

Borough of Somerset Council Meeting

August 24th, 2020 - 5:00 p.m.

1. Meeting Called to Order - President Ruby Miller

2. Pledge of Allegiance

3. Roll Call:

Council Members present: Ruby Miller; Fred Rosemeyer; Lee Hoffman; Pam Ream; Sue Opp; Steve Shaulis and Gary Thomas

Also present: Mayor Scott Walker.

Absent: Junior Council Member Patrick Kuhn

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

4. Announcements

(a) *None*

5. Approval of Minutes of Previous Meetings:

(a) **July 27th, 2020 – Borough Council Meeting Minutes.**

Motion

Mr. Thomas moved, Mrs. Opp seconded to approve the July 27th, 2020 Borough Council Meeting Minutes.

Motion Unanimously Carried

(b) **Departmental Reports** – Departmental Reports for July 2020.

Motion

Mr. Shaulis moved, Mr. Thomas seconded to approve the Departmental Reports for July 2020.

Motion Unanimously Carried

6. Award of Bids:

(a) None

7. General Public Comments:

(a) *None requested.*

8. Administrative Business:

(a) Communications (None)

(b) Payment of bills – Month of August 2020.

Motion

Mrs. Ream moved, Mr. Hoffman seconded, to approve the payment of bills for August 2020 numbered 35260 - 35396 totaling \$233,539.27.

Motion Unanimously Carried

9. Policy Agenda:

Old Business:

(a) None

New Business:

(a) Pre-Treatment Ordinance – Consider authorizing the advertisement of an Ordinance to revise our local limits for certain pollutants as part of our Pre-Treatment Program.

Ms. Enos explained when there are local limits in pollutants, the Environmental Protection Agency requires us to change these limits by Ordinance. The metal “silver” has changed, therefore, requiring us to revise our Ordinance.

She added that it also requires the Township to adopt the same Ordinance, because they are involved in the Boroughs Pre-Treatment Ordinance Plan. The Township has authorized their Ordinance change.

Ms. Enos disclosed that Borough Council is being requested to authorize the advertisement of the Ordinance for that change, so that the Borough is in compliance with the Environmental Protection Agency’s requirements.

Motion

Mrs. Ream moved, Mr. Rosemeyer seconded to authorize the advertisement of an Ordinance to revise our local limits for certain pollutants as part of our Pre-Treatment Program.

Motion Unanimously Carried

b) AFSCME Contract 2020-2024 – Consider ratifying the contract with AFSCME for years 2020-2024.

Ms. Enos mentioned that this is something typically done in January/February after Union negotiations are finalized. She said that nothing has changed in the Contract, but it was still in the review process when covid-19 occurred. This is the reason that getting the Contract into its final format has been delayed for so long.

Ms. Enos disclosed that the contract has been approved by the Union. Also, it was reviewed by Solicitor Cascio and the Borough staff.

Ms. Enos added that Borough Council is now being requested to ratify the Union Contract.

Motion

Mrs. Ream moved, Mrs. Opp seconded to ratify the contract with AFSCME for years 2020-2024.

Motion Unanimously Carried

(c) CDBG Cooperation Agreement – Consider authorizing an agreement between the County of Somerset, the Borough of Somerset, and the Redevelopment Authority of Somerset County for the administration of our CDBG funds.

Ms. Enos brought out that Somerset Borough qualifies as an “entitlement” community based on density and population size. As a result, we are allotted a certain amount of “entitlement” funds per year.

She said that this Agreement is a “covid-related” entitlement only. She brought out that this is separate and apart from our normal CDBG Grants. She added that we will still get our normal, annual “entitlement” funds for this year.

Ms. Enos mentioned that, yearly, Borough Council authorizes to enter into a three-party Community Development Block Grant Funding Agreement with the County of Somerset and the Redevelopment Authority of Somerset.

Ms. Enos brought out that Borough Council is being requested to authorize the execution of the agreement to apply for CDBG funding.

Motion

Mr. Thomas moved, Mrs. Opp seconded to authorize an agreement between the County of Somerset, the Borough of Somerset, and the Redevelopment Authority of Somerset County for the administration of our CDBG funds.

Motion Unanimously Carried

(d) Laurel Hill Dam – Discussion concerning potential partnerships with agencies to breach the Laurel Hill Dam.

Ms. Enos disclosed that a few years ago, long-range plans had been prepared for water, sewer, stormwater and different departments within the Borough. One of the items on our long-term plan list was to breach the Laurel Hill Dam. Ms. Enos explained that the reason behind this was the fact that we are no longer using the dam’s surface water as a water supply for Somerset Borough. At the time the Quemahoning system came in, we were only using well water, because we were purchasing more than half of our supply from the Quemahoning line.

Therefore, we eventually made physical modifications to disconnect from the Laurel Hill Reservoir and are no longer using its surface water.

Ms. Enos said that part of the funding to breach the dam is very expensive. The estimated cost is approximately \$908,000.00 to do it.

She brought out that Mr. Bolby arranged a meeting to discuss partnering with the conservation groups, such as: Somerset County Conservation District, the Western Pennsylvania Conservancy, American Rivers and the PA Fish & Boat Commission to do an on-site dam inspection together. Two on-site meetings were arranged with Ms. Enos, Mr. Bolby, Mr. Bailey and two of the conservation groups. Partnering on grant funding was also discussed with the conservation groups at that time.

Ms. Enos stated that all four conservation groups are seeking grant funding. She added that they, along with the Borough, have a better chance at grant funding if there is more partnerships involved in doing so.

She disclosed that these conservation groups asked us to write a support letter stating we are partnering with them in seeking funding. Ms. Enos stated that in no way does this commit us to actual dollars, or any kind of local match. This is just a partnership to go and seek grant funding for this project. The Western Pennsylvania Conservancy has requested to take the lead in doing this. The WPC also expressed that this is one of their higher-priority projects that they would like to do. Ms. Enos mentioned that the Municipal Authority was informed of this support letter at last week's meeting. She added that they also wanted to inform Borough Council of this support letter, because the support letter would be in the name of Somerset Borough along with the Municipal Authority.

Further details were discussed with Borough Council regarding this subject.

Ms. Enos explained that the \$20 million dollar Capital Water Projects will include \$15 million dollars for line replacement. The remaining balance of \$5 million dollars will go toward the infrastructure, which involves the treatment process.

She brought out that multiple meetings were held with the Municipal Authority and staff, as to the best direction involving our treatment process for the future.

Ms. Enos said that it would cost more money to keep the Laurel Hill Filtration Plant. She disclosed that part of the treatment processes that we are currently doing are not necessary processes. Ms. Enos added that we do not currently have a choice in the matter, because we are physically connected to the Plant.

Ms. Enos disclosed that, in the future, Laurel Hill Filtration Plant will be gone. She said that we will upgrade the Borough's other Treatment Plants that treat underground water. Ms. Enos added that the current double-pumping efforts, along with its additional costs, will be gone.

Ms. Enos mentioned that the Municipal Authority approved to move forward with eliminating the Laurel Hill Filtration Plant at its last meeting.

Ms. Enos disclosed that if a partnership in grant funding was successful, the Western Pennsylvania Conservancy said it would be possible to use the Borough's property it no longer

uses, or needs, as a local match toward the grant funding. The Borough could donate its land, for its local match share, to be used for recreational purposes.

Further discussion continued on this subject with Borough Council.

Motion

Mr. Hoffman moved, Mr. Rosemeyer seconded to move ahead with partnering with these Conservancy groups to seek finance and funding.

Motion Unanimously Carried

(e) *Resolution– Authorizing the County of Somerset and its Redevelopment Authority to apply for CDBG funding on behalf of the Borough of Somerset.*

(f) *Resolution – Authorizing the County of Somerset and its Redevelopment Authority to apply for CDBG Covid funding on behalf of the Borough of Somerset in the amount of \$66,815.00. This money would be utilized to assist Somerset County Blind Association to undertake programs and activities benefitting disabled veterans in the Borough.*

(Items “e” and item “f” discussed collectively)

Ms. Enos brought out that items “e” and “f” are related to CDBG Covid funding. The Resolution is in the amount of \$66,815.00.

Ms. Enos pointed out that because the Borough cannot utilize the funding, they sought applications. Somerset County is receiving the applications through the Redevelopment Authority. She added that the Somerset County Blind Center made application to utilize this funding. Ms. Enos explained that an applicant has to qualify as “low to moderate”, and as far as their operations, programs and activities, it has to be covid-related.

She expressed that, unfortunately, Somerset Borough does not have any projects in its operations for this CDBG Covid funding. Thus, Somerset County is asking all the Boroughs and Townships in Somerset County, who have this entitlement, if they would like to commit to the Somerset County Blind Center. She added that this will also help assist disabled people in Somerset Borough.

Motion

Mr. Thomas moved, Mrs. Ream seconded to authorize the County of Somerset and its Redevelopment Authority to apply for CDBG funding on behalf of the Borough of Somerset.

Motion Unanimously Carried

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H w p f l p i 'p 'v j g 'c o q w p v 'q h '&88 . : 37022 "will be used to assist the Somerset County Blind Association with CDBG-CV funds to undertake various operations/activities/programs related to the COVID-19 pandemic, as they assist severely disabled residents in the Borough.

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Motion

Mrs. Ream moved, Mrs. Opp seconded to authorize the \$66,815.00 to go toward the application for the Somerset County Blind Center.

Motion Unanimously Carried

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RESOLUTION UNIT OF LOCAL GOVERNMENT RESOLUTION NO. 2020-09

A Resolution of the ***Unit of Local Government***, Commonwealth of Pennsylvania, authorizing the submission of an application to the Pennsylvania Department of Community and Economic Development for funding through the Community Development Block Grant-Coronavirus (CDBG-CV) Program, as part of the Coronavirus, Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), and further certifying compliance with the requirements of said program.

WHEREAS, it is necessary and in the public interest that the Unit of Local Government, Pennsylvania, receive funds from the Commonwealth through the Department of Community and Economic Development in accordance with the Community Development Block Grant-Coronavirus Program; and

WHEREAS, the ***Unit of Local Government*** Board of Council, has the legal authority and responsibility under Act 179 to apply for Community Development Block Grant-Coronavirus funds and represent the non-entitlement communities within the county; and

WHEREAS, the ***Unit of Local Government*** Council have undertaken a considerable community participation process including written invitations to municipalities, informational meetings, hearings and legal notices all of which culminated in the prioritization of projects and development of a Community Needs Assessment; and

WHEREAS, the ***Unit of Local Government*** Council are familiar with the requirements of the program as included in the Statement of Assurances; and

WHEREAS, the ***Unit of Local Government*** Board of Council wishes to apply for said funds.

NOW, THEREFORE, BE IT RESOLVED by the ***Unit of Local Government*** Board of Council that its Chairman is authorized to have prepared the necessary forms and documents to submit an application to the Department of Community and Economic Development for Community Development Block Grant-Coronavirus funds for the purposes aforesaid; and

BE IT FURTHER RESOLVED, if CDBG-CV funds are determined by the Pennsylvania Department of Community and Economic Development to be expended on ineligible program costs or do not meet a national objective, the ***Unit of Local Government*** Board of Council agrees to repay the proportion deemed ineligible from non-federal sources.

BE IT FURTHER RESOLVED that the Community Needs Assessment developed in coordination with low and moderate individuals, interest organizations, non-profits and other interested parties through the citizen participation process and municipal information gathering is hereby adopted; and

BE IT FURTHER RESOLVED, that the Chairperson of the **Unit of Local Government** Board of Council is empowered to place her signature, on behalf of the governing body, on necessary application forms and affix thereto the official seal of the Unit of Local Government.

Adopted by the **Unit of Local Government** Board of Council at the regular meeting of date **August 24th, 2020**.

“(g) Somerset Vol. Fire Dept. – *Requesting the Borough to provide grass cutting services and snow removal at their newly purchased parking lot adjacent to Barth Plumbing.*

Ms. Enos revealed that Somerset Volunteer Fire Department purchased a parcel of property that extends from W. Main Street to W. Union Street.

Ms. Enos brought out that she was approached by Mr. Lyons, on behalf of the Fire Department’s Board of Directors, with this snow removal request. Ms. Enos informed Mr. Lyons that this request would require Council action, because by previous Council action, we were only going to maintain properties that were owned by the Borough for grass cutting or snow removal services.

Ms. Enos mentioned that if Borough Council chose to grant the Fire Department’s request, it could be done as a donation service. This is due to the fact that the Somerset Volunteer Fire Department is eligible to receive a donation such as this from the Borough.

Further discussion was held regarding this request.

Motion

Mr. Rosemeyer moved, Mrs. Opp seconded to “table” this request until a later date.

Motion Unanimously Carried

(h) Proposed Ordinance – *Discussion concerning developing an Ordinance requiring insurance for all commercial properties within the Uptown Historic District.*

Ms. Enos stated that previous discussions with Borough Council took place regarding the uninsured properties of Mike Skiver and Kay Kemp. It was also discussed that we would potentially be looking into setting up guidelines for the Historic District buildings due to the fact of how the buildings are structured, and how close together they are to other structures requiring insurance.

Solicitor Cascio stated that we may want to consider using funds from ordinance enforcement for the Uptown Historic Business District, if there is a need. He mentioned that we could also explore a more comprehensive thing like “blanket” insurance.

Ms. Enos expressed that she was inquiring whether Borough Council is in agreement for she and Solicitor Cascio to develop an Ordinance requiring the Historic District structures to have insurance.

Further discussion regarding this subject took place among Borough Council Members.

Motion

Mr. Rosemeyer moved, Mr. Hoffman seconded to develop an Ordinance requiring insurance for all commercial properties within the Uptown Historic District.

Motion Unanimously Carried

(i) Municipal Authority Projects – Update on projects approved by the Somerset Borough Municipal Authority.

Ms. Enos acknowledged that the Laurel Hill Treatment Plant will be abandoned. The property will be looked at for future development, hopefully, with Western Pennsylvania Conservancy.

Ms. Enos also stated that, after our Solicitor reviewed the legal documents, we received approval for the \$5 million dollar line-of-credit for the Borough's Sewer Projects. This is just a very short-term bridge financing with Somerset Trust. It will be rolled-over into a PennVEST larger loan. The Sewer Projects are corrective action plan measures that will take place over the next several years.

She said that the Municipal Authority has executed all the necessary paperwork. It has been reviewed, and approved, by them.

Ms. Enos mentioned that the Cleaning & Televising Project for all sanitary sewer collection lines will begin September 28th, 2020. This will "set the stage" for future Capital line replacements.

10. Executive Session – To discuss matters of potential litigation and personnel issues.

Motion

Mr. Rosemeyer moved, seconded by Mrs. Ream to go into Executive Session to discuss matters of potential litigation and personnel issues.

Motion Unanimously Carried

5:40 p.m.

Back in Public Session

6:04 p.m.

Mr. Shaulis delivered the monthly report for the Somerset Volunteer Fire Department as follows:

Mr. Shaulis stated that since January 1st, 2020, the Fire Department answered 244 alarms, 89 of those were in Somerset Borough.

He said that the covid-19 pandemic has not affected the Fire Departments membership, and that everyone has managed to remain virus-free. However, it has had a major effect on fund-raising. He disclosed that the Cash Bash was not held this year, the Community Room rentals are down and donations to the Annual Fund Drive are less.

Mr. Shaulis also brought out that the Fire Department is applying for funding through a State Grant Program for Fire and EMS Agencies who have had income losses resulting from the pandemic.

He also stated that the Fire Department is making plans for their Annual Golf Tournament at Somerset Country Club. It is scheduled for Friday, September 25th, 2020.

The Fire Department recently purchased a battery-operated "sawzall" which will be useful on vehicle accidents.

And lastly, Mr. Shaulis mentioned that there are a number of members going to CPR and AED Training on September 19th, 2020.

Representing Somerset Inc., Mr. Hoffman expressed that all the committees will be in major support of the Ordinance for the Historical District Buildings that was discussed.

Also, he brought out that the white house on 238 W. Main Street will be demolished very soon. Mr. Hoffman explained that a few salvage companies went into the house to try and salvage the wood, and discovered it was all soft pine and hemlock wood. As a result, they expressed that it was not worth saving the wood due to the high cost to demolish the house to retrieve this kind of wood. No chestnut or oak wood was found.

11. ADJOURNMENT

Motion

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

Motion Unanimously Carried
6:15 p.m.

Michele A. Enos, Borough Manager/ Secretary