

Borough of Somerset Committee of the Whole
June 10th, 2019 5:00 p.m.

Meeting was called to order by Vice President Pamela Ream, opening with a recitation of the Pledge of Allegiance to the Flag.

Roll Call:

Council Members present: Judy Pyle; Pam Ream; Sue Opp; Steve Shaulis and Gary Thomas.

Absent were Council Members: Ruby Miller and Fred Rosemeyer;

Present was Mayor Scott Walker.

Present were the following: Borough Manager, Michele Enos; Director of Finance, Brett Peters; Chief of Police, Randy Cox; Solicitor, James Cascio and Consulting Engineers, Tom Reilly and Jake Bolby.

Also present was Junior Council Member Jonathan Wagner.

Executive Session – *To discuss matters of litigation.*

Motion

Mrs. Opp moved, Mr. Thomas seconded, to go into Executive Session to discuss matters of litigation.

Motion Unanimously Carried
5:03 p.m.

Back in Regular Session

5:17 p.m.

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. Sewage Flow Meters – Discussion concerning the purchase of four flow meters for our sanitary collection system.

Ms. Enos disclosed that for the Flow Meter Project, we had a one-year rental on twelve flow meters for our Sanitary Sewage Collection System. She brought out that the rental will be expiring at the end of July 2019. For the Infiltration & Inflow Projects, when this rental agreement expires, we are looking into purchasing four of these flow meters.

Ms. Enos explained the two most important benefits that the four flow meters will provide.

First, during periods of heavy rainfall, the meters have built-in sensors that will allow us to be alerted “remotely” of high water. Therefore, employees would not have to be unnecessarily called out on overtime hours. We would be able to see where the water levels are remotely, resulting in knowing whether we need to call employees out.

A second way the flow meters would be of benefit is, they would measure the water flow when we’re involved in doing our Stormwater related or Sewer Collection System type Projects. The water flow can still be monitored, resulting in identifying if we are making improvements, or if we need to adjust in other areas.

Ms. Enos expressed that it would help our efforts by purchasing the flow meters.

Ms. Enos disclosed that the quote for purchasing the meters was approximately \$38,000.00 - \$39,000.00. She brought out that the amount may be adjusted, depending on different bracket sizes or installment sizes of the pipes that are used.

Ms. Enos mentioned that she wants to stay within the same Capital Budget that Council has already approved. So a \$50,000.00 project, slated for the Sewer Plant, can be pushed forward into a different budget year. She expressed that purchase of the four flow meters are more important for us, since the flow meter rental will be expiring at the end of July.

Ms. Enos stated that this subject will be placed on the Agenda for the next regular Council Meeting. She said that they are going to meet with the Municipal Authority next Monday, and this will also be an item on their Agenda as well, since it is their infrastructure.

2. Letter from United Way – Discussion concerning their request to hang United Way Banners in Uptown Somerset.

Ms. Enos brought out that United Way is asking the Borough to participate in hanging their banners throughout the Uptown Somerset area. The banners are actually part of their campaign, and marketing tool, for fund raising efforts.

Discussion was held among Council regarding this request, and it was agreed not to approve it.

3. Request from Somerset Inc. – Discussion concerning a request to hang military banners in Uptown Somerset.

Ms. Enos disclosed that most of the poles in Uptown Somerset are owned by Penelec. She added that Penelec *will not* give us permission to hang anything of ours on their poles. Although some banners of ours are presently now hanging on their poles, they may be less forgiving if we continue to hang additional things on them.

Discussion was held regarding this request. Further discussion will be held on this subject after more specific information is gathered from Somerset Inc., and Penelec is approached requesting their permission.

4. Request from Verna Carberry of Bella's – Discussion concerning her request to have a “no parking” spot in front of her building at 117 North Center Avenue for customers who are picking up bakery orders.

Ms. Enos explained that Ms. Carberry reached out to her concerning a request to have a “no parking” spot, or some type of “loading/unloading” spot, in front of her store.

Ms. Carberry stated that some of her customers are finding it difficult carrying out large “to go” items from her store.

Ms. Carberry expressed that even if a sign indicating a “loading/unloading” spot would be in front of her building, it would be easier for her customers to pick up items purchased at her store. It would also help the stores employees to assist their customers in loading these items into their vehicles. Ms. Carberry brought out that often her customers have to park far away from her store.

Ms. Enos explained that for each block on the Diamond, the Borough provided a “loading/unloading” zone that was created and approved years ago. She stated that when PennDOT came in and re-did the Paving Project on North Center Avenue, the designated “loading/unloading” zone was overlooked, and not re-painted, when all the parking spaces were re-painted. Ms. Enos added that we can re-paint this area back on the street, and erect a new sign, to designate the “loading/unloading” zone once again.

Ms. Enos mentioned that this “loading/unloading” spot will be a shared spot utilized for all businesses. As a result, she stated that this spot will not be directly in front of Ms. Carberry’s store, but nearby.

Ms. Enos said that she would take care of having this “loading/unloading” zone painted in, with a sign designating the zone.

5. Water Service Agreement – Discussion concerning a proposed water service agreement between the Borough of Somerset and its Municipal Authority, and the Jefferson Township Water & Sewer Authority.

Ms. Enos disclosed that Somerset Borough has 12 “water-only” customers, off of our main transmission line, in Jefferson Township that are billed directly by us. They did not have a Water and Sewer Authority in Jefferson Township. Now that Jefferson Township has created a Water and Sewer Authority, we would like to officially move those 12 customers to Jefferson Township Water and Sewer Authority.

Ms. Enos mentioned that this will take a tri-party agreement between Jefferson Township Water and Sewer Authority, The Municipal Authority of the Borough of Somerset and the Borough of Somerset.

Ms. Enos brought out that this will be on the Borough Council Meeting Agenda in June. She said that it is also going to be considered next Monday at the Municipal Authority Meeting, and will also be on the Agenda at the Jefferson Township Meeting tonight.

Solicitor Cascio brought out that right now they are Somerset Borough customers. But the agreement that was made, was that the Authority is paying us the same water rate that the customers were before. These 12 customers are now paying the Borough’s water rates. Jefferson Township rates are actually more, so these 12 customer’s will have a rate increase.

Ms. Enos stated that we will still get the same amount of money. Jefferson Township will do the maintenance, and the billing, of their own customers. These 12 customers will be transferred to them under this agreement.

6. Donation Request – A donation request was received from the YWCA.

Ms. Enos brought out that this request was received late. After reviewing it, it was actually for a women’s conference. The conference has since been held and completed. Ms. Enos wanted to bring this before Council, because it was already on the Agenda before this was brought to our attention.

(b) Request from Councilman Thomas:

1. Stray Cats in Brierwood – Discussion concerning creating an Ordinance to limit the number of cats.

Mr. Thomas expressed to Borough Council that we have a “big problem” in Brierwood. He stated that there are 15 stray cats in that area. They travel throughout the community, and are destroying flower gardens and using them as a litter box.

Mr. Thomas feels that something should be done as far as limiting the amount of cats per/person, just like dogs. He stated that there is a 4 dog limit per/person in the Borough. He mentioned that this is happening in other areas of the Borough, not just Brierwood. He added that this has created a big problem.

Discussion was held among Council regarding this issue.

Solicitor Cascio stated that there are cases that come down on both sides of this issue in Pennsylvania. You have to prove that these animals are a nuisance.

Chief Cox stated that it definitely falls on the civil side. He stated that there is a main difference between cats and dogs. Dogs, by State law, have to be licensed. Licensing establishes ownership. Cats *do not* have to be licensed. So someone could easily claim that they don't own a cat, they just feed it.

Chief Cox said that there is a couple different ways to address this. He brought out that the experiences he has had with this issue have not turned out well.

Chief Cox explained that you can have cats caught in a humane box trap by an Animal Control service. If the cat has no indication of ownership on it, like a collar, they are taken away. Property owners have to pay for this service. Chief Cox stated that another option is, if you would want to address this issue as a nuisance, you run less chance of taking someone's pet.

Chief Cox added that he has never heard of any resolution that was palatable for a community.

Solicitor Cascio brought out that you have to figure out whether the Animal Control Officer has authority, and whether the Borough has Ordinances that provide for this.

Solicitor Cascio read "*Pittsburgh's Nuisance Ordinance*" to Borough Council. He also read "*Pittsburgh's Crimes Code 551-C*" to Council regarding "Animal Cruelty."

Chief Cox stated that, again, it's a matter of establishing ownership. He stated that it's really easy to deny ownership of a cat. A dog you can't, because they have to be licensed.

Mr. Thomas stated that he feels the Borough should look into initiating some sort of guidelines, because it has to start some place.

More information on this issue will follow at the next meeting.

(c) Year to Date Financial Report – Provided through the month of May 2019.

Mr. Peters distributed the Year-to-Date Financial Statements, through May 2019, to members of Borough Council. He mentioned that we are 5/12th's of the way through the year or 41.66%.

<u>General Fund:</u>	<u>Water Fund:</u>	<u>Sewer Fund:</u>
Revenues – 64.69%	Revenues – 39.18%	Revenues – 38.24%
Expenses – 40.09%	Expenses – 51.43%	Expenses – 41.15%

Mr. Peters stated that, when Borough Council has had a chance to look at the report, and if they had any particular questions, he would be glad to address them.

(d) Manager's Report – Reports distributed to Council for all departments for the month of May 2019.

Ms. Enos stated that the Manager's Report, along with all other Departmental Reports, for the month of May were at Council's seats. She stated that if Borough Council had any questions, when they had a chance to review them, please call her at any time, and she'd be happy to answer their questions.

Chief Cox disclosed that they had an opportunity, and need, to upgrade two tablets in their Police cars. He stated that they received an anonymous donation that covers a tablet, dock and everything associated with it. The donation received will cover one of the two tablets that were ordered. He wanted to let Council know, because it was not included in his monthly report.

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

(Mrs. Miller was not present, so no report was given)

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

Mrs. Pyle mentioned that 3 or 4 historical signs are up on East Union Street, and are quite nice. She mentioned that they would like to follow that format for everyone who will be receiving their own. Mrs. Pyle added that there are additional signs already paid for, and waiting on their completion, from Vo-Tech.

Mrs. Pyle brought out that the Lansberry House "closed", and was purchased by Dynamic Auction.

Mrs. Pyle expressed that they are hoping that the Courthouse Gala was a financial success, because Somerset Inc. needs a \$30,000.00 match yet for Trinity Park. She stated that the gala was quite a nice event. Somerset Inc. made about \$4,600.00 on the items that were auctioned off.

Mrs. Pyle brought out that they expect Trinity Park to be finished up in August. Mr. Bob Kirst, President of Global Valve Inc., who has since passed away, wanted to donate money to Somerset Inc. His family stated that Mr. Kirst was interested in music, so his donation will go towards the stage in Trinity Park.

"Chalk the Block" will be coming up July 27th & 28th, 2019. It will be held along with a 5K-Run that day, also.

"The Book Fest" will also be coming up on Saturday, September 21st, 2019 with 50 authors attending. This is a rotating event which travels to different towns. This event will be coming to Somerset every three (3) years.

(g) PSAB Report – Given by Fred Rosemeyer.

(Mr. Rosemeyer was not present, so no report was given)

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

Mr. Shaulis disclosed that from January 1st, 2019 – May 31st, 2019 the Fire Department answered 163 calls. 60 of those were in Somerset Borough.

He mentioned that there will be a Chainsaw Operation Safety Class in June 2019. Some members of neighboring departments will also attend.

The Somerset Volunteer Fire Department members want to thank the Borough for having the air conditioning unit replaced in their building.

Mr. Shaulis also added that the Fire Department lost another one of its longtime members. Bill McNelly passed away June 6th, 2019. He was a member of the Fire Department for 69 years.

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

Mr. Bolby brought out that they will be opening bids on two projects on the 17th. They are for the Highland Park Waterline Project, and a repair project at the Sewage Treatment Plant.

Mr. Thomas expressed his “hats off” to the Water Department in regards to the water breaks they repaired on North Center Avenue. He acknowledged how hard they worked to repair the lines.

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

Mayor Walker had nothing to report.

Mrs. Ream mentioned two unoccupied “high grass” properties on East Main Street that was mentioned to her by another individual.

Ms. Enos explained that with “high grass” issues, they have to go through the protocol of sending a letter to the individual, giving them a notice of violation. If the person does not clean it up, the Borough files a citation against them.

Ms. Enos added, that when after Borough files a citation, the Borough crews go in and do the work, account for the time, and then the Borough liens the property.

Ms. Enos mentioned that on June 4th, 2019 we had PennDOT in the Borough measuring streets. They determine how much base coat, or regular coat, you need on the streets. PennDOT also tells us how much it's going to cost per/street. She added that this gives us an idea of what the street is going to cost based on what its bituminous needs are.

Ms. Enos also mentioned that the Borough has a few alley ways that will be looked at by a sealcoat company. We should be getting the bids out by the end of this month.

Chief Cox expressed his concern over the “high grass” Ordinance, already in place, in the Borough.

Ms. Enos brought out that it would take approximately two weeks for the paperwork to go through if someone got cited with a high grass notice and citation.

Chief Cox recommended that either by policy, or by amending the Ordinance, that the Borough send only one notice per season, eliminating the need for multiple notices if an individual is negligent, in this regard, multiple times throughout the season.

Ms. Enos brought out that we would have to amend the Ordinance, because we cite them at the Magistrate’s Office.

ADJOURNMENT

Motion

Mrs. Opp moved to adjourn, motion seconded by Mr. Shaulis.

Motion Unanimously Carried
6:23 p.m.

Michele A. Enos, Borough Secretary