

## **Borough of Somerset Committee of the Whole**

### **August 13th, 2018 5:00 p.m.**

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

#### **Roll Call:**

Council Members present: Ruby Miller; Fred Rosemeyer; Judy Pyle; Pam Ream; Steve Shaulis and Gary Thomas.

Absent were Council Member Sue Opp; Mayor Scott Walker; and Consulting Engineers, Tom Reilly and Jake Bolby.

Also present were the following: Borough Manager, Michele Enos; Director of Finance, Brett Peters; Chief of Police, Randy Cox and Solicitor James Cascio.

#### **Announcements:**

(a) *None*

#### **Approval of Minutes of Previous Meeting:**

(a) *All minutes are approved at the regular Council Meeting.*

#### **General Public Comments:**

(a) *None Registered.*

#### **Policy Agenda:**

#### **Old Business:**

(a) *None*

#### **New Business:**

(a) Traffic Control for Local Events – *Discussion.*

Ms. Enos disclosed that traffic control has been an ongoing problem for some of our local nonprofits that are holding community events. They are finding it more difficult to find fire police for traffic control when streets are closed. She stated that they have to “scramble at the 11<sup>th</sup> hour”, and they are reaching out to the Borough for help. Ms. Enos mentioned that we are happy to assist, because we have Public Works Borough employees who are trained and certified in traffic control.

Ms. Enos mentioned that the Borough has been successful in helping in traffic control, previously, by authorizing a split-shift for employees, which does not require overtime. She expressed that she cannot guarantee that it wouldn't require overtime for all local events in the future, especially in the winter months.

She mentioned that the Public Works Borough employees used in traffic control are Union Personnel. Therefore, the Borough reached out to the Union regarding working these employees' split-shifts, and the Union was fine with it. The Public Works employees were fine with it, as well.

Ms. Enos expressed that she wanted to know how Council felt about continuing to utilize our Public Works employees in a split-shift fashion, when needed, knowing that it could create overtime in some instances.

Necessary traffic control, to redirect traffic, and a Policy regarding street closures during an event within the Borough, were discussed among the Council.

Mrs. Ream expressed that she felt it would be safer for our community to involve the Borough Police Officers to be that traffic control, and take that on as a Borough, for the safety of the Public Works Borough employees, as long as there are clear parameters.

Ms. Enos mentioned that the Fire Police that have helped with traffic control in the past, during these events, are not Borough employees but their own organization.

Chief Cox mentioned that the Borough Police are involved in traffic control for events. But the problem is, that with the bigger events, more than half of the Borough's Officers would be needed to help. This is in addition to the Public Works employees also helping.

Additional discussion was held about overtime hours involved in traffic control for events, and who would be charged for any overtime hours.

A cost analysis, and development of a Policy, was suggested by Solicitor Cascio.

*(b) Request Form submitted by Council Member Gary Thomas:*

*1. Discussion of Ordinance concerning sheds and their "set-back" requirements.*

Mr. Thomas stated that a Borough resident reached out to him and mentioned that they had an existing garage on their property, and their neighbor wanted to put a shed up right next to it. The resident was concerned about the shed being too close to his garage.

Mr. Thomas stated that the Borough's Code Enforcement Officer, Mr. Tom Jury, went over to look at the situation.

Ms. Enos stated that she did research on the Borough Zoning Ordinance. She stated that she discovered that there are set-back requirements for sheds in residential districts.

Ms. Enos brought out that the set-back requirements are 5 feet from the rear property line, and 3 three feet from the side yard property line. A Zoning Permit, and a Building Permit Application, in addition to the set-back requirements, are also mandatory to place a shed on a property.

She also mentioned that a fence can be erected one foot from an individual's property line.

Ms. Enos explained that an existing structure or building, constructed prior to any Zoning Regulations, would not be in violation.

*(c) Request form submitted by Chief Randy Cox:*

*1. Requesting to hire a part-time police officer in order to fill the schedule.*

***(To be discussed in Executive Session)***

*(d) Somerset Trust Company - Requesting to utilize metered parking spaces for National Fin Tech Day.*

Ms. Enos stated that in Somerset Trust Company's request, they asked that the metered parking spaces be dedicated for the use of Somerset Trust for National Fin Tech Day.

Ms. Enos mentioned that she recognizes that Chief Cox has the authorization to suspend metered parking. But in this request, Somerset Trust would be interested in leasing the metered spots, for that day, for this specific event.

This would include all the metered spaces along Patriot Street, in the F.O.E. parking lot and all the available metered spaces in the parking lot across from Mel's.

**Motion**

Mr. Rosemeyer motioned, Mr. Thomas seconded to approve the request of Somerset Trust Company to utilize metered parking spaces (as requested) for National Fin Tech Day at no cost to them.

Motion Unanimously Carried

(e) Donation Requests:

*1. Somerset Hospital Auxiliary.*

Ms. Enos stated that Somerset Hospital Auxiliary will be holding its 8<sup>th</sup> Annual Sporting Clays Classic, and their Auxiliary is asking for a donation towards this.

Ms. Enos brought out that the Borough did not donate to this cause last year. It was agreed upon by all of Borough Council not to donate to this cause.

*2. Somerset Volunteer Fire Department.*

Ms. Enos stated that the donation the Somerset Volunteer Fire Department is requesting is for their Annual Golf Tournament. Ms. Enos mentioned that in 2017, the Borough donated \$100.00 to be a sponsor for this event.

Motion

Mr. Rosemeyer motioned, Mr. Shaulis seconded to approve the request of the Somerset Volunteer Fire Department to donate \$100.00 for their Annual Golf Tournament.

Motion Unanimously Carried

*3. Somerset County Sheriff's Tactical Search Team.*

Chief Cox mentioned that Somerset County Sheriff's Tactical Search Team has helped the Borough by assisting us three times since June 2018. He said that the Team desires to get a newer and better drone. The drone they use now is privately owned.

Ms. Enos mentioned that at a past meeting this issue was "tabled" by Council, because it was Council's desire that a member from the Tactical Search Team be present at a Council Meeting to make a presentation before Council. Ms. Enos mentioned that the Search Team is scheduled to come in before Council at the August 27<sup>th</sup> Council Meeting.

Various Council Members expressed that they had already seen the Search Teams presentation at the Somerset County Boroughs Association Banquet.

As a result of this, Ms. Enos stated that she would cancel their presentation at the August Council Meeting.

Discussion was held on the amount to donate to the Search Team. It was agreed to donate \$250.00 to this cause.

## Motion

Mrs. Ream motioned, Mr. Rosemeyer seconded to approve the request for a donation to the Somerset County Sheriff's Tactical Search Team in the amount of \$250.00.

Motion Unanimously Carried

### *(f) Turkey Hill – Request to Transfer Liquor License – Discussion on the procedures to hold a public hearing.*

Solicitor Cascio stated that expired Liquor Licenses has been a subject under recent legislation passed by the Commonwealth of Pennsylvania.

He stated that a petition was presented to approve an inter-municipal transfer of a Liquor License to the Borough of Somerset. The request has been made from T.H. (Turkey Hill) Minit Markets, LLC. It describes their desire to renovate an existing location. They request that an expired Liquor License be transferred from Central City to Somerset Borough.

Solicitor Cascio mentioned that T.H. (Turkey Hill) Minit Markets will not be awarded a Liquor License, from PLCB, until PLCB approves their premises. There are specific provisions in the Liquor Code that talk about how this occurs. The first step, is a public hearing on the issuance of a Resolution, requesting the approval of the transfer from outside the Borough to within it. A Public Notice is also required, which was already advertised. In addition, a hearing will be scheduled at the next Council Meeting on July 27<sup>th</sup>, 2018 at 6:00 pm, so the public can attend and make their feelings known. The regular Council Meeting will start at 7:00 pm.

Solicitor Cascio explained that the Borough Council will conduct a hearing. Borough Council will hear the testimony, and hear from any individual who wants to testify.

He explained that if there are specific questions during the hearing, the Borough Council can discuss them. He also mentioned that this meeting will be conducted in compliance with the Local Agency Law.

Solicitor Cascio brought out that the law has recently changed in 2016's Amendment to the Liquor Code, allowing the decision of the Borough Council to be final. Their decision will be un-appealable to the court. Ultimately, the approval of the Liquor License being brought into the Borough is all subject to Municipal approval.

Solicitor Cascio stated that all advanced questions that Council would like to ask the presenters can be submitted to Ms. Enos in advance.

Solicitor Cascio explained that the idea of the hearing, is to allow the applicant to make their argument for relocating the Liquor License.

Further discussion was held among Council about this process.

*(g) Somerset Fire Department Lounge Room – Inspection Report Discussion.*

Ms. Enos provided the Inspection Report findings for the Fire Department Lounge Room to Borough Council.

She stated that Mr. Jerry Lyons, from the Fire Department, was concerned about some of the floor tiles lifting up, and that it was a structural issue. Concerns about the floor potentially separating from the wall, was also received from another individual.

Ms. Enos brought out that she had Mr. Bolby perform an inspection of the lounge floor while herself, Mr. Roger Bailey, Mr. Chuck Glessner and Mr. Jerry Lyons were present.

The Inspection Report, received from Mr. Bolby, indicated that he saw no type of structural problems associated to indicate why the tiles are lifting up. Mr. Bolby concluded that it could be failure of the flooring when it was applied, or problems with condensation when the adhesive was applied. She stated that they will not know exactly what is causing the problem until all the floor tiles would be removed.

Ms. Enos brought out that the cost could be high, because we do not know what we're going to run in to, and being a large room, there is a great deal of floor tile.

She stated that the Fire Department is concerned, and is asking what is going to be done about it. Ms. Enos stated that her recommendation is that we wait until we budget for it, now that we know it is not a structural issue that has to be dealt with immediately.

Ms. Enos brought out that there are no funds in the General Fund this year to address this issue.

She suggested tearing up the floor, seeing what the problem is and replacing it with something more durable as soon as we have the funds to take care of the problem.

Council all agreed to postpone its repair until it is budgeted for in the future.

*(h) Bishop McCort Catholic High School – Requesting to place teal ribbons throughout the Borough (Turn the Town Teal)*

It was brought out that Bishop McCort Catholic High School had previously placed teal ribbons throughout Somerset Borough for this campaign.

Motion

Mrs. Ream motioned, Mr. Rosemeyer seconded to approve the request from Bishop McCort Catholic High School to place teal ribbons throughout Somerset Borough for their "Turn the Town Teal" campaign.

Motion Unanimously Carried

*(i) Director of Finance Report*

*1. Year-to-Date Financial Report through July 2018.*

Mr. Peters distributed the Year-to-Date Financial Statements, through July 2018, to members of Borough Council. He mentioned that we are 7/12ths, or 58.33% of the way through the year.

<u>General Fund:</u>	<u>Water Fund:</u>	<u>Sewer Fund:</u>
Revenues – 73.94%;	Revenues – 57.53%;	Revenues – 55.85%
Expenses – 59.77%	Expenses – 48.45%	Expenses – 36.26%

Mr. Peters stated that Borough Council was free to ask him any questions concerning the Report.

*2. Discussion of the 2018 Budget Year Calendar.*

Mr. Peters distributed the Annual Budget Packets to members of Borough Council, and discussed what was included in the Packets.

Discussion was also held on how budget proceedings were going to be handled, in the next few months, for the 2019 budget year.

Mr. Peters also discussed changes to the regularly scheduled Council and Committee of the Whole Meetings for the months of November and December.

*(j) Manager's Report - Reports distributed to Council for all departments for the Month of July 2018.*

Ms. Enos distributed all of the Departmental Reports to Borough Council.

She stated that if there were any questions on any of the Departmental Reports, to call her at any time.

*(k) President's Report - Given by Ruby Miller.*

Mrs. Miller thanked “all the crew” for their hard work during the rainy season.

She also thanked Ms. Enos for the food she provided at the Committee of the Whole Meeting that night.

*(l) Somerset Inc. Report - Given by Judy Pyle.*

Mrs. Pyle stated that Somerset Inc.’s meeting was being held August 14<sup>th</sup>, 2018.

Discussion was also held, among Borough Council, about the success of the “Chalk the Block” event.

*(m) PSAB Report – Given by Fred Rosemeyer.*

Mr. Rosemeyer reminded Borough Council that the PSAB's Fall Conference is going to be held at Seven Springs October 12<sup>th</sup>-14<sup>th</sup>, 2018. He encouraged all to attend.

Mr. Rosemeyer also mentioned some of the topics that will be discussed at the Conference.

*(n) Somerset Volunteer Fire Department Report - Given by Steve Shaulis.*

Mr. Shaulis mentioned that the Fire Department had 28 fire calls during the month of July 2018.

He stated that the trailer fires are still "haunting" the department, and mentioned that another trailer burned down the previous evening. He stated that this situation is taxing on the little man power that the Fire Department has.

Mr. Shaulis stated that the Fire Department's Golf Outing is on Friday September 21<sup>st</sup>, 2018 at the Country Club.

He also mentioned that the Fire Department is working hard to get the Retention and Recruitment Program running. They are working closely with the school district. The Fire Department is hoping, by next year, the school district can offer the program as an elective for students, where students can receive credits needed towards their graduation.

Mr. Shaulis mentioned that the training requirements make the program difficult. He stated that they have to wait and see what happens, and if it will add people to the Fire Department.

*(o) Engineer's Report –  
(No report given)*

*(p) Mayor's Report –  
(No report given)*

**Executive Session – To Discuss Personnel Matters (Police Department)**

**Motion**

Mrs. Ream moved to go into Executive Session, motion seconded by Mr. Thomas.

Motion Unanimously Carried  
6:12 pm

**Back in Regular Session:**

6:30 pm

## **ADJOURNMENT**

### **Motion**

Mr. Thomas moved to adjourn, motion seconded by Mr. Shaulis.

Motion Unanimously Carried

6:35 p.m.

---

Michele A. Enos, Borough Secretary