

Borough of Somerset Council Meeting

July 26th, 2021 - 5:00 p.m. *(In-Person Meeting)*

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.

Absent: Mayor Scott Walker.

Also Absent: Junior Council Member Sierra Urban.

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

Public Attendance:

a) *None present*

4. Announcements

a) *None*

5. Approval of Minutes of Previous Meetings:

a) *June 28th, 2021 – Borough Council Meeting Minutes.*

Motion

Mr. Rosemeyer moved; Mr. Hoffman seconded to approve the June 28th, 2021 Borough Council Meeting Minutes.

Motion Unanimously Carried

6. Award of Bids:

a) Mary S. Biesecker Library Grant Project - Consider awarding the bid to the lowest responsive bidder.

Ms. Enos disclosed that there were three different bid packages, and there was a “re-bid” of Package #1.

Bid Package #1 includes the design and delivery of solar structures and panels. The architect is recommending award of contract to Envinity, the lowest responsive bidder, in the amount of \$245,945.00.

Bid Package #2 is the assembly of solar structure and panels including all system components. Only one bid was received from Envinity in the amount of \$89,367.00, excluding site work and foundations, as noted. The architect is again recommending award of contract to Envinity for this amount.

Bid Package #3 is the site and building improvements. There was one bid received from Darr Construction in the amount of \$190,000.00, less a deduct of \$55,000.00. The architect is recommending award of contract to Darr Construction in the amount of \$135,000.00.

Ms. Enos reiterated that these are three separate bids that the Library is recommending for bid award to Borough Council.

Motion

Mrs. Ream moved, Mrs. Opp seconded to award the bid for design and delivery of solar structures and panels to Envinity, the lowest responsive bidder, in the amount of \$245,945.00.

Motion Unanimously Carried

Motion

Mr. Thomas moved, Mr. Rosemeyer seconded to award the bid for the assembly of solar structure and panels, including all system components to Envinity, the only bidder, in the amount of \$ 89,367.00.

Motion Unanimously Carried

Motion

Mr. Hoffman moved, Mrs. Ream seconded to award the bid for the site and building improvements to Darr Construction, the only bidder, in the amount of \$135,000.00.

Motion Unanimously Carried

7. General Public Comments:

a) *None requested*

8. Administrative Business:

a) Communications (None)

b) Payment of Bills – Month of July 2021.

Motion

Mrs. Opp moved, Mrs. Ream seconded, to approve the payment of bills for July 2021 numbered 36858 - 36977 totaling \$349,863.36.

Motion Unanimously Carried

c) Department Reports for June 2021 – Consider approving the Departmental Reports for the month of June 2021.

Motion

Mr. Rosemeyer moved, Mrs. Opp seconded, to approve the Departmental Reports for the month of June 2021.

Motion Unanimously Carried

9. Policy Agenda:

Old Business:

a) None

New Business:

a) Terry St. Clair Subdivision Request – Consider approving the subdivision request that was reviewed by our Planning Commission. (Planning Commission is recommending its approval)

Ms. Enos stated that this request from Terry St. Clair is located at 740 North Center Avenue. It was officially sent by the Borough Council to the Planning Commission to be certain it complies with all regulations, which it does. The Planning Commission is recommending that Borough Council approve Mr. St. Clair's request.

Motion

Mrs. Ream moved, Mrs. Opp seconded to approve the subdivision request from Terry St. Clair that was reviewed and recommended for approval by our Planning Commission.

Motion Unanimously Carried

b) Sean Isgan Subdivision Request – He is requesting to subdivide a parcel of land into 2 parcels at 818 Overlook Drive. Consider referring this to our Planning Commission for review and recommendation.

Ms. Enos stated that this is Sean Isgan's official request that needs to be referred back to the Planning Commission for review of regulations, and to ensure it is in compliance.

Ms. Enos brought out that Whitetail Holdings, LLC is the owner. They are requesting to subdivide by changing a lot line and transferring a small portion of parcel #1 to an adjoining property, which would be 814 Overlook Drive. The other parcel would be larger because of that subdivision plan.

She added that this also has to be referred to our Planning Commission.

Motion

Mr. Shaulis moved, Mr. Rosemeyer seconded to refer the request submitted by Sean Isgan to subdivide a parcel of land into 2 parcels located at 818 Overlook Drive to the Somerset Borough Planning Commission for their review and recommendation.

Motion Carried Unanimously

c) *Susan Sube Subdivision Request* – She is requesting to subdivide a parcel of land into 2 parcels located at 404 Dott Avenue. Consider referring this to our Planning Commission for review and recommendation.

Ms. Enos stated that this also will need referred to the Planning Commission for their review to be certain it complies.

Motion

Mr. Shaulis moved, Mrs. Ream seconded to refer the request submitted by Susan Sube to subdivide a parcel of land into 2 parcels located at 404 Dott Avenue to the Somerset Borough Planning Commission for their review and recommendation.

Motion Carried Unanimously

d) *UPMC Somerset Hospital* – Requesting to place 4 banners on the corners of Uptown Somerset to commemorate its 100th Anniversary.

Mrs. Ream disclosed that this will be held on August 20th, 2021. She said that UPMC Corporate approved Somerset Hospital to go forward with the commemoration.

She mentioned that there is a lot of history and information about Somerset Hospital that will be shared.

Mrs. Ream said brought out that there will be activities taking place in Trinity Park with live music and other activities. Food trucks are being invited to participate. Uptown Merchants will also be involved.

Motion

Mrs. Opp moved, Mr. Thomas seconded to approve the request of UPMC Somerset Hospital to place 4 banners on the corners of Uptown Somerset to commemorate its 100th Anniversary.

Motion Carried Unanimously

e) *Winter Services Agreement* – Consider executing the Winter Services Agreement between the Borough of Somerset and PennDOT for winter maintenance of North and South Franklin Avenues for the 2021/2022 winter season in the amount of \$4,483.99.

Motion

Mr. Rosemeyer moved, Mrs. Ream seconded to execute the Winter Services Agreement between the Borough of Somerset and PennDOT for winter maintenance of North and South Franklin Avenues for the 2021/2022 winter season in the amount of \$4,483.99.

Motion Carried Unanimously

f) Brownfields Assessment Grant – Consider executing a Memorandum of Understanding that the Redevelopment Authority will be administering the grant for the assessment and reuse study on eligible properties within Somerset County. The coalition partners are: Somerset County Economic Development Council, Redevelopment Authority of Somerset County, Borough of Somerset, and Somerset Inc. There is no local match or administrative involvement to be a partner in the coalition.

Ms. Enos said that the reason why this Memorandum of Understanding is coming to all of the coalition partners is that it was originally a grant that was applied for through the Somerset County Economic Development Council.

She explained that the Brownfield Grant is a \$600,000.00 grant that assesses buildings for its reuse, and environmental studies, that they do on the buildings.

She disclosed that we do not have an Executive Director for the Economic Development Council at this time, so the Redevelopment Authority is going to be taking control of the administration of this grant. Because of that, the granting Agency is asking for all coalition partners to acknowledge, in a Memorandum of Understanding, that there will now be a new lead which will be the Redevelopment Authority of Somerset County.

Ms. Enos said that it was verified that there would be no local match nor administrative involvement, from the Borough's perspective, as far as the grant administration. No monies will be spent from General Funds or the Borough.

She said that they want acknowledgment from all the coalition partners involved by signing-off on it. Afterwards, it will then be passed onto the next coalition partner.

Motion

Mr. Rosemeyer moved, Mrs. Opp seconded to approve the execution of a Memorandum of Understanding that the Redevelopment Authority will be administering the grant for the assessment and reuse study on eligible properties within Somerset County. The coalition partners are: Somerset County Economic Development Council, Redevelopment Authority of Somerset County, Borough of Somerset, and Somerset Inc.

Motion Carried Unanimously

g) Somerset Volunteer Fire Department – Requesting a sponsorship for their annual golf fundraiser. (Last year we sponsored \$100.00)

It was noted that the Golf Fundraiser will be held on September 17th, 2021.

Motion

Mr. Rosemeyer moved, Mrs. Opp seconded to approve the request for sponsorship for the Somerset Volunteer Fire Departments annual golf fundraiser in the amount of \$100.00.

Motion Carried Unanimously

Solicitor Cascio briefed Borough Council on the issue of where the Borough line is at Overlook Drive. He said that there has been confusion over where the Borough line is there. It has resulted in a question regarding the last property on the left side of Overlook Drive. That property is presently assessed in the Township.

Solicitor Cascio explained that the history of that area has to do with an adjustment that was made to the assessment rules 8-9 years ago. An Attorney in Somerset was certifying the Title and searching the Title back. Several Deeds back, it was referring to the property as being in the Township and not the Borough. Later Deeds showed a survey drawing that said that it was in the Borough. More recent Deeds refer to the property being in the Township, and showed that the County Assessors changed the assessment of that property from being in the Borough to the Township. The reason why the Deed referred to this area being in the Township, going back 30 years or so, was because it was part of the Township 30 years ago. There were 3 annexations made in November & December of 1968, and this area in question was one of the three.

Solicitor Cascio mentioned that in an upcoming Council Meeting, a discussion can include authorizing whatever steps are necessary to return this area to the Somerset Borough tax rolls.

Solicitor Cascio added that in order to resolve this issue, at this point, we need to pursue it, so he is moving forward to make that happen.

Mr. Peters mentioned that the Year to Date Financial Report, through June 2021, was previously distributed to Borough Council.

Mr. Peters noted that if Borough Council had any questions, he would be glad to answer them.

Its information is as follows:

<u>General Fund:</u>	<u>Water Fund:</u>	<u>Sewer Fund:</u>
Revenues – 74.14%	Revenues – 46.48%	Revenues – 46.46%
Expenses – 46.67%	Expenses – 47.80%	Expenses – 38.24%

Mr. Shaulis gave an update from the Somerset Volunteer Fire Department as follows:

He said that, to date, the Fire Department has responded to 219 alarms. 71 have been in Somerset Borough, 116 in Somerset Township, 17 on the Pennsylvania Turnpike and 15 were assists to neighboring Departments.

Plans are underway for the Fire Department's Annual Golf Tournament on September 17th, 2021 at Somerset County Club. Last year's profit from the event was almost \$13,000.00.

The Fire Siren on the roof of the Public Safety Building is currently not operating. Repairs are pending.

Mr. Hoffman brought out that "Chalk the Block" was bigger than ever. He said that the race was successful as well. He mentioned that Somerset Inc.'s new event planning employee, Joselyn Hartman, did a great job with planning the event. He said that there were no major issues during the event.

Mrs. Ream mentioned that she had another complaint from another resident who just bought a house on Garrett Street. He complained about the mess behind his home.

Ms. Enos mentioned that Kay Kemp's building is currently being worked on.

Chief Cox distributed, and read, a letter to Borough Council that was delivered by Officers to residents around the radius of the gentlemen's home that attracts the cats. He brought out that the letter can be filled out by the residents, with more information regarding this issue, and returned to the Police Department. He mentioned that those who fill out and return the letters will be contacted by the Police to find out if they are willing to appear in court to testify as to the information they noted on the form. He added that this has to be done because if the Police Department were to file a prosecution, it would be based on information that they see from the residents. He said the only reason that the Police Department is involved in this is because they have to rely on public nuisance. Also, the Department has to have a bona fide case before they confront someone about what they are doing. He added that if the Police Department receives enough of returned forms, they can establish that a nuisance exists.

Chief Cox also disclosed that Police Officers watched the area around Garrett Street at Stadium Drive for a period of about 10 days for 2 shifts. They counted how many cars passed 8 different control points. They tallied a total of 1,039 cars.

The Officers also examined the number of existing stop signs in the area. He said that everywhere is adequately signed, with the exception of Garrett Street between Franklin Avenue and Dott Avenue. It became apparent that to deal with the problem, if a stop sign was the solution, it could be placed on either Garrett Street at Stadium Drive, or on Garrett Street at Harrison Avenue.

Chief Cox brought out that once the neighborhood traffic is removed, the bulk of the “out of neighborhood” traffic is going to one of two destinations. The cars are either taking that road as a shortcut to get to the high school facilities or to the athletic fields up on Stadium Drive. 98% of the traffic is entering the intersection of Garrett Street & Stadium Drive. 78% of the traffic is entering the intersection of Garrett Street & Harrison Avenue. 70% of the traffic is accessing or regressing from Stadium Drive. The hotspot is Stadium Drive.

Chief Cox brought out that the recommendation is to turn Stadium Drive and Garrett Street into a 3-way stop sign intersection by adding stop signs on Garrett Street, both east and westbound. That is the only place that is lacking, and this will address the majority of the traffic going through there.

Mrs. Ream pointed out that this area was not evaluated during the school year. She said when the school year starts, traffic increases greatly because everyone wants to cut down the side street instead of waiting. She said that they “fly” down Garrett Street, then back up to get out of there.

Discussion was held with Borough Council as to where stop signs could be placed in this area to help slow down traffic.

Chief Cox stated that an Ordinance, by Resolution, would be beneficial to the residents and children on bicycles in this area. He said that he also recommends enacting temporary regulations, for the purposes of trial and experimentation, to see if the regulations would address the problem or not. Then if it does help, it could be adopted as an Ordinance.

Also, stop signs could be placed there immediately, by Resolution from Council, and then be followed up within 90 days with an Ordinance.

Chief Cox also recommended putting large white stop lines on the street, or to purchase reflective covers for the poles. Also, flashing lights could be considered.

He added that the problem was verified, and does exist, as reported. He noted that this may be the only option open to address the problem there.

Chief Cox stated that if Borough Council wants to do this as a trial run, before an Ordinance is written up, the Police Officers can “warn” cars in this area in the meantime. Or they could “cite” 31-11, which is “obedience to official traffic control devices”.

Motion

Mrs. Ream moved, Mrs. Opp seconded to approve a “3-Way Stop Sign Intersection” at Stadium Drive and Garrett Street (east and west bound).

Motion Carried Unanimously

h) Status of Projects – Jake will update Council on the current status of projects related to Water, Sewer and General Projects.

Mr. Bolby discussed the following changes and updates to the Engineer’s Report:

WATER:

1) Water System Capital Improvement Projects:

Mr. Bolby disclosed that we are obtaining permits. A Funding Application will be submitted to PennVEST on August 4th, 2021.

He added that in a few months, we should be receiving word back from PennVEST whether they extend an offer to the Municipal Authority for the Water Project.

2) State Hospital Chemical Feed Building - Emergency Generator Project:

Mr. Bolby stated that this is underway, but it is slow moving because of delays, related to COVID, in manufacturing.

The generator is now expected to be arrive by August 25th, 2021.

SEWER:

1) Assessment, Repair, and Abatement Plan (Hydraulic Overload):

1) Corrective Action Plan:

Mr. Bolby stated that the 6-month Corrective Action Plan Status Report was submitted to DEP last week. It recaps everything that is being done related to the Hydraulic Overload.

2) Sewer Line Cleaning and Inspection:

Mr. Bolby disclosed that the Cleaning & Televising Contract is underway. As of last week, it is 90% complete. They expect to be done sometime in August 2021. They have until the end of October to complete the work.

3) Smoke & Dye Testing:

Mr. Bolby brought out that the Smoke Testing is 100% complete. As of last week, the Dye Testing is approximately 95% complete. They are expecting to be done with Dye Testing on Thursday August 5th, 2021.

Both Smoke & Dye Testing had due dates, according to the Corrective Action Plan Schedule, for October 31st, 2021. So we will be ahead of schedule on that.

Mr. Bolby briefly mentioned the "Sanitary Sewer-Corrective Action Plan Meeting & Design Selection Schedule" that shows a recap of the Sewer information that has been discussed each month from the first Joint Meeting with the Municipal Authority, all the way through January 2022.

For this month, the topic that Mr. Bolby reviewed with Borough Council was the “Correction Action Plan Schedule”, and where the Borough is presently at with that schedule as follows:

Mr. Bolby said that we have been talking about the hydraulic overload situation for several years now, and doing different tasks up until March 2021 whenever we presented the Flow Study and Report. It was discussed where the severity of the problem was, and what we could potentially do to correct the hydraulic overload.

Mr. Bolby expressed that in the upcoming months, we would like to discuss what the Municipal Authority & Borough’s goals are.

He brought out that several topics, and different methods, have been presented that relates to the sewer to address the hydraulic overload. These were presented to aid in working towards staying on the Corrective Action Plan Schedule, and to enable us to meet the next couple of deadlines. Mr. Bolby noted that the biggest decision is what to do on the private side lateral.

To recap information that was previously discussed, Mr. Bolby next discussed the “Sewer Lateral Strategy Matrix” chart which highlights what can happen, and then what method of mitigating the hydraulic overload that would lead into:

1) Full Replacement would lead to the project alternatives. These would include the pressure sewer, a full removal of all the infiltration & inflow, which includes replacing all of the pipe in the Borough, providing some storm water management and sewer system improvements.

So *full replacement* would include a combination of increasing capacity, and also replacing some of the older, damaged components of the system.

2) Partial Replacement would lead to a few of the other strategies. These would include the “Transport & Treat” method, which would make the system big enough to handle both the stormwater and sewer problem. Also the “Equalization Technique”, which would store the problem until it is treated.

Mr. Bolby noted that all of these strategies, or techniques, mitigate the hydraulic overload condition and allows it to get back into compliance.

Mr. Bolby, once again, provided an information chart to Council regarding “Infiltration & Inflow Mitigation Techniques”, from the initial Joint Meeting, to recap the magnitude of this effort.

Mr. Bolby stated that this will set the ground work in moving forward for picking any of the techniques, or combinations of techniques, that will be used for sewer replacement.

Mr. Bolby next discussed the “Corrective Action Plan Schedule” that was formally approved by DEP, and the “Anticipated Schedule” as follows:

Mr. Bolby brought out that a lot of damaged sewer lines have been found through the Smoke & Dye Testing and the Cleaning and Televising efforts. He said that there is enough frequency of damaged pipe within certain sections of sewer line that cannot be repaired. He brought out that within the CAP Schedule, there is a “Repair” section that they expect will not be done. He added that it makes more sense to repair the entire sewer line in these sections of severe damage. This “Repair” section will be going back to DEP, suggesting a revised Corrective Action Plan Schedule.

Mr. Bolby said that the plan is to have a full report in October 2021 to confirm the assumption that we will be needing to replace a large majority of the Sanitary Sewer System because of the condition that it is in.

He disclosed that large holes, collapsed pipe, obstruction, and other things, are allowing infiltration & inflow to go in. There are also defects in manholes and sewer pipe. Also, illegal connections have been found from roof meters and area drains that are directly connected to the Sanitary Sewer System throughout the Borough. This has all been discovered through the Smoke Testing & Dye Testing. The report will include all of these findings.

Mr. Bolby said that after confirmation that there is a lot of damage to the majority of the Sanitary Sewer System, a recommendation will be made to see what direction to go in to correct the hydraulic overload, or possibly another one of the techniques that could address it. He added that, unfortunately, from what has been discovered, the pipe damage is a wide spread problem throughout the Borough, and not isolated to one area.

Mr. Bolby said that they expect to go back to DEP with this information and go straight to the Abatement Plan. He explained that the Abatement Plan is a selected strategy on how we are going to address the hydraulic overload. He says it buys us some time, and gets us to avoid doing “spot” repairs. What we anticipated was replacing full sections of line rather than doing “spot” repairs.

Mr. Bolby brought out that at the August & September 2021 Meetings, there will be a review of the information again in an open forum. Also, there will be information on the Smoke & Dye Test results in October 2021. Also, Joint Meetings with the Municipal Authority will likely take place.

Mr. Bolby said that the decision on the private lateral side sets the stage for any project that the Borough does in the future. He added that maintenance, and keeping up with whatever strategy is chosen, makes for a successful Project.

10. **Executive Session** – *None requested.*

11. **ADJOURNMENT**

Motion

Mrs. Opp moved to adjourn; motion seconded by Mr. Hoffman.

Motion Unanimously Carried
6:10 p.m.

Michele A. Enos, Borough Manager/ Secretary