

**Borough of Somerset Committee of the Whole
December 10th, 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. Also present was Mayor Scott Walker.

Also present was Junior Council Member Jonathan Wagner.

Absent was Council Member Sue Opp.

Also present were the following: Borough Manager, Michele Enos; Director of Finance, Brett Peters; Solicitor James Cascio and Consulting Engineer, Jake Bolby.

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) Request form submitted by Manager Enos:

- 1. Act 172 of 2016 – Discuss establishing a tax credit to volunteer firefighters and first responders.*

Ms. Enos stated that after discussions with Borough Council regarding setting up the criteria for this tax credit, she took Borough Council's suggestions to the Fire Department, which in turn, was taken to their Board.

The goal is to try to recruit volunteers to become firefighters and first responders.

Ms. Enos mentioned that, as a result of the 100-hour requirement to get the tax credit, the Fire Department's Board is concerned with how they are going to

administratively track 100 hours of various activities of each volunteer firefighter and first responder. Also a concern, is that volunteers will put in their required 100 volunteer hours, and then not be present for the remainder of the year, but still be eligible for a tax credit.

Ms. Enos mentioned that the Fire Department is asking Council to reconsider what they originally purposed. She told the Fire Department that Borough Council would consider readdressing this issue.

Discussion was held among Council concerning how the number of volunteer firemen is dropping across the state. It was mentioned that all non-profit organizations are seeing a decline, as well, similar to what the Volunteer Fire Department is presently going through.

Also discussed was the Borough's legal responsibility regarding providing fire service in the Borough. It was brought out by Solicitor Cascio that there is no legal obligation, or duty, to have one in the Borough.

Ms. Enos distributed the Fire Department's modification, to what their original proposal was, to Borough Council concerning the tax credit.

The new information included the criteria the Fire Department's Board had approved to submit for Council's consideration.

Discussion was held among Council regarding the advantages and disadvantages of a tax credit for volunteers, and the Fire Department's new proposal.

Also discussed was placing a "cap" or 'flat fee' on the maximum amount of Real Estate Tax Credit or Earned Income Tax Credit for volunteers.

Solicitor Cascio read what the statute regarding the "Volunteer Service Credit Program" discloses.

Discussion was also held regarding the requirements necessary for the volunteers in order to qualify for a tax credit.

It was agreed upon by Borough Council to approve a tax credit based on the Fire Department's criteria for a tax credit for all volunteer firefighters and first responders. It was agreed that *Earned Income Tax* is 100% credit, paid up to \$200.00. *Real Estate Tax* will be 20% of real estate taxes, up to \$200.00.

Motion

Mr. Thomas moved, Mr. Rosemeyer seconded to approve a tax credit based on the Fire Department's criteria for a tax credit for all volunteer firefighters and first responders.

Motion Unanimously Carried

2. Metered Parking – Discussion concerning free metered parking for the Fire & Ice Festival.

Ms. Enos mentioned that free metered parking needs Council's action, even though Council has always authorized the free metered parking through January 1st.

She asked Borough Council if they wanted to continue the free metered parking, up to and including, the Fire & Ice Festival, or if Council wanted the free metered parking removed for the two-week period in between January 1st and the Fire & Ice Festival.

Motion

Mr. Shaulis moved, Mrs. Pyle seconded to approve free metered parking up to and including, the Fire & Ice Festival. After the Festival, the free metered parking will be lifted.

Motion Unanimously Carried

3. State Hospital Tank – Discussion concerning the recommendation to award the project.

Mr. Bolby mentioned that the bids for the State Hospital Tank were opened on November 16th, 2018, and that there are three bidders.

Mr. Bolby explained that they are presently working on the bid tabulation and report which will be complete before the next Council Meeting, where they will anticipate a recommendation to award.

4. Donation Requests – Discussion concerning the following requests for donations.

a. Meals on Wheels

It was brought out that a donation was not given last year to Meals on Wheels. All of Council agreed not to donate to this cause.

b. Children's Aid Home Programs of Somerset

All of Council agreed not to donate to this cause.

c. Humane Society of Somerset County

Ms. Enos brought out that our last donation to the Humane Society in 2017 was a total of \$500.00.

d. Somerset Basketball Boosters

All of Council agreed not to donate to this cause.

(b) Request form submitted by Mayor Walker & Chief Cox:

1. Part-time Police Officers – Discussion concerning part-time Police Officers.

Chief Cox brought out that, recently, he asked for permission from Council to start looking for another part-time Officer. He stated that, a few weeks ago, they interviewed four people for the position. Chief Cox stated that he wanted to ask Council for final approval to hire more than one part-time Officer from the Officers interviewed.

He mentioned that, presently, they are “down” 2 part-time Officers as a result of two resignations. Chief Cox brought out that he reviewed the overtime worked from “leave replacement”, and scheduling people extra shifts to cover empty shifts. He brought out that the Police Department is ranging close to 2,700 hours a year in overtime. He stated that 50%-80% of the overtime is spent in replacing empty shifts. Chief Cox expressed that there is just not enough of people. He stated that by hiring 2-3 people, they could knock the overtime hours down to a much more manageable figure.

Mayor Walker stated that by hiring 2-3 extra part-time Officers, it would allow them to take advantage of the “e-days”, which they negotiated “down” in the newest contract. So new hires would not have near the PTO hours as current Officers. And anyone that would be hired now, is at a reduced rate from the lowest part-time Officer. So from a simple economic prospective, it saves money to work those people just regular shifts.

Thirdly, Mayor Walker stated that he would like to try to conform to the current Ordinance, which states that part-time Officers are to work 32 hours a week.

Discussion was held among Borough Council regarding overtime hours, and the number of part-time Officers to hire.

It was agreed upon by Council to hire two part-time Officers. After reviewing the overtime hours, it will be determined whether a third Officer will also be hired.

Motion

Mrs. Pyle moved, Mrs. Ream seconded to approve the hiring of two part-time Officers, with the possibility of hiring a third part-time Officer, after the overtime records are reviewed.

Motion Unanimously Carried

(c) Year to Date Financial Report – Provided through the month of November 2018.

Mr. Peters distributed the Year-to-Date Financial Statements, through November 2018, to members of Borough Council. He mentioned that we are 11/12ths of the way through the year, or 91.67%.

General Fund:

Revenues – 96.58%

Expenses – 95.86%

Water Fund:

Revenues – 89.71%

Expenses – 83.29%

Sewer Fund:

Revenues – 89.28%

Expenses – 75.71%

Mr. Peters stated that after Borough Council looked over the information, he'd be glad to answer any questions they may have.

(d) Manager's Report – Reports distributed to Council for all departments for the month of November 2018.

Ms. Enos stated that if anyone had any questions, after looking over the information, feel free to contact her at any time, and she'd be glad to answer them.

Questions among Borough Council were asked regarding the status of updating the Uptown Christmas decorations.

Ms. Enos explained that the design, plan and theme are still being prepared, along with the electrical upgrade.

It was suggested that a meeting with Ms. Regina Coughenour of Somerset Inc. be planned to see where this is developing.

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

Mrs. Miller thanked Ms. Enos for the supper she provided for the meeting.

(f) Somerset Inc. Report - Given by Judy Pyle.

Mrs. Pyle mentioned that the "Light-Up Night" event, recently held, was successful.

She also mentioned that "Dinner in the Courthouse" was approved by the Commissioners. She mentioned that this fundraiser will be held on April 6th, 2019, and will be \$100.00 a person. She mentioned that the President Judge and the Commissioners are very enthusiastic about this.

(g) PSAB Report – Given by Fred Rosemeyer.

Mr. Rosemeyer stated that he had nothing to report at this time from PSAB.

Several Borough Council Members stated that Borough residents have been questioning them about Borough decisions that are being discussed at the Borough Council Meetings. Borough Council all agreed that the public is more than welcome, and invited, to be present at the Borough Council Meetings to voice their personal concerns and opinions with the Borough Council, and to get a better understanding of the decisions being made by the Council regarding the Borough.

Also discussed among Borough Council was the issue of Borough taxes. Discussing next year's budget, it was brought out that if we keep the tax rate the same,

it would also result in a cut in Borough services such as paving of the streets and a cut in Police protection, to name a few.

It was mentioned that the Borough is doing all it can to help cut costs, even administratively. It was also mentioned that not having a tax increase will not change the fact that fixed costs, as far as labor and benefits, keep rising.

Also brought out was that if Borough Council did not pass a tax increase, the Borough will only have a surplus totaling \$918.00.

Concern from the residents regarding a display of a nativity scene Uptown was also discussed. It was disclosed that this cannot be displayed on Borough property because of the “Church and State” rule. It *can* be displayed on private property, if permitted by the owner of the property to do so.

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

Mr. Shaulis mentioned that the Fire Department had a total of 23 fire calls during the month of November 2018.

He mentioned that the Fire Department participated in the Christmas Parade, and delivered “Santa” to Laurel Arts.

Mr. Shaulis also brought out that the new program started Somerset County Technology Center to attract younger firefighters, had a total of 21 sign up for the class.

(i) Engineer’s Report – Given by Jake Bolby.

Mr. Bolby stated that the “loose ends” are being tied up on both the Water and Sewer Projects. They should be done in the next few weeks. At that point, the projects slated for 2019 will be looked at.

(j) Mayor’s Report – Given by Mayor Walker.

Mayor Walker thanked Borough Council for allowing the Police Department to prepare for two new Police Officers to be hired.

Solicitor Cascio brought out that the Court has entered an order in the “Divinity Nuisance” case. He read this order to Borough Council.

He stated that Judge Bittner ruled that Divinity Investments has the duty, responsibility and authority to maintain the land, and the homes, so as not to constitute a nuisance. They are to secure the vacant, uninhabited and abandoned homes, and have the duty, responsibility and authority to abate conditions on the property.

Solicitor Cascio stated that the land and the homes have been declared a public nuisance. Divinity was ordered to clean the land and homes on the grounds, so as to ensure the safety, sanitary and habitability of the Park to the satisfaction of the Court.

This Court Order positions the Borough to be in control of the situation, without any responsibility, other than to allow no one else to use the land unless it’s done properly.

Executive Session – None requested.

ADJOURNMENT

Motion

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

Motion Unanimously Carried
6:47 p.m.

Michele A. Enos, Borough Secretary