, 2011 Council Meeting were approved, on motion of Mr. Walker, seconded by Mr. Urbain.

Unanimously Carried.

Opening of Bids

Mr. Vinzani said bid tabulations for the Public Works Garage Heating System were distributed, one for the electrical work and one for the boiler work. The HVAC construction lowest bid was to Hinkle Plumbing & Heating in the amount of \$89,995.00 and the electrical work bid was to Darr Construction, at \$4,800.00.

Mr. Parke moved to award the bids to the lowest bidders, as presented - motion was seconded by Mr. Walker.

Unanimously Carried.

General Public Comments

The President said Council has been contacting municipalities that have adopted a Rental Inspection Ordinance, and they discussed the possibility of a program that might work for our borough in place of an ordinance.

John Coleman spoke, stating that an ordinance of this type is huge and would require tenants' cooperation. Approximately 50% of Borough residents rent. What is being proposed would be an annual inspection every year on 1500 units and when a unit turns over there would be a potential to add another 1400 inspections annually if we follow what other municipalities have done. Costs could become very burdensome.

He suggested that the best way to handle this is pursue known individuals that fail to keep their properties up, rather than creating a potential rent increase on hundreds of Somerset residents. He offered to cooperate.

Payment of Bills

Mr. Rosemeyer moved to pay the following bills/requisitions as printed - Mr. Urbain seconded the motion.

Check Nos. 18513 to 18681 Total: \$529,314.54

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

Unanimously Carried.

New Business

Shade Tree Committee

Mr. Vinzani said a discussion was held on how to enhance our Shade Tree Committee and a suggestion was made to authorize approaching an agency with a professional on staff to add to our collection of citizen volunteers.

Mr. Parke said he prefers to not disband the committee since there are volunteers, and offered to help as well. Mr. Vinzani said we can keep him on the committee and name an agency to add to our committee if they will agree.

Mr. Parke moved, Mr. Rosemeyer seconded to authorize the Manager to request DCNR or a similar agency to provide Professional Shade Tree Evaluation Services.

Unanimously Carried.

Amendment to the Police Pension Plan Ordinance

The Solicitor explained that the removal of the “killed in service” benefit section is not being eliminated; the responsibility for paying the benefit is being conveyed to the State.

Mr. Walker moved to authorize the Solicitor to prepare the Amendment to the Police Pension Plan Ordinance to remove the “killed in service” benefit section - motion seconded by Mr. Rosemeyer.

Unanimously Carried.

AFSCME Union

Mr. Urbain moved to ratify the Collective Bargaining Agreement for the non-uniformed employees - motion seconded by Mr. Walker.

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

Unanimously Carried.

Request to Cancel Layout of Alley - (Scott Benning)

Mr. Parke moved, Mr. Walker seconded to have the Solicitor prepare the necessary paperwork to cancel the layout of the alley along 259 East Fairview Street.

Unanimously Carried.

Resolution Appointing Auditors for Year 2011-11

Mr. Rosemeyer moved to appoint Friedline, Pison & Company as our Independent Auditors for year 2011 - motion seconded by Mr. Urbain.

Unanimously Carried.

Somerset Hospital Sign Request

Mr. Vinzani reported that this request for Jake brake prohibition signs was received from Mark Miller, Somerset Hospital.

Mr. Cox explained that these signs were posted as legal enforceable signs but PENNDOT has changed its regulations and a municipality is no longer permitted to place these signs anywhere; it must be justified by the length and incline of a hill.

To honor the hospital's request we would have to forward a request to PENNDOT to do the study. He said he believes that this specific location on Patriot Street would not qualify for prohibition because of the length and degree of the incline.

Complaints are being received from patients in the hospital.

Mr. Parke moved to have PENNDOT do the Jake brake sign study - motion seconded by Mr. Rosemeyer.

Unanimously Carried.

Mr. Parke said he wished to amend his motion to state that the study be done only if it is paid for by PENNDOT, not by the municipality. Discussion continued, questioning whether the area is a State road and who would enforce it. Chief Cox explained that we do not have officers certified to do the more strenuous enforcements with heavier fines. Also enforcements can only occur when an officer witnesses a violation and it could be difficult to determine which truck a violation came from.

He pointed out that any of our officers can enforce the Standard Vehicle Code section but not the complicated PENNDOT regulation sections.

Mr. Park amended his motion to include having the PENNDOT Study done if it can be at no charge - motion seconded by Mr. Rosemeyer.

Unanimously Carried.

Tentative Budgets - Year 2012

Mr. Urbain reported no increase in the General, Water, and Sewer Funds. He said the Manager and Finance Director worked diligently on this and accomplished a great job.

Mr. Rosemeyer moved, Mr. Urbain seconded to accept the Year 2012 Tentative Budget. Vote: Mr. Parke, yes; Mrs. R. Miller, yes; Mr. Urbain, yes; Mr. Rosemeyer, yes; Mr. Walker, yes.

Unanimously Carried.

Committee, Administration, Special Reports

Manager's Report

Mr. Vinzani reported the following:

Budget funds have been allocated from each major fund for equipment. We will be addressing prioritized equipment needs that have been submitted.

He has been appointed to the Work Force Development Advisory Committee of the Allegheny College of Maryland. Part of the Committee's job is to suggest use of the major grant that they have received.

He attended the Joint Utility Meeting on November 2, 2011, along with Mr. Svirsko.

He attended a meeting sponsored by the Chamber of Commerce which featured presentations by Congressman Shuster and PENNDOT District 9 Executives. They reviewed Route 219 and ongoing Transportation Projects.

He attended the Boys and Girls Club Annual Thanksgiving Dinner. At some point they would like us to adopt a policy of non-smoking, and we would be eligible to have signs posted at our playground.

He attended a webinar sponsored by FEMA, which has funds available for hazard mitigation projects. All municipalities are eligible provided that they have eligible projects for consideration. He submitted a letter-of-intent to apply for a grant, most likely for continuing work on our streams, and re-establishing the stream lines for removing siltation. We are working on a plan for better lighting at our playground.

Fire Department

Mr. Thomas reported that the Fire Department has been working with the State Department concerning a camera system. Mr. Cox said they are waiting for costs.

Discussion ensued regarding hazmat supplies. Our members attend training through Hazmat yearly. Mr. Thomas explained that the SCBA apparatus and fogging machine are kept at the South Franklin garage building for training purposes. The cameras will be placed in the community room, elevators and fire station, a 32- camera system for our Fire and Police Departments.

President's Report

Mrs. Ruby Miller reminded Council of the upcoming Somerset County Borough Association meeting to be hosted by Somerset Borough March 15, 2012 at the Fire Hall. She congratulated the new appointees.

Public Safety Committee Meeting

Mr. Rosemeyer mentioned that the Chief has been appointed to the National State Accreditation Board. They discussed the video system and fire alarm system in the Borough Building. He pointed out that the Chief got a fairly new police car for his use with state surplus funds, which saved a sizeable amount of money.

Finance Committee

Mr. Urbain presented the report of revenues/expenses at 83% of the year:

General Fund - revenues at 102% during the month of October, expenses, 82.6%.

Water Fund - revenues, 92.07%, expenses, 76.4%

Sewer System Operating Fund - revenues, 98%, expenses 84.5%.

Shade Tree Committee

Mr. Parke mentioned that the tree was removed in front of the IOOF Building.

Somerset, Inc.

Mr. Parke said the Fire & Ice Festival is being planned. The County Commissioners are offering marketing support for the program. Council will need to look for a new representative for Somerset Inc.

Mayor's Report

Mr. Meyer updated Council on the status of Officer Folton. He was told that he should be returning to full-time duty by the first of the year. Officer Staib is retiring at end of December and we would like to test for another full-time officer.

Executive Session

Mr. Rosemeyer moved, Mr. Walker seconded to enter into Executive Session for discussion of personnel matters.

Unanimously Carried. 8:25 p.m.

Regular Session Resumed at 8:59 p.m.

Mr. Rosemeyer moved to have wages increased for the Borough's administrative staff by 3% of base salary for year 2012 - motion seconded by Mr. Urbain. Vote: Mr. Parke, yes; Mr. Urbain, yes; Mr. Rosemeyer, yes; Mr. Walker, yes; Mrs. R. Miller, yes.

Unanimously Carried

Adjournment

Mr. Parke moved to adjourn – Mr. Rosemeyer seconded.

Unanimously Carried. 9:02 p.m.

Benedict G. Vinzani, Jr.
Borough Manager/Secretary