

Council Meeting – August 25, 2014

The meeting was called to order by President Ruby Miller at 7:00 p.m., opening with recitation of the Pledge to the Flag.

Present

Council Members: Ruby Miller, Fred Rosemeyer, Judy Pyle, Pam Ream, Sue Opp, and Gary Thomas. Mayor Scott Walker was also present. (Sign-in sheet is available on file.)

Announcement

An Executive Session was held at 6:00 p.m. for personnel matters.

Approval of Previous Meeting Minutes

Mr. Rosemeyer moved, Mrs. Opp seconded, to approve minutes of the July 28, 2014 meeting.

Unanimously Carried.

Opening of Bids

(a) Sewer Plant Lagoon Liner

Tom Reilly, Borough Engineer, reported on three bids received; one from a local contractor and two from out of the area. The apparent lowest responsive bidder was from MB&R Piping Contractors, Inc., McKeesport, PA with total base price of \$378,300.00. References were checked.

Motion

Mrs. Ream moved, Mrs. Opp seconded, to accept the bid from MB&R Piping Contractors, Inc., in the amount of \$378,300.00.

Unanimously Carried.

(b) Water Treatment Plant Repairs

Mr. Reilly said one bid was received from Darr Construction, at \$157,371.00. He noted that they previously worked at the Bakersville water treatment plant.

Motion

Mrs. Ream moved to award the bid for the water treatment plant repairs to Darr Construction, in the amount of \$157,371.00 – motion seconded by Mrs. Opp.

Unanimously Carried.

Payment of Bills

Mrs. Opp moved, Mr. Thomas seconded, to pay the following bills:

Check Nos. 24345 to 24486

Total Amount: \$353,410.06

Unanimously Carried.

New Business

(a) Somerset Trust Company Proclamation

Mayor Walker presented the following Proclamation:

“WHEREAS, Congressman Edward Scull and his 4th of the 6 sons, George R. Scull, were the prime forces behind the chartering of the First National Bank of Somerset, PA in 1889. Edward Scull was the bank’s first President and served in this office until his death in 1900. George R. Scull succeeded his father as President and filled that Office until he died in 1935, and;

WHEREAS, in 1900 George R. Scull headed a group that founded Somerset Trust Company, which merged with the First National Bank in 1953, and;

WHEREAS, throughout the years Somerset Trust Company has grown and prospered, George S. Cook, great grandson of Congressman Edward Scull, served for 34 years as the bank’s President and CEO and today, G. Henry Cook, the 6th member of the family to head the institution, is President, CEO, and Chairman of the Board, and;

WHEREAS, Somerset Trust Company continues to expand its branch and ATM network throughout Somerset, Cambria, Bedford, Fayette, Garrett and Westmoreland Counties, building on a reputation as a customer-oriented community bank.

NOW THEREFORE, I, Scott A Walker, Mayor of the Borough of Somerset, along with the Council of the Borough of Somerset, do hereby proclaim August 26, 2014 to be Somerset Trust Company’s 125th Anniversary Day in the Borough of Somerset, in recognition of their continuing service to our community and furthermore, extend our sincerest wishes for their continued success.”

(b) Somerset Trust Company – Community Improvement Award

The following Award was presented:

The Somerset Trust Company, this 25th day of August, 2014, in recognition of your Revitalization Project at 130 East Main Street, Somerset, PA, wishes to inform

you that your continued contributions to improve our community are greatly appreciated.

Henry Cook presented a detailed background review on the beginnings of Somerset Trust Company banks in Somerset.

He explained the background history from First National Bank to Somerset Trust Company concerning banking reform, taxes, various laws, etc. He pointed out that they are a Somerset bank, committed to the Borough.

(c) Somerset County Economic Development Council

Mr. Vinzani said we received the Council's annual dues request based on our population, at ten cents per person, amounting to \$627.70 at this time.

Motion

Mrs. Opp moved; Mr. Thomas seconded, to pay the SCED Council's annual dues, in the amount of \$627.70.

Unanimously Carried.

(d) Real Estate Tax

Concerning a request from Carol Smith to accept her Real Estate taxes at the discount amount, Mr. Vinzani explained that our Tax Collector, Ms. Brown, forwarded a cover letter indicating that Mrs. Smith had forwarded her tax payment during the discount period, however it was not received until the face period, possibly an error at the processing center.

Solicitor Dirienzo said he believes that since we engage a Tax Collector to collect the taxes; at end of the collection period if the Collector believes they need to be exonerated from further collection of certain taxes, they seek attention of the taxing body.

He said we do not do this on a case by case basis if something got lost in the shuffle, and the Tax Collector is not in a position to accept less than the amount due. We had nothing to do with this. Also we cannot partially exonerate a Tax Collector from collecting taxes otherwise assessed and collectable, from everyone else.

He explained that if the Collector wants to be relieved from this responsibility of collecting certain taxes, he/she then seeks exoneration from us, for stated reasons. We do not have the statutory right to forgive her taxes. Regarding responsibility for penalty, Collector Ms. Brown should resolve this. He advised that the Borough is in no position to grant any amnesty, deferral or reduction, and restated that the Tax Collector is responsible for collecting taxes that end up with the Borough.

At this point President Miller mentioned a recurring issue concerning notifying residents of high grass and garbage problems regarding the number of warnings to be given, and whether our ordinance could be revised since many of these problems are repetitive by the same residents.

Mr. Vinzani explained our procedure – we send a Notice of Violation letter; if they take no corrective action we then file charges at the District Judge Office and it goes to a Hearing. Notice is first given, and then the fine is incorporated. Regarding an ordinance, we would need to define the changes and authorize the Solicitor to prepare an amending ordinance. He said he will put together some changes, circulate it, and have Council authorize the changes.

Committee, Administration, Special Reports

Manager's Report

Mr. Vinzani reported the following:

He attended National Night Out and thanked all participants for a successful event.

The Public Works Committee meeting was held August 6th – plans for next month were reviewed.

The Finance Committee meeting was held August 15th.

PennDOT notified us that the Patriot and Main Street Paving Projects will be deferred until next year. Bids returned a bit higher than normal because of a shorter time period.

The Turnpike Commission will meet to begin discussion concerning the bridge on North Center Avenue, a 2017 project. They will meet next Fall but have an immediate official meeting to establish a base on what is to be done, where, and with a suggested time table. The Emergency Management Committee will be added to the list.

They discussed the Turnpike Bridge construction techniques, and confirmed funding for the sanitary sewer project on Columbia Avenue.

President's Report

President Ruby Miller presented the following:

The Somerset County Boroughs Association Banquet will be held at Rizzo's Restaurant on September 18th.

Letters from Council were sent, for opening of the "Best Way Pizza" and "Bad Boys Bistro" restaurants.

Prices on the playground cameras were reviewed, at a meeting with MEI.

She announced that Manager Benedict G. Vinzani, Jr. plans to retire in mid-January 2015. Mr. Vinzani presented a review of his career of 36 years, and expressed his thanks to all.

Fred Rosemeyer read the following advertisement for the position of Borough Manager:

“Somerset Borough, located in Somerset County, Pa, is a three square mile area, with 7,000 residents and 75 employees.

Applications are being sought for the position of Borough Manager. Duties include all phases of supervision and management of administrative and public works staff.

Applicants should be an excellent communicator with knowledge and experience in planning, zoning, grants, economic development and inter-governmental cooperation.

Five years of Administrative Managerial experience in Public Administration is required; comparable private sector qualification will be considered.

Salary range is dependent upon qualifications and experience.

Please forward application by October 1, 2014.”

Discussion followed concerning salary range, college degree, and qualifications/experience/residency to be decided upon by Council. They also talked about best advertisement areas, charges, and time periods.

Engineer’s Report

Mr. Reilly said they discussed the two contracts that were awarded tonight.

They submitted the public water supply permit for the additional waterline work to Pennvest, and are waiting for their approval. They will then have a final Change Order price and have this work completed.

Public Works/Equipment Committee

Mr. Thomas presented the following report:

At their August 6th meeting they talked about the equipment status, removal of old vehicles, street paving and starting the new budget.

Public Works painted the playground pool and sections of the pavilion, repaired electrical wiring in preparation of National Night Out, installed four backflow valves on sanitary sewer laterals in Brierwood Drive and on West Main Street near Humberson Drive.

They flow tested master meters and blacktopped the area on West Union Street at the new waterline, and Cherry Lane at the storm sewer.

They installed two “watch children” signs on Missouri Avenue; performed maintenance of fire hydrants on North Center Avenue; installed blacktop curbing

along Terrilin Drive and Park Avenue; landscaped Orchard Avenue, West Race Street and Rosina Avenue.

Directional arrows were painted on Patriot, Edgewood Avenue and Gilmour Bypass to North Center Avenue.

Flowers were watered in the Uptown Area; Borough grasses mowed; trash picked up; monthly grease trap inspections performed at restaurants and chemicals unloaded at the water treatment plant.

The 2009 pickup truck was placed in service – all equipment was added and it is working out well.

He said the Department of Transportation patched potholes; however some of our streets are deteriorating. Mr. Vinzani explained that Patriot, Main and Harrison Streets' work has been deferred to next year's paving. The contract was bid, but the time period was too short before snowfall and all prices came in too high, therefore bids were rejected and will be rebid next year. The streets, however, will be kept passable, potholes patched, etc.

President Ruby Miller pointed out street signs needing repair plus a complaint of high grass around parking meters in Borough lots. Mr. Vinzani said we contracted EADS to do the sign survey, and this will be addressed.

Public Safety Committee

Mr. Rosemeyer said they discussed Civil Service guidelines concerning physicals.

Mr. Cox reported that the motorbikes are now back on the road.

Officers arranged a very successful, well attended "National Night Out".

He said they are looking at the possibility of placing cameras in their vehicles, a cost of nearly \$5,000 per unit.

They discussed the insurance issue of an officer's injuries at an intersection, in Unit 85. We paid some of the replacement and lost 5 to 7 thousand dollars. Chief Cox said we sent this through Selective Insurance at our agent's urging and won't have any penalty, but the person's insurance company is not covering anything since this is not how we pursued the claim. Mr. Vinzani said our Solicitor will assist with the plan.

Mrs. Miller reported a complaint of speeding on Patriot Street, from the hospital to Pleasant Avenue, and asked about additional traffic control. Chief Cox acknowledged this.

Finance Committee

Mr. Rosemeyer presented the following report. At their meeting of July 7th, we are at the 58.33% point of the year.

General Revenue Fund

Revenues: 73.96%

Expenses: 55.83%

Water Revenue Fund

Revenues: 74.89% with Pennvest project - 64.30% without Pennvest project

Expenses: 60.25% with Pennvest project - 53.40% without Pennvest project

Sewer Revenue Fund

Revenues: 55.58%

Expenses: 54.41%

The budget was reviewed, with no red flags observed. Mr. Vinzani and Mr. Peters were thanked for their commendable budget management.

Somerset, Inc.

Mrs. Pyle reviewed their activities. A sporting event was held Saturday with 60 people attending. They are receiving large participation from various businesses, with great success.

Somerset Inc. is raising funds through "Dinner in Trinity Park". She distributed invitations for September 13th, with music, buffet and offered tickets.

She received an e-mail from the Redevelopment Authority stating that the Department of Conservation and Natural Resources gave approval to proceed with the groundbreaking of the Trinity Park Project. They are looking at fund raisers; we have cash for the first quarter of the development project and a grant was submitted for matching funds.

Fire Department

Mr. Thomas reported the following activities:

They are up to 369 calls for the year ending September 30th.

They had two large structure fires in town, and received adequate manpower and assistance from other fire departments. They had good response from the Police and Public Works Departments when they had problems with the hydrants. He described the fire on West Main Street; they had Stoy Excavating Co. come in, which worked out well and they are working with the insurance company for

reimbursement. He said the firemen did an amazing job of protecting the two nearby houses.

The Fire Alarm Ordinance has been passed on to the Fire Chief. They are looking at adopting it, and will present it to Council for review.

Solicitor's Report

Regarding engaging a new Borough Manager, there is a statutory limitation on the length of time to be offered as a contract of employment. The law states that it will be either two years or until the next Council Reorganization, whichever is sooner. He advised keeping in mind that there are limitations.

Mayor's Report

Mayor Walker expressed his satisfaction with the Police Department's handling of the recent crimes in the Borough.

They discussed the opening of the Child Advocacy Center in Somerset Hospital. This was celebrated between Victim's Services, PA State Police, Somerset Borough Police and the District Attorney's Office. He explained that previously children in need had to be transported to Pittsburgh for interviews but we now have a private area at the hospital and two nurses who volunteered for training for forensic exams and interviews, along with State and Borough Police.

Adjournment

Mrs. Opp moved, Mr. Rosemeyer seconded to adjourn, 8:20 p.m.

Unanimously Carried.

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