

Joint Meeting
Somerset Borough Council /Municipal Authority of the Borough of Somerset
December 19, 2011 7:30 pm

Council President Ruby Miller and Municipal Authority Chairman William Kuhlman each called their respective organizations to order, opening with recitation of the Pledge to the Flag.

Present:

Somerset Borough Council Members: Paul Urbain, Ruby Miller, Frank Koval, Hank Parke, Fred Rosemeyer, Wanda Miller, and Scott Walker; Municipal Authority Members: William Kuhlman, Clyde Mostoller, Hank Parke, and Vincent Jacob; Benedict G. Vinzani, Jr., Borough Manager; Michele Enos, Assistant to the Manager; John J. Dirienzo, Jr., Borough / Authority Solicitor; Randy Cox, Chief of Police; William Meyer, Mayor; Jerry Lyons and Gary Thomas, Somerset Fire Department.

General Public Comments (Somerset Borough Council)

Ronna Yablonski, Twin Lakes Center, stated that Somerset County, partnering with the Department of Health, was asked to heighten awareness of the consequences of second-hand smoke. They work with school districts and now will focus on the Boys and Girls Clubs. She pointed out that many are being exposed to second-hand smoke at the Union Street playground, where used tobacco products are found. Speakers were introduced and spoke on the importance of endorsing the No Smoking Policy at the playground. Mr. Vinzani said the proposed policy has been sent to Council. Chief Cox said the Policy will be enforced.

Mr. Parke moved to adopt the No Smoking Policy as requested – motion seconded by Mr. Rosemeyer.

Unanimously Carried.

Municipal Authority Business

The Municipal Authority portion of the meeting was called to order by Mr. Kuhlman.

Approval of Minutes

Mr. Jacob moved, Mr. Mostoller seconded to approve minutes of the June 27, 2011 Joint Meeting.

Unanimously Carried.

Payment of Bills/Requisitions

Mr. Jacobs moved to approve payment of the following Requisitions – motion seconded by Mr. Mostoller:

Water Capital Improvements Fund Requisition No. 165

<u>Item No.</u>	<u>Payee</u>	<u>Amount</u>	<u>Purpose</u>
673	The EADS Group	\$125.00	Invoice #44457 – retainer, 2nd quarter
674	The EADS Group	\$125.00	Invoice #44959 – retainer, 3 rd quarter
675	The EADS Group	\$125.00	Invoice #45140 – retainer, 4 th quarter

Sewer Surplus Fund Requisition No. 189

594	The EADS Group	\$117.16	Hickory Hill Sewer close-out paperwork
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Unanimously Carried.

Borough Council

Mrs. Ruby Miller called the Borough Council portion of the meeting to order.

Approval of Minutes

Mr. Urbain moved to approve minutes of the previous meeting of November 21, 2011 – motion seconded by Mr. Rosemeyer.

Unanimously Carried.

Bid Opening

The Manager stated that bids were opened for year 2012 chemicals and sludge removal. Lowest bid for sludge removal was Interstate Waste Management.

Dewatered Sludge Removal

Ms. W. Miller moved to accept the bid from Interstate Waste Management for year 2012 removal of sludge from our water/sewer plants, in the amount of \$625 per dumpster from each location – motion seconded by Mr. Parke.

Unanimously Carried.

(Mr. Vinzani explained that each company must have an Agreement with the landfills in accordance with the County's Waste Management Plan, and regulations require that the lowest responsive bidder receive the bid.)

Chemicals

The Manager presented the following bids for chemicals that were the lowest responsive ones received:

<u>Chemical</u>	<u>To</u>	<u>Price</u>
Aluminum Sulfate	Univar, USA	\$10.40 per 50 lb. bag
Chlorine	Sal Chemical	\$679.00 per 1-ton
Chlorine	Sal Chemical	\$65.25 per 150 lb.
Corrosion Scale Inhibitor	Sal Chemical	\$6.95 delivered, per gallon
Lime	Univar USA	\$8.975 per 50 lb. bag
Potassium Permanganate	Univar, USA	\$3.95 per lb.
Sodium Bicarbonate	Sal Chemical	\$13.10 per 50 lb. bag
Sodium Fluoride	Sal Chemical	\$46.25 per 50 lb. bag

Mr. Parke moved to award the bids to the lowest responsive bidders as presented by the manager, motion seconded by Mr. Koval.

Unanimously Carried.

General Comments

Gary Thomas, Somerset Fire Department, reported that Jim Clark was elected new Fire Chief. He asked for any questions concerning the South Franklin Avenue garage. Wanda Miller said Somerset Taxi Company rented this space approximately ten years ago, a paying customer. She suggested that we take this space back as rental property, since the fire department no longer runs the Somerset County Hazmat Team.

Mr. Rosemeyer said the Fire Department uses this space for training, etc. Fire Chief Gary Thomas mentioned that the Fire Department still has training personnel on the Hazmat team and they have equipment stored here. The breathing apparatus suits are stored here and this space is used for training their personnel, parking, and for their fund raiser picnics. He said if their rent should be raised they would need to cut funds elsewhere, first with their equipment. It was pointed out that this suggestion came from only one Council member.

Mr. Rosemeyer moved to eliminate this item on the agenda and to proceed with the meeting— motion seconded by Mr. Parke.

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

Motion Carried - 5-0-2

5 (Yes) 0(No) 2(abstentions)

Mr. Lyons pointed out that Mr. Thomas is retiring as Fire Chief. Mr. Rosemeyer moved to have Council present an Acknowledgement of Appreciation at the January Fire Department Awards Banquet to Mr. Thomas for his excellent service as Chief, and thank to the Fire Department.

Unanimously Carried.

Administrative Business

Payment of Bills

Mr. Koval moved to pay the following Bills – motion seconded by Mr. Urbain:

Check Numbers 18682 to 18842 Total Amount: \$281,190.95

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

Unanimously Carried.

2012 Budgets

Mr. Vinzani stated that nothing has changed since the tentative budgets were approved at last meeting, with no increases in real estate tax, water or sewer rates.

Mr. Rosemeyer moved to adopt the approved budget – motion seconded by Mr. Parke.

Unanimously Carried.

Mr. Rosemeyer thanked Mr. Vinzani and Mr. Peters for an outstanding year in keeping everything under budget.

New Business

Tax Rate Ordinance

Mr. Walker moved to adopt the following Tax Rate Ordinance for Year 2012 – motion seconded by Mr. Urbain:

Ordinance No. 1349

AN ORDINANCE OF THE BOROUGH OF SOMERSET, COUNTY OF
SOMERSET, COMMONWEALTH OF PENNSYLVANIA,
FIXING THE TAX RATE FOR THE YEAR 2012.

Unanimously Carried.

Act 511 Taxes

Mr. Rosemeyer moved to adopt the following Resolution re-enacting the Act 511 taxes at current rates – motion seconded by Mr. Walker:

Resolution No. 2011-12

The Council of the Borough of Somerset has re-enacted for Year 2012, the following Act 511 Taxes at the same rate currently in effect:

Earned Income Tax	½%
Real Estate Transfer Tax	½%
Local Services Tax	\$47.00
Mercantile/Business Privilege Tax	½ Mill

Unanimously Carried.

Metered Parking

Mr. Parke moved to authorize free uptown parking during the Christmas Season, from December 20 through January 1st – motion seconded by Mr. Urbain.

Unanimously Carried.

Mr. Cox said uptown employees were made aware of this and in answer to a question concerning parking between white lines, he explained that the lines regulate parking for the most economical use of available space. Mrs. Williams (Executive Director of Somerset Inc.) thanked Council on behalf of the Uptown Merchants.

Appointments to Boards/Commissions

Mr. Koval moved to consider the following appointments to the Boards/Commission, for persons whose terms are expiring:

- Somerset Borough Municipal Authority – Vincent Jacob (5-year term)
- Somerset Borough Planning Commission – George Schenck/Sean Isgan (4-year term)
- Somerset Borough Zoning Hearing Board – Steven Miller (3-year term)
- Somerset Borough UCC Code Appeals Board – Greg Osikowicz (3-year term)
- Somerset Borough Vacancy Board – Delmas Hutzel (1-year term)
- Police Civil Service Commission – William Simmons (6-year term)

Unanimously Carried.

Resolution No. 2011-13

Mr. Parke moved to accept the following Resolution – motion seconded by Mr. Rosemeyer:

WHEREAS, The Borough of Somerset adopted Resolution No. 87-02 on April 27, 1987 providing for the destruction of certain papers in accordance with the Retention and Disposition Schedule for Records of Pennsylvania Municipalities, and;

WHEREAS, The Somerset Borough administration wishes to dispose of some of its records in accordance with this Resolution;

NOW THEREFORE, BE IT RESOLVED, that the following items be authorized for purging:

- 2004 Billing Register Journal
- 2004 Billing Adjustments
- 2001-2004 Final Billing Journal
- 2004 Postal Mailing Form for water/sewer bills – Form #3602
- 2004 Water Office Correspondence
- 2004 Receipt Books
- 2004 Municipal Lien Letters
- 2004 Bankruptcy Claims
- 2004 Water/Sewer Work Orders
- 2004 Water Leak Letters
- 2004 Somerset Twp Miscellaneous Quarterly Actual Readings
- 2004 Swimming Pool Adjustments
- 2004 Completed Complaints
- 2004 Owner/Renter Final Sheets
- (N/A) 2004 Month-end Reports

2004 Street Light Forms
2004 Annual Water Report Paperwork
2004 Township Meter Pit Readings
(N/A) 2004 Software Conversion Data
2004 Faxes
2004 HSR Reports
2004 Knupp Readings

Unanimously Carried.

Act 511 Delinquent Tax Collection

Ms. W. Miller asked if there is a reason why a local tax collector was not selected. Mr. Peters explained that the PAMS is our current collector with all of our records, which appears to be the most logical. We do not have to bid this since it is for delinquent taxes and done at no charge to the Borough. Mr. Vinzani pointed out that we are part of the Tax Collection Committee, a county-wide tax collection system.

Mr. Parke moved to appoint PA Municipal Services as our Act 511 Delinquent Tax Collector – motion seconded by Mr. Walker.

Unanimously Carried.

Act 511 Tax Collection

Ms. W. Miller moved to authorize a resolution giving the Tax Collector authority to impose fees on delinquent taxpayers – seconded by Mr. Koval.

Unanimously Carried.

Business Privilege/Mercantile Tax Collector

Mr. Peters recommended PA Municipal Services, our existing collector, as our 511 tax collector since they are familiar with the process. Capital Tax, Harrisburg is our new Earned Income Tax Collector beginning in 2012.

Mr. Parke moved, Mr. Rosemeyer seconded to appoint PAMS as our Business Privilege/Mercantile Tax Collector.

Unanimously Carried.

Local Services Tax Collector

Mr. Parke moved to appoint Capital Tax as our Local Services Tax Collector – motion seconded by Mr. Urbain.

Unanimously Carried.

Cancelling Alley Layout (O’Baker)

Mr. Urbain moved to adopt the ordinance cancelling the layout of an alley, at the request of Jack and Ruth O’Baker – motion seconded by Mr. Parke.

Unanimously Carried.

Cancelling Alley Layout (Benning)

Ms. W. Miller moved to adopt the ordinance cancelling the layout of an alley, at the request of Scott Benning - motion seconded by Mr. Walker.

Unanimously Carried.

Police Department Pension Plan

Mr. Vinzani stated that the Solicitor prepared an amending ordinance deleting the “killed in service” benefit from the Police Department Pension Plan, as authorized by Council. This benefit is now covered by the Commonwealth.

Ms. W. Miller moved to adopt the following ordinance – motion seconded by Mr. Parke:

Ordinance No. 1351
AMENDMENT TO THE SOMERSET BOROUGH
POLICE PENSION PLAN

Unanimously Carried.

Manager’s Report

Mr. Vinzani reported the following:

- Our Workplace Safety Committee has received re-certification for year 2012 entitling us to a 5% discount on our worker's compensation premiums.
- We received a \$25,000 grant from the Commonwealth for reimbursement on stream clearance work that we completed.
- A Detail of how the Turnpike Approach Area will look was described at last week's Turnpike Commission meeting. Drawings are available, and landscaping is planned.
- He thanked Mr. Parke for his service on Borough Council; Mrs. R. Miller thanked him for his service on the Shade Tree Committee and Somerset Inc. He was presented with a plaque from staff, Mayor and Council in honor of his four years of service to the Borough. Chief Cox thanked him for his service with the Police Department.

Public Safety Committee

Mr. Cox recommended having computers placed in our police cars. He said that during budget preparation with Mr. Peters they attempted to shift monies to make this happen and it is beginning to look promising. The Fire Department and Chief are working on the camera issue, and a meeting will be held for decisions about the security cameras and where to place them.

Finance Committee

Mr. Urbain reported on the following expenses/revenues, at 91.7% of the year:

General Fund Revenues, 105.1% - Expenses 88.3%

Water Revenue Fund Revenues, 100.9% - Expenses 90.4%

Sewer System Operating Fund Revenues, 105.8% - Expenses 90.6%

Shade Tree Committee

Mr. Parke reported that Somerset Inc. will need to have Council appoint a new delegate. They are working on the Fire & Ice Festival and the parking issue.

Mayor's Report

Mr. Meyer said he received a statement reporting that Officer Folton would be returning to work at the beginning of January; a new report now states that he will not be returning to work until January 26, 2012.

Executive Session

Mr. Parke moved, Mr. Rosemeyer seconded that Borough Council enter into Executive Session for matters of potential litigation.

Unanimously Carried. 8:27 p.m.

Mr. Jacob moved, Mr. Mostoller seconded to have the Municipal Authority enter into Executive Session for matters of potential litigation.

Unanimously Carried. 8:27 p.m.

Adjournment

Mr. Koval moved to adjourn the Borough Council portion of the Joint Meeting, seconded by Mr. Urbain.

Unanimously Carried. 8:50 p.m.

Mr. Jacob moved to adjourn the Municipality Authority portion of the Joint Meeting, seconded by Mr. Mostoller.

Unanimously Carried. 8:51 p.m.

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