

**JOINT MEETING**  
**Somerset Borough Council**  
**Municipal Authority of the Borough of Somerset**  
**7:00 P.M. - August 27, 2012**

The Borough Council meeting was called to order by Ruby Miller, President.

The Municipal Authority portion was called to order by William Kuhlman, Chairman.

Meeting was opened with recitation of the Pledge to the Flag.

**Present:**

Council Members Paul Urbain, Ruby Miller, Frank Koval, Judy Pyle, Fredric Rosemeyer, Wanda Miller, and Scott Walker; William Meyer, Mayor; Benedict G. Vinzani, Jr., Borough Manager; Michele Enos, Assistant to the Borough Manager; Brett Peters, Director of Finance; John J. Dirienzo, Jr., Borough Solicitor; Randy Cox, Chief of Police; Tom Reilly and Eric Critchfield, Consulting Engineers. Municipal Authority Members present were William Kuhlman, Hank Parke, and Vincent Jacob. (Sign-in sheet is available on file.)

Mr. Jacob moved to approve minutes of the previous joint meeting of July 23, 2012 – motion seconded by Mr. Parke.

Unanimously Carried.

**New Business – Joint Action**

Mr. Kuhlman referred to the joint action on the Water Allocation Permit Application. Mr. Vinzani said he was authorized to meet with the DEP along with Mr. Critchfield to discuss options to be taken. He said we told them that we were considering withdrawal of our application contingent upon all of our other permits being kept in place.

The Shaffer Run, Coxes Creek and our Quemahoning water supply would meet our demands. We would run the Shaffer Run wells through our treatment plant although it is chlorinated at the site. In withdrawing the permit, the timing would have to be worked out and it would be dependent upon all the other permits continuing.

Concerning the dam, Mr. Vinzani said the DEP would turn it over to another agency along with their letter to us acknowledging withdrawal of the permit, with a copy of the letter directed to the person having control over the dam to decide if a “decommissioning” is warranted. They noted that there is potential grant money for any “decommissioning” of dams.

Mr. Reilly explained that the stream channel would have to be restored to its original configuration, put back to the original location, and the old reservoir area bottom would have to be stabilized.

Discussion followed – they recalled the issue of residents’ concern of our withdrawing water from Laurel Hill Creek and discussed researching possible grant money for decommissioning costs. Mr. Vinzani stated that after the three month study, it appears to be advisable to withdraw the permit.

Motion (Municipal Authority)

Mr. Jacob moved, Mr. Parke seconded to withdraw the application for renewal of the Water Allocation Permit to withdraw surface water from Laurel Hill Creek.

Unanimously Carried.

Motion (Borough Council)

Ms. W. Miller moved, Mr. Walker seconded to withdraw the application for renewal of the Water Allocation Permit to withdraw surface water from Laurel Hill Creek.

Unanimously Carried.

They further discussed the grant application process, application cycles, and Mr. Vinzani said he and the Solicitor will write the letter to withdraw the permit application on behalf of both bodies. He noted that the permit is in the Authority’s name but the Borough is manager of both.

**Adjournment, Municipal Authority**

Mr. Jacob moved to adjourn, motion seconded by Mr. Parke.

Unanimously Carried  
7:17 p.m.

**Borough Council Meeting**

**Approval of Previous Minutes**

Mr. Walker moved, Ms. W. Miller seconded to approve the minutes of the July 23, 2012 Joint Meeting.

Unanimously Carried.

**Opening of Bids**

Mr. Vinzani referred to the bid tabulations, explaining that the crushed stone will be awarded both ways, delivered, picked up, and as near to Somerset as possible:

<u>Quantity</u>	<u>Description</u>	<u>Delivery</u>	<u>New Enterprise</u>	<u>Garrett Limestone</u>
100 tons	2A Stone	(delivered)		\$10.10
75 tons	2A Stone	F.O.B.	\$6.75	
600 tons	AASHTO	(delivered)		\$16.85
200 tons	AASHTO	F.O.B.		\$14.35
50 tons	2RC	(delivered)		\$9.60
10 tons	2RC	F.O.B.	\$6.50	
600 tons	#57 AASHTO	(delivered)		\$13.45
100 tons	#57 AASHTO	F.O.B.	\$10.00	
100 tons	#10 AASHTO	(delivered)		\$10.10
30 tons	#10 AASHTO	F.O.B.	\$ 7.50	
75 tons	#1 AASHTO	(delivered)		\$13.45
20 tons	#1 AASHTO	F.O.B.	\$10.00	
700 tons	#8 AASHTO	(delivered)		\$16.85
25 tons	#8 AASHTO	F.O.B.	\$14.25	
100 tons	9.5 MMR	F.O.B.	\$69.00	(No Bid)
50 tons	25 MMR	F.O.B.	\$59.00	(No. Bid)
30 tons	Stockpile Patch	F.O.B.	\$110.00	(No Bid)

Motion

Mr. Walker moved, Mr. Urbain seconded to award the lowest bid in each delivery category, for Crushed Stone.

Unanimously Carried.

General Public Comments

Jerry Lyons, Somerset Fire Department, reported that the repair projects at the Fire Hall were completed, working closely with EADS. Since trucks are now heavier they built a concrete support underneath the floor in the Public Safety Building.

He described a “drill” scenario of a sniper shooting that was held at the high school, along with employees and teachers.

He commended Mr. Vinzani and Mr. Svirsko for their cooperation in completing various projects around the building.

Kevin Miller – referred to properties he owns at 160 Burgess Street, 218 Cherry Lane and the Marker subdivision that has experienced flooding of a stream near these locations, with one house requiring extensive repair. The dye test shows storm water

runoff from the Bi-Low parking lot area. A letter outlining this problem was then presented to the Manager, who agreed to schedule a meeting for further discussion.

**Payment of Bills**

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

Check Numbers: 20189 to 20390

Total Amount: \$549,307.62

Unanimously Carried.

**Old Business**

**Updated Flood Plain Ordinance**

Mr. Vinzani said we received approval from the DEP for the current version of the Flood Plain Ordinance adopting new regulations, required for every municipality in Somerset County. We have until September 19<sup>th</sup> to adopt the ordinance. We chose to use one of their templates and insert the sections of our own ordinance that we currently enforce, with certain sections of the flood plain that have been reduced since the last revisions were done in 1992. We will then be in compliance with FEMA regulations and continue to be eligible for flood insurance.

**Motion**

Mr. Walker moved, Mr. Koval seconded to adopt the Flood Plain Ordinance to comply with new FEMA Regulations.

Unanimously Carried.

**County Jail Discharge - Update**

Mr. Vinzani explained that we are daily monitoring two or three manholes, taking pictures and obtaining physical samples of the effluent. We are looking for any changes in the discharges and we additionally “dye-tested” from within the jail.

**New Business**

Mr. Vinzani reported that we were approached by a TV show entitled: “Today in America” featuring Terry Bradshaw. They are offering to produce a video for the Borough. Since the cost is over \$19,000 and the fact that Somerset Inc. has recently produced a video called “Town Trek” which spotlights many attractive things in our area, he recommended not proceeding with this.

**Motion**

Mr. Walker moved to decline their offer – motion seconded by Mr. Koval.

Unanimously Carried.

**Somerset Housing Development Partnership III**

The Planning Commission held a meeting to review the Somerset Housing Development’s subdivision request which would make one lot into two. They recommend that Council approve the subdivision.

**Motion**

Ms. W. Miller moved to approve the Somerset Housing Development Partnership III Subdivision Request – motion seconded by Mr. Walker.

Unanimously Carried.

**Conemaugh Health System**

Mr. Vinzani referred to a letter requesting a zoning change to the old Eckert Drugstore Building property. He said this is the first request adding a definition to a zoning district, adding a use in one zoning district that is not permitted in this district. Two options to consider are to refer it to the Planning Commission for recommendation or elect to not seek the Planning Commission’s recommendation.

Discussion followed, covering what other businesses this building can house; tax base and taking business from Somerset Hospital. The Solicitor said that if Council wished to accept their request, the ordinance requires that we refer the matter to the Planning Commission for their evaluation and recommendation. We would not have to accept their recommendation.

**Motion**

Mr. Walker moved to direct this item to the Planning Commission for their advice on this development – motion seconded by Mrs. Pyle.

Motion carried, 5-2 - with Messrs. Rosemeyer and Urbain voting “no”.

**Somerset County Leadership**

The Manager said he distributed information on this program.

**Motion**

Mr. Rosemeyer moved to authorize Michele Enos to attend one of the upcoming Somerset County Leadership Programs – motion seconded by Mrs. W. Miller.

Unanimously Carried.

**Zoning Hearing Board Resignation**

Motion

Mrs. W. Miller moved to accept the resignation of Marty Kammerer, Zoning Hearing Board Member, send him a letter of thanks for his service on the Board and send letters of interest to the various Boards and Commissions – motion seconded by Mr. Rosemeyer.

Unanimously Carried.

**Council Meeting – Date Changes**

Mr. Urbain moved to authorize changing November and December’s Council Meeting dates to the third Monday in each month due to the Holiday Season – motion seconded by Mr. Walker.

Unanimously Carried.

**Committee, Administration, Special Reports**

**Manager’s Report**

Regarding Act 13, the Marcellus Shale’s distribution of monies to municipalities, we filed the paperwork and received confirmation from the Public Utilities Commission that we complied with Act 13, which determines the distribution of these monies to municipalities to share in tax monies.

Our Finance Committee met August 17<sup>th</sup>. The Borough and Conservation District were successful in obtaining money for rain barrels, and 102 of them were distributed in the target area.

He attended the new film that Somerset Inc. produced, along with the Mayor and Mr. Urbain. The Mayor said there were 7 or 8 segments, with each segment on a specific historic house in uptown Somerset. It is available on YOU TUBE or online.

**President’s Report**

Mrs. Ruby Miller congratulated Messrs. Critchfield and Reilly for their years of service to the EADS Group. She reminded all to sign up for the Somerset County Boroughs Association meeting scheduled for September, to be held in Berlin.

**Public Works/Equipment Committee**

Mr. Walker reported on recent Public Works activities - curbing completed - barriers installed - sidewalk railing at the Public Safety Building and grass cut at various fire hydrants. They continue mowing around the stream banks in preparation for inspection by the Army Corps of Engineers. They repaired water line breaks and worked on the storm sewer line along Marker Drive. They painted the Scale building at South Edgewood Avenue and repaired uptown parking meters.

## **Public Safety Committee**

Mr. Rosemeyer reported on the committee meeting. A new police officer was hired, which will allow another officer to focus on the drug issue. They discussed the vehicle computers. Chief Cox said three tablet computers were purchased and described the cameras, video players, tape recorders. He said this is the first time an affordable high-speed internet platform existed in Somerset Borough. Verizon priced it to basically cost around forty dollars per month. He said they switched their wireless phone service to Verizon, which cut their monthly bill significantly so that they can add the data packages and still pay less than at this time last year.

The police dog is scheduled to retire. They discussed costs of training and replacing a canine, life span of a canine, training regimen, and finding an appropriate handler.

Ms. W. Miller asked about bicycle patrols. Mr. Cox explained that we do not currently have certified bicycle riders, a matter of seeking the training. In curtailing expenditures they are putting less people out on certain shifts. A bicycle officer goes through the general promotional curve, assuming other duties or taking another job, etc.

Mr. Rosemeyer asked about the West Union Street 25-mph speed limit. Mr. Cox suggested a borough-wide 25 mph limit on non-state highways unless otherwise designated. They discussed number of signs needed; sign prices plus placement costs; areas; and Mr. Vinzani said we could not financially do all at one time. Area generating speeding complaints would be considered first.

Mr. Rosemeyer thanked Chief Cox, Mayor Meyer, and Officer Appel for their involvement in a very successful National Night Out and recommended a letter of thanks from Council. Mr. Cox also suggested a letter to Officer Appel for his huge amount of work in arrangement of National Night Out.

Mr. Vinzani pointed out that since an officer was hired we need to officially place the officer (Jessica Urban) on the roster of part time officers. Mayor Meyer suggested deferring that action.

## **Finance Committee**

Mr. Urbain offered the following Finance Report, at approximately 58.3% of the year:

General Fund Revenues: 79.08% - Expenses 52.04%

Water Revenue Fund Revenues: 58.42% - Expenses 72.40%

Sewer System Operating Fund Revenues: 54.77% - Expenses 57.24%

He noted that the difference between the water fund's revenues and expenses will even out when we receive funds from the Turnpike Commission. Everything is on schedule.

**Somerset Inc.**

Mrs. Pyle suggested looking at “Town Trek, Somerset, PA” in the computer. Mr. Vinzani said we will be notified of any grants for Streetscape.

**Solicitor’s Report**

(To be addressed in Executive Session)

**Mayor Report**

Mr. Meyer described a drill held between the Somerset Borough Police, State Police and the Somerset Fire Department, entitled “active shooter in the school”. The officers trained for a school search, in teams of four. Chief Cox said the drill was very educational and this is the first time we trained together to respond to a dangerous situation in any of our public buildings in town. They are looking to do at least two more drills in the schools, building up to a full scale drill by end of the year.

Mr. Rosemeyer asked about an alarm system for our community and suggested having a committee contact State Representatives for any assistance. President Miller suggested checking for State or Emergency Management grant monies.

**Executive Session**

Mr. Walker moved, Mr. Rosemeyer seconded to enter into Executive Session for the purpose of negotiations.

Unanimously Carried – 8:10 p.m.

Executive Session ended at 8:50 p.m. – regular meeting resumed.

**Adjournment**

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

Unanimously Carried – 8:52 p.m.

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