

SOMERSET BOROUGH COUNCIL MEETING

April 22, 2013 - 7:00 p.m.

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

Present: Ruby Miller; Paul Urbain, Judy Pyle, Fred Rosemeyer, Wanda Miller, Scott Walker, Members of Council.

Benedict G. Vinzani, Jr., Borough Manager; Michele Enos, Assistant to the Manager; George Svirsko, Director of Public Works; John J. Dirienzo, Jr., Borough Solicitor; Brett Peters, Director of Finance; Randy Cox, Chief of Police; William Meyer, Mayor; and Jerry Lyons, Somerset Fire Department also present.

(Sign-in sheet is on file.)

Approval of Previous Meeting Minutes

Mrs. Pyle moved, Mr. Walker seconded to approve minutes of the meeting of March 25, 2013.

Motion Unanimously Carried.

General Public Comments

Mr. Lyons reviewed issues concerning the Public Safety Building. The community room ventilation system repairs are completed. He pointed out a newspaper error that stated the cost as \$16,000 and confirmed the correct cost at \$1,600.

Another problem is with the oil separator that was placed in the engine room when the building was renovated, it is not draining properly. This will be checked by EADS. Another problem is loose floor tiles in the lounge room, which will also be checked out.

Payment of Bills

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

Check Nos. 21610 to 21769 Total Amount: \$324,867.66

Motion Unanimously Carried.

Old Business

School Resource Officer

Mr. Dirienzo said the Agreement has become a two-step process. Somerset Township, third party to the Agreement, has asked for additional time to consider their involvement. He explained that it was determined that Township involvement would not be necessary since Intermunicipal Agreement laws in Pennsylvania recognize the School District as one municipality capable of joining with another.

Concerning a school police officer's duties, the Township has deferred further action on the decision to do what they had done before on occasion, until cost issues are resolved.

This can become a two-step process; step one would be to make separate arrangements with the School District for special police protection, dedicated to be on-site for school days at the rate of \$32.00 per hour, as a separate arrangement. Missing would be the ability for our officers to regularly attend the non-borough schools unless something special was required, which would continue to allow them to have the privilege of a municipal officer under Act 42, "special situations". This would be replaced by a three-party agreement when the Township is satisfied with the explanation.

Motion

Mr. Rosemeyer moved, Mr. Walker seconded, to accept the Borough Schools in this phase of step one, (\$32 per hour), and because of the difference in our budget years, it will run to end of this calendar year, after which our costs may change.

Motion Unanimously Carried

New Business

Zoning Modification

Mr. Vinzani reported that the Planning Commission's recommendation concerning the Barron/Koontz Zoning Modification was received, and they recommend that Council conduct a Public Hearing. Council can accept or reject the recommendation and if accepted, a date should be selected, either before or during a

Council meeting, whereby we take testimony from property owners within 100 feet of the site.

Motion

Mr. Urbain moved to schedule the Planning Commission's Barron/Koontz re-zoning request hearing for 6:00 p.m.; Municipal Authority meeting at 6:30 p.m.; and regular Council meeting at 7:00 p.m. on May 20, 2013. Motion seconded by Mrs. Pyle.

Motion Unanimously Carried.

Correction - Previous Minutes

Motion

Mr. Walker moved, Mrs. Pyle seconded to render a correction to the January 28, 2013 minutes in which Mr. Lyon's wording stating that the Fire Department is getting an "energy camera" – should be corrected to read "thermal imaging camera".

Motion Unanimously Carried.

PUC Hearings

On the subject of authorizing free parking in certain areas of town during the PUC Hearings regarding the CSX Railroad Crossing, Chief Cox explained that they moved the meeting to Somerset rather than Pittsburgh, for the purpose of convenience for those attending. They discussed dates, time periods, and designated areas.

Motion

Mr. Walker moved, Mrs. Pyle seconded to authorize free parking in certain areas of town during the PUC Hearings concerning the CSX Railroad Crossing, on July 30th and July 31st starting at 10:00 a.m.

Motion Unanimously Carried.

In discussion concerning free parking offered for other events, Mr. Vinzani said the Motorcycle event request was received, and the "public facility use" form was provided. The Memorial Day parade is added to our insurance policy each year, with no additional charge, provided that it is similar to those in the past.

Motion

Mr. Urbain moved, Mr. Rosemeyer seconded to continue to add the Memorial Day parade to our insurance coverage.

Motion Unanimously Carried.

Somerset Daily American Donation

Mr. Urbain said the Somerset Daily American newspaper has approached us for a donation to help with the 4th of July fireworks. He mentioned that they requested \$2,000 to help with the fireworks display. Our Finance Committee recommends \$600.00.

Motion

Mr. Urbain recommended donating \$600.00 towards the upcoming fireworks display – motion seconded by Mr. Rosemeyer.

Motion Carried, 5-1
(Mr. Walker voted “no”)

Engineering Agreement with EADS

Mr. Vinzani explained that this agreement concerns the waterline relocation along Coxes Creek Road, and is accompanied by a resolution authorizing us to request 100% reimbursement. Mr. Reilly said they are replacing the narrow culvert towards the Coxes Creek treatment plant. The 16-inch waterline installed in 1995 was on private right-of-way, and PENNDOT is now taking additional right-of-way to install a new box culvert. The Borough will receive 100% reimbursement for this project.

He said they asked PENNDOT to reserve the Borough’s private rights in case there needed to be a later relocation. The Borough would still receive the 100% reimbursement since we were originally in private property. PENNDOT incorporated this into their contract.

Motion

Mr. Walker moved to authorize the Engineering Agreement with EADS, for Design of the Waterline Relocation Project along Coxes Creek Road - seconded by Mr. Urbain.

Motion Unanimously Carried.

Motion

Mr. Walker moved, Mr. Rosemeyer seconded to consider executing the PENNDOT resolution requesting 100% Reimbursement for the Coxes Creek Waterline Relocation Project.

Motion Unanimously Carried.

Committee, Administration, Special Reports

Manager's Report

Mr. Vinzani said we are applying to FEMA for backup generators at several facilities. There are seven locations. The application is worth \$865,000 if we are fully funded.

The CDBG Program for year 2013 is forthcoming. We will likely be continuing to fund the Columbia Avenue sanitary sewer line replacement and add more funds for demolition of substandard structures.

Spring Cleanup is scheduled for May 13th and May 14th.

The State has mandated that electronics have to be recycled now, versus collected and dumped into landfills. Waste Management will attempt to have an electronics cleanup day and a collection from residents as well.

We have received partial reimbursement of expenses for Hurricane Sandy through PEMA, and we also have a second application submitted for reimbursement.

We received a donation of four bird houses, an Eagle Scout project. We will restore them and a series of four will go in one location.

President's Report

Mrs. Ruby Miller reported street signs stolen, including the poles. They are working on replacing them. They will be starting paving projects.

Engineer's Report

Mr. Reilly noted that the Industrial Park Waterline Project is moving rapidly. He provided an update of current water/sewer projects.

Public Works Department

Mr. Walker reported that the Department has been removing anti-skid and repairing landscaping damages from snow plowing. They will be seeking Council's approval for bids for paving Walnut Street (from Beech Street, to Beaumont) ; Alder Avenue (from Patriot to Main); Ankeny Avenue, (from Church Street to Race Street), and to seal the F.O.E. parking lot plus sealing at the Public Safety Building. Cracks sealing on other deteriorating streets as money allows.

Motion

Mr. Walker moved, Mrs. Pyle seconded to authorize bid solicitation and seek scheduling for the paving and sealing projects.

Motion Unanimously Carried.

Mr. Walker asked about the State's paving schedule for Patriot and East Main Street, and mentioned other deteriorated areas. Mr. Vinzani said we will contact PENNDOT on this matter.

Public Safety Committee

Mr. Rosemeyer reported that four officers participated in the Civil Service test for the position of Sergeant.

Finance Committee

Mr. Urbain stated that the Committee met on April 18th. We will be donating to the Somerset Daily American. We projected approximately \$4,000 in spring cleanup costs. He provided the following report, at first quarter of the year, 25% of the budget:

General Fund Revenues: 13.07% - Expenses: 23.3%

Water Fund Revenues: 26.89% - Expenses: 25.48%

Sewer Fund Revenues: 25.9% - Expenses: 23.5%

Somerset Inc.

Mrs. Pyle reported on her meeting with the Trinity Park Committee. They applied for a grant for the park, and estimate approximately \$400,000 for the planned project. They expect to remove trees from the area. The Garden Club has agreed to plantings for the summer since a grant will not be available until the end of the year.

They are working on a formal Agreement for events, and will be charging for some of the expenses. She said the Brinker Building has been sold, and they discussed the status of several other buildings in town.

Solicitor's Report

Mr. Dirienzo referred to the PUC Hearings concerning the CSX Railroad Crossing, and designated dates, time, etc. for free parking on certain streets in town. He said that since we are a party to these proceedings it would be beneficial having as many members of Council present as possible at the hearing.

The President reminded Council of the Somerset County Borough Association meeting at Rizzo's Restaurant in Windber, May 16th.

Mayor's Report

Mr. Meyer said he has been in contact with a group of at-risk children from the Kansas City area. They are in the process of re-building an old car, and will be here on June 4th. He said they would like to do a demonstration, however the school parking lot will be full of cars. He is contacting the Vo-Tech School to see if the demonstration can be held there, but there may be less people gathering at this location. Other areas were suggested - the Georgian Place, the college, open field by the walking trail.

Adjournment

Ms. Wanda Miller moved to adjourn, seconded by Mr. Urbain.

Motion Unanimously Carried.
7:46 p.m.

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