

BOROUGH OF SOMERSET
Council Meeting – May 29, 2012

7:00 p.m.

Meeting opened by President Ruby Miller, with recitation of the Pledge of Allegiance to the Flag.

Present:

Council Members present: Ruby Miller, Paul Urbain, Judy Pyle, Fred Rosemeyer, Wanda Miller, and Scott Walker. Also in attendance were: Benedict G. Vinzani, Jr., Borough Manager; Michele Enos, Assistant to the Manager; Brett Peters, Director of Finance; George Svirsko, Director of Public Works; William Meyer, Mayor; Randy Cox, Chief of Police; Tom Reilly, Consulting Engineer and Solicitor John J. Dirienzo. (Sign-in Sheet is available on file)

Previous Meeting

Minutes of the previous meeting of April 23, 2012 were approved, on motion of Mr. Rosemeyer, seconded by Mr. Walker.

Unanimously Carried.

Boy Scouts Donation

Mr. Urbain stated that Council is recommending a \$900 donation to the Boy Scouts for replacement of flags in the uptown area, and \$500 to the Daily American to help finance the Fourth of July fireworks.

Mr. Rosemeyer moved, Mrs. Pyle seconded to donate \$900 to the Boy Scouts for the Memorial Day flag placement.

Unanimously Carried.

The Troup Scoutmaster thanked Council, adding that they placed approximately 52 flags on the Diamond. Mr. Rosemeyer said the Eagles also contribute and the VFW bought flags for them. They would like to see placement of additional flags expanded around the post office area.

General Public Comments

Jerry Lyons, Somerset Volunteer Fire Department, reported that the committee is preparing specifications for a new pumper truck with cabinet space to be used as a rescue engine. The security camera system is working well. The

department met with several contractors and is now waiting for cost estimates. We presented the contractors and prospective bidders with a packet that we received from EADS detailing the concrete floor problem.

Payment of Bills/Requisitions

Mr. Urbain moved, Mrs. W. Miller seconded to pay the following:

Check #'s 19629 to 19858 Total Amount: \$692,566.87

Vote: Wanda Miller, yes; Scott Walker, yes; Paul Urbain, yes; Ruby Miller, yes; Judy Pyle, yes; Fred Rosemeyer, yes.

Unanimously Carried.

Fireworks Display Donation

Mr. Urbain moved to donate \$500 for the 4th of July Fireworks Display, Saturday, June 30th – motion seconded by Mrs. Pyle.

Carried, 5-1
(Mr. Walker voting “no”)

Library Board of Directors

Mrs. Wanda Miller moved to appoint Matt Deal to the Mary S. Biesecker Public Library Board of Directors to a 3-year term – motion seconded by Mr. Urbain.

Unanimously Carried.

Mr. Walker moved to reappoint Ralph Egolf to the Mary S. Biesecker Public Library Board of Directors to a 3-year term – motion seconded by Mrs. W. Miller.

Unanimously Carried.

Mr. Rosemeyer moved to reappoint Henry Cook to the Mary S. Biesecker Public Library to a 3-year term, motion seconded by Mr. Walker.

Unanimously Carried.

Stoystown Borough Police Protection Request

Mr. Vinzani reported that a letter requesting police protection to Stoystown Borough was received. Mr. Cox said next step would be to talk with the Director of Finance regarding an hourly rate. Council would meet with a committee from Stoystown to discuss prices, hours, types of service, etc.

Mr. Vinzani said next move is to decide if Council wants to proceed with the project, and then choose representatives officially authorized to meet with Stoystown Borough's team. Mrs. W. Miller asked if we have enough part-time officers to cover Somerset – Mr. Cox said we may need to put on more officers to cover their request. We might be able to do it without additional hires, or need to increase hours, which would be covered by the contract. He said the sample contract has language for a one year term then self-renews each year, with either party having 90 days' notice to opt out.

The big concern is speeding through the downhill slope at Stoystown and need for a cruiser at this area. They are also looking for a speedier response when calls come in.

Motion to Pursue

Mr. Walker offered a motion to pursue this project, motion seconded by Urbain.

At this point Mrs. Pyle asked about travel distances of the cruisers, gas prices, etc. since this would be time taking an officer out of the Borough. It was explained that Stoystown would be paying for the time to cover the distance between Somerset and Stoystown. He offered to provide Council with an overview of how costs are determined with operating the police department.

Vote: Mr. Rosemeyer, no; Mrs. Pyle, no; Mrs. R. Miller, yes; Mr. Urbain, yes; Mr. Walker, yes; Mrs. W. Miller, no.

3 votes "for" and 3 votes against (tie)

Mr. Walker confirmed that his motion is to authorize moving forward to look at what the possibilities might be. He asked about changing the motion to develop an hourly rate and approach them with this figure. The Solicitor stated that Council can develop their concept of what this might cost on an hourly basis. Following further discussion, he said this will be a first step but Stoystown will also need to take advantage of the first step on their side.

Mayor Meyer said that since this is not a concrete statement that we are going to enter into a contract with them, he will vote "yes" and break the tie.

Carried (4-3)

Mr. Dirienzo suggested another motion for Council to officially request Stoystown to be more specific in the type of service they are looking for, whether full police protection, what time periods, etc.

Motion

Mr. Walker moved to have the Council President and/or Chief of Police to make a request to Stoystown for additional details on the type of coverage they are asking us to provide – motion seconded by Mrs. Pyle.

Carried (4-2, - Mr. Rosemeyer and Mrs. W. Miller voting “no”)

Chief Cox offered to present any information given so far, answer any questions and provide Council with a package explaining the complete process. Mrs. R. Miller suggested including the Public Safety Committee on the committee, along with the Solicitor and Chief.

County Water System

The Manager reported on the issues that were developed with the County’s water system. A second Notice of Violation of their water system was received, which requires every municipality who purchases water from them to notify its customers. We have not been reimbursed from our first invoice but reimbursed for cost of responding to the Quemahoning water line leak, at 100% of what we invoiced.

Regarding the sewage backup issue from the County jail, we received no payment of invoices that we submitted. We had invoiced them for two prior backups, and our insurance company is interested since they have been reimbursing our customers’ basement backups.

They discussed a grinder pump as one of the possible solutions as well as a screen in the sewerline, leading from the jail. Mr. Rosemeyer asked about a possible class action lawsuit concerning residents’ problems with sewage in their basements. Mr. Vinzani said we did request a solution to the problem, but to date, the County has not submitted any proposed solutions. The amount spent was approximately three to four thousand dollars on each of the County jails sewage incidents.

Mr. Dirienzo explained that we have industrial pretreatment requirements that deal with chemicals and materials, etc. added to the sewer system from

industrial plants, and we can require them to install pretreatment before it is placed into our system. He recommended an amendment to include a prohibition of the type of additives and require the generator to obtain a permit. In connection with the permitting process we require them to solve the problem at the facility's expense. We need to meet with them to convince them that something must be done.

Motion

Mr. Rosemeyer moved to have the Solicitor prepare the properly signed paperwork sent to the County – motion seconded by Ms. W. Miller.

Unanimously Carried.

It was questioned whether there should be a motion to have our Solicitor develop an amendment to the ordinance regarding non-organic solids, Mr. Vinzani explained that it reads: “items that exceed one-half inch plastic styrofoam and anything over half an inch”, which is obviously what they have discharged.

Motion

Mr. Rosemeyer moved to amend the ordinance to add: “items exceeding one-half inch plastic styrofoam plus any discharges over half an inch” – motion seconded by Mr. Urbain.

Unanimously Carried.

Penn Dot Request

Mr. Vinzani reported that Penn Dot is asking to store pipe, rebar and equipment on our land at the East End pump station during the duration of the East Main Street Bridge Replacement project. He said it will not affect our operations but by executing this, the Borough agrees to make no claim under the eminent domain code against the Commonwealth, during this construction. He said we need to be aware of these provisions before we consider this, and it would be solely an accommodation to the contractor and Penn Dot. They will restore the grass, etc. and we will have full access in and out of our pump station.

Motion

Mr. Rosemeyer moved to approve Penn Dot's request to execute the "authorization to enter" for the East Main Street pump station property – motion seconded by Mr. Urbain.

Carried (5-1 – Mrs. W. Miller voting "no")

Manager's Report

Mr. Vinzani reported on the following:

- Several rounds of training were provided for our employees by Selective Insurance Company (trench shoring, ditching).
- The Safety Committee completed its annual CDL training.
- We attended a "principals of paving" course sponsored and conducted by Penn Dot.
- Our annual training in the "Community Worker and Right to Know" law was completed.
- The Annual Spring Cleanup was held last week, with 185 customers participating this year at cost of approximately \$2,000 dollars.
- We will be applying for a state grant program called "automated red light enforcement" which is accepting applications through the Commonwealth's Transportation Enhancement Grant program. One available project is reflective crosswalks and replacing stop signs, faded traffic control signs, etc.
- Another grant program, "safe hometown streets" is accepting a cycle of applications. We are looking at expanding uptown trash receptacles.
- Union Street is scheduled to be paved in the near future.
- We will be performing sanitary sewer work in front of the Public Safety Building, funded through our CDBG monies.
- Concerning the Act 13 Natural Gas Impact Fee assessment on non-conventional wells in municipalities, we can receive funding from this though there are no unconventional wells in our municipality.
- The Garden Club purchased the new flower pots uptown. We will invite them, along with the Memorial Day Committee, at one of our Council meetings to recognize their efforts.

President's Report

Mrs. R. Miller reported the following:

- A tree has been vandalized in the uptown area.
- The ship, "Somerset" in New Orleans is collecting anything with "Somerset" on it to be placed in a time capsule. She asked for anything left from the Bicentennial – John Vatavuk will direct it to those in charge.

Engineer's Report

Mr. Reilly reported that they are working on the Penn Vest Projects and moving ahead with the two water projects.

Public Works Committee

Mr. Walker reported on the following:

- The annual waterline flushing is completed
- Mulch was installed at the Borough Building and the Public Safety Building.
- Spring Cleanup was completed.
- Uptown parking stalls were painted, using different paints for hopefully better longevity.
- The sanitary sewer line was repaired along East Main Street in preparation of the Bridge Replacement Project.
- Storm sewer work will be done on West Garrett Street, along with patching from Davis Avenue to Franklin Avenue.
- The storm sewer line was replaced in the northern entrance of the Public Works garage.
- The outside yard of the Public Works garage was re-organized.
- Work is continuing at top of the stream banks from Franklin Avenue to Dott Avenue, and from Columbia Avenue to Edgewood Avenue.

Public Safety Committee

- Mr. Rosemeyer inquired about the status of the sergeant's position. Mr. Cox said they are ready to begin the testing process.
- Mrs. Pyle will be added included as a member of the Public Safety Committee.

- Mr. Cox said this year we have an affordable way to place computers in patrol cars, for officer safety reasons. Life expectancy of these computers is 5 to 6 years. They are looking at starting with two or three of them at total cost approaching \$5,000 per unit, using forfeiture money.

Finance Committee

Mr. Urbain reported the following:

With 33% of the year gone:

General Fund: revenues – 26.35%; expenses 27.34%

Water Fund: revenues – 30.64%; expenses 37.05%

Sewer System Fund: revenues – 30.64%; expenses 29.05%

Somerset Inc.

Mrs. Pyle reported that Somerset Inc. is focusing on Trinity Park. They will be landscaping and are considering building a stage. She said they discussed the parking issue for the uptown area and an uptown business is attempting to contact the owner of the Appliance Building, to inquire about buying it for a parking lot. We could lose another business because of his need for parking.

Mr. Rosemeyer mentioned the Pennsylvania Borough Code revision – Mr. Vinzani said they will probably be combining a comprehensive borough code, to include all recent updates of the past several years.

Meeting Reports

Mrs. Pyle thanked Council for her attendance at the recent PSAB Conference. She said Richard Dreyfuss was the keynote speaker and she brought back interesting material. Mrs. R. Miller said the County Boroughs Association also met, and noted that various other boroughs are having problems such as need for a disposal plant, a valve in the dam at Indian Lake and need for right-of-ways. A plaque was presented to Addison Borough for their 100th year anniversary.

Adjournment

Mrs. W. Miller moved to adjourn – motion seconded by Mr. Walker.

Unanimously Carried.

8:18 p.m.

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