

Borough of Somerset Council Meeting August 26th, 2019 7:00 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; Sue Opp and Gary Thomas.

Mayor Scott Walker also present.

Absent were Council Members: Pam Ream and Steve Shaulis.

Also present was Junior Council Member Jonathan Wagner.

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.

Announcements:

(a) *None*

Approval of Minutes of Previous Meetings:

(a) ***July 8th, 2019 – Committee of the Whole Meeting Minutes***

Motion

Mr. Rosemeyer moved, Mr. Thomas seconded to approve the July 8th, 2019 Committee of the Whole Meeting Minutes.

Motion Unanimously Carried

(b) ***July 22nd, 2019 – Borough Council Meeting Minutes***

Motion

Mr. Rosemeyer moved, Mrs. Pyle seconded to approve July 22nd, 2019 Borough Council Meeting Minutes.

Motion Unanimously Carried

(c) ***Departmental Reports - Approval of Departmental Reports for July 2019***

Motion

Mr. Thomas moved, Mr. Rosemeyer seconded to approve the Departmental Reports for July 2019.

Motion Unanimously Carried

Award of Bids:

(a) 2019 Paving Project – Consider awarding the bid to the lowest responsive bidder.

Ms. Enos mentioned the list given to Council regarding the Borough streets that are part of the paving project this year.

She explained that the quantities were put out for bid, and only one responsive bid was received. It was from New Enterprise Stone & Lime Company.

Ms. Enos stated that we had budgeted \$100,000.00 for paving. The bid came back under budget in the total amount of \$97,519.55.

Ms. Enos next reviewed the unit prices with Council. She mentioned that the Borough awards the bid based on the unit prices.

The unit prices are:

1. Item No. 1:

187 tons of superpave scratch and leveling course in place – unit price is \$99.70.

2. Item No. 2:

648 tons of superpave wearing course in place – unit price is \$89.55.

3. Item No. 3:

23 tons of superpave binder course in place – unit price is \$188.75.

4. Item No. 4:

2,520 square yards of milling of bituminous pavement – unit price is \$6.55 per/square yard.

Ms. Enos also disclosed that the paving will begin at the end of September 2019.

Motion

Mr. Rosemeyer moved, Mrs. Pyle seconded, to award the 2019 Paving Project to New Enterprise Stone & Lime Company, the lowest response bidder.

Motion Unanimously Carried

General Public Comments:

(a) Ms. Caroll Pucci – To address Council concerning the Rosina Corner Cottage property.

Ms. Pucci explained that the purpose of her presence at the Council Meeting was to inquire whether Borough Council would be interested in purchasing her Rosina Corner Cottage property.

She mentioned that Council would perhaps be more interested in the 38 parking spaces at her property, rather than the building itself, since there is a need for parking spaces in the Borough.

Ms. Pucci stated that if Borough Council had any further questions regarding the property or building, or if someone wanted to look at the property, this could be addressed with Amy Reeping with Highlands Resort Realty.

Administrative Business:

- (a) *Communications (None)*
- (b) *Payment of bills:*

Motion

Mr. Thomas moved, Mrs. Pyle seconded, to approve the payment of bills numbered 33534 – 33714 totaling \$602,180.19.

Motion Unanimously Carried

Policy Agenda:

Old Business:

- (a) *None*

New Business:

- (a) Resolution No. 2019-07 – *Consider eliminating member contributions to the Police Pension Plan for the year 2018.*

Ms. Enos disclosed that the Pension Audit was recently held after the last Committee of the Whole Meeting. She explained that this is something our Actuary Company prepares for us. They determine, based on the soundness of the plan, whether member contributions are warranted or not.

Ms. Enos mentioned that we had a new Actuary last year, within the same company, and he looked over everything for 2018 and 2019. Their recommendation, in writing, is to eliminate those member contributions as we have in the past.

Resolution No. 2019-07

WHEREAS, Ordinance No. 1144, Section XI relating to the Police Pension Fund states that the monthly contributions for participants may be reduced or eliminated by an annual Resolution if an actuarial study annually indicates that such reductions or elimination for that year will not adversely affect the actuarial soundness of the fund, and;

WHEREAS, a letter from John S. Mincin, E.A., F.C.A., M.A.A.A., M.S.P.A. Consulting Actuary, Dunbar, Bender & Zapf, Inc., states “that the Borough may eliminate employee contributions in the Police Plan for **2018** ...

NOW THEREFORE, BE IT RESOLVED, that the five (5) percent contributions from Police Officers for the year **2018** be eliminated.

ADOPTED this 26th day of August 2019.

Motion

Mr. Rosemeyer moved, Mrs. Pyle seconded, to eliminate member contributions to the Police Pension Plan for the year 2018.

Motion Unanimously Carried

(b) Resolution No. 2019-08 – Consider eliminating member contributions to the Police Pension Plan for the year 2019.

Resolution No. 2019-08

WHEREAS, Ordinance No. 1144, Section XI relating to the Police Pension Fund states that the monthly contributions for participants may be reduced or eliminated by an annual Resolution if an actuarial study annually indicates that such reductions or elimination for that year will not adversely affect the actuarial soundness of the fund, and;

WHEREAS, a letter from John S. Mincin, E.A., F.C.A., M.A.A.A., M.S.P.A. Consulting Actuary, Dunbar, Bender & Zapf, Inc., states “that the Borough may eliminate employee contributions in the Police Plan for **2019** ...

NOW THEREFORE, BE IT RESOLVED, that the five (5) percent contributions from Police Officers for the year **2019** be eliminated.

ADOPTED this 26th day of August 2019.

Motion

Mr. Rosemeyer moved, Mrs. Pyle seconded, to eliminate member contributions to the Police Pension Plan for the year 2019.

Motion Unanimously Carried

(c) Resolution No. 2019-09 – Naming the Borough Manager as the Chief Administrative Officer for the purpose of certifying information to the Department of the Auditor General for all Borough Pension Plans.

Ms. Enos stated that Mr. Benedict G. Vinzani, Jr., Borough Manager, was designated as the Chief Administrative Officer of the Borough of Somerset, and has retired effective February 1, 2015. The Borough Manager is named as the C.A.O. for the purpose of certifying payroll information to the Department of the Auditor General.

She explained that the Borough certifies information once a year to the State Auditor General’s Office for the purpose of pensions.

Ms. Enos, as current Borough Manager, is not named as C.A.O. for this purpose.

Ms. Enos disclosed that as a result of the Borough's recent Pension Audit, it is the Pension Auditors recommendation that a resolution be established naming herself as Chief Administrative Officer for the Borough's Pension Plans.

Resolution No. 2019-09

***WHEREAS**, Act 205 of 1984 established the General Municipal Pension System State Aid Program to provide annual allocations to cities, towns, townships, and counties of the second class, beginning in October 1985; and,*

***WHEREAS**, each municipality is required to file annual certifications with the Auditor General concerning the number of **employees and total earnings** of full-time police, fire, and non-uniformed employees participating in pension plans as of December 31 of the year preceding the date of certification, as well as the extent to which fire protection is provided by volunteer firefighters; and,*

***WHEREAS**, it is a requirement that a Chief Administrative Officer be designated by the Borough of Somerset for the purpose of certifying information to the Department of the Auditor General; and*

***WHEREAS**, Benedict G. Vinzani, Jr., Borough Manager, was designated as the Chief Administrative Officer of the Borough of Somerset, and has retired effective February 1, 2015.*

***NOW, THEREFORE, BE IT RESOLVED**, that Michele A. Enos, Borough Manager, be and is hereby designated as the Chief Administrative Officer of the Borough of Somerset and its pension plans, and is hereby authorized to sign Certification AG-PF385 to participate in the Foreign Fire Insurance Tax Distribution and General Municipal Pension System State Aid Program.*

APPROVED this 26th day of August 2019

Motion

Mr. Rosemeyer moved, Mrs. Opp seconded to name Ms. Enos, Borough Manager, as the Chief Administrative Officer for the purpose of certifying information to the Department of the Auditor General for all Borough Pension Plans.

Motion Unanimously Carried

(d) Resolution No. 2019-10 – Based on Act 44 Requirements, consider adopting a policy that outlines the procedures that we must follow in the event that we change Actuarial Services for the Borough's Pension Plans.

Ms. Enos mentioned that this is an additional item that came from the Borough's recent Pension Audit.

She explained that Act 44 now requires that if a Municipality is changing their Actuarial Services, we have to have a policy establishing how we are going to change, and the certain requirements that we have to follow in order to change Actuarial Services. Ms. Enos brought out that we have to have a policy on file, and that policy has to be adopted by resolution.

Resolution No. 2019-10

RESOLUTION APPROVING THE PROCEDURES FOR COMPLIANCE WITH THE PROCUREMENT OF PROFESSIONAL SERVICES PURSUANT TO THE PROVISIONS OF ACT 44 OF 2009.

***WHEREAS**, pursuant to Act 44 of 2009, each municipal pension system is required to develop procedures to select the most qualified person (company) to enter into a professional services contract; and,*

***WHEREAS**, said procedures are to ensure that the availability of a professional services contract is advertised to potential participants in a timely and efficient manner; and,*

***WHEREAS**, the procedures are required to include applications and disclosure forms to be used to submit a proposal for review and to receive the award of a professional services contract; and*

***WHEREAS**, the Borough of Somerset desires to establish procedures for compliance with the procurement of professional services pursuant to the provisions of Act 44 of 2009; and,*

***WHEREAS**, there is attached hereto the procedures to be used by the Borough of Somerset with respect to said procurement. A copy of said procedures is attached hereto, and made part hereof, and marked as “EXHIBIT A”.*

***NOW, THEREFORE**, and it is hereby adopted by the Council of the Borough of Somerset approving the procedures for compliance with the procurement of professional service contracts pursuant to the provisions of Act 44 of 2009 as set forth in “EXHIBIT A” attached hereto.*

APROVED this 26th day of August 2019

Motion

Mr. Thomas moved, Mr. Rosemeyer seconded to adopt a policy that outlines the procedures that we must follow in the event that we change Actuarial Services for the Borough’s Pension Plans, based on Act 44 Requirements.

Motion Unanimously Carried

(e) December Council Meeting – Consider authorizing the December 23rd Council Meeting to be rescheduled to December 16th.

Motion

Mr. Thomas moved, Mrs. Opp seconded, to reschedule the December 23rd Council Meeting to December 16th.

Motion Unanimously Carried

(f) Resignation of Officer Devin Keiser – Consider authorizing the removal of Officer Keiser from the roster of part-time police officers effective August 31st, 2019.

Motion

Mrs. Pyle moved, Mrs. Opp seconded, to authorize the removal of Officer Keiser from the roster of part-time police officers effective August 31st, 2019.

Motion Unanimously Carried

(g) Somerset Soccer Boosters, Inc. – Requesting approval of Borough Council to tie ribbons in Somerset Borough during the month of September for Cancer Awareness.

Ms. Enos stated that this is the first request from Somerset Soccer Boosters. The Borough has approved requests from Bishop McCort, in the past, to tie ribbons in the Borough for Cancer Awareness.

Motion

Mr. Rosemeyer moved, Mrs. Opp seconded, to approve the Somerset Soccer Boosters, Inc. to tie ribbons in Somerset Borough during the month of September for Cancer Awareness.

Motion Unanimously Carried

Mrs. Pyle mentioned that climate controlled storage will be going into the Bi-Lo Plaza. PennDOT will also be putting a temporary office there.

Mrs. Pyle also brought out that Somerset Inc. is discussing the Uptown parking situation. She mentioned that some people support the ticketing there while others do not. She stated that individuals are parking in front of businesses for a full day that should not be parking there.

Ms. Enos mentioned that parking has been a problem in Uptown for decades.

The purchase of new parking meters was discussed among Council Members.

Ms. Enos explained that any money generated from the Borough's parking meters currently goes into the General Fund. The General Fund, as a whole, is a balanced

budget. Ms. Enos explained that if we currently took that money from the General Fund and put it into a separate account to purchase new meters, we would have to replace the money back into General Fund. Ms. Enos expressed that if Council chooses to include new parking meters in next year's General Fund budget, it can be factored into it.

Mrs. Pyle also expressed her concern for the coal trucks speeding on East Main Street. She stated the danger of the situation there for collisions. She expressed that she doesn't know if there is an answer until we can afford a bypass.

Mrs. Pyle lastly reminded Council that the "Festival of Books" is coming up September 21st, 2019. She mentioned that there will be a speaker the night before at the Historical Society at 6:00 p.m.

Executive Session – None requested.

ADJOURNMENT

Motion

Mr. Rosemeyer moved to adjourn, motion seconded by Mrs. Pyle.

Motion Unanimously Carried
7:30 p.m.

Michele A. Enos, Borough Secretary