

Borough of Somerset Council Meeting

August 23rd, 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; Steve Shaulis and Gary Thomas.

Council Members absent: Lee Hoffman; Pam Ream and Sue Opp.

Also present: Mayor Scott Walker.

Absent: Junior Council Member Sierra Urban.

Also present were the following: Director of Finance, Brett Peters; Administrative Assistant, Roger Bailey; Solicitor, James Cascio and Consulting Engineer, Jake Bolby.

Public Attendance:

a) *None present*

4. Announcements

a) *Administration of the Oath of Honor to Officer Joshua Fleming.*

(This was postponed until the next Council Meeting)

5. Approval of Minutes of Previous Meetings:

a) *July 26th, 2021 – Borough Council Meeting Minutes.*

Motion

Mr. Rosemeyer moved, Mr. Thomas seconded, to approve the July 26th, 2021 Borough Council Meeting Minutes.

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 2021.

Motion

Mr. Thomas moved, Mr. Rosemeyer seconded, to approve the payment of bills for August 2021 numbered 36978 - 37115 totaling \$582,872.97.

Motion Unanimously Carried

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

Motion

Mr. Rosemeyer moved, Mr. Shaulis seconded, to approve the Departmental Reports for the month of July 2021.

Motion Unanimously Carried

9. Policy Agenda:

Old Business:

a) None

New Business:

a) Sean Isgan Subdivision Request – Consider approving the subdivision request that was reviewed by our Planning Commission at 818 Overlook Drive (Planning Commission is recommending its approval)

Solicitor Cascio brought out that the property is listed for sale, and is actually 2 lots.

Mrs. Miller added that Mr. Isgan is selling a part of the lot off that would be an advantage to the neighbor next door.

Motion

Mr. Thomas moved, Mr. Shaulis seconded to approve the subdivision request from Sean Isgan that was reviewed and recommended for approval by our Planning Commission.

Motion Unanimously Carried

b) Susan Sube Subdivision Request – Consider approving the subdivision request that was reviewed by our Planning Commission at 404 Dott Avenue (Planning Commission is recommending approval).

Solicitor Cascio brought out that for this request, they are setting the boundaries.

Motion

Mr. Shaulis moved, Mr. Rosemeyer seconded to approve the subdivision request from Susan Sube that was reviewed and recommended for approval by our Planning Commission.

Motion Carried Unanimously

- c) Stephen Imler Subdivision Request – *He is requesting to subdivide a parcel of land located at 802 Tayman Avenue. Consider referring this to our Planning Commission for review and recommendation.*

Motion

Mr. Shaulis moved, Mr. Thomas seconded to refer the request submitted by Stephen Imler to subdivide a parcel of land located at 802 Tayman Avenue to the Somerset Borough Planning Commission for their review and recommendation.

Motion Carried Unanimously

- d) Execution of Engineering Agreement with the EADS Group – *for replacement of the sidewalks along the 100 Block of South Center Avenue.*

Mr. Bolby brought out that this is the Engineering Agreement for the CDBG and DCED Grant to replace the 100 block of sidewalk on South Center Avenue. He added that this is the area that qualified from an income level.

Mr. Bolby noted that the original scope of work included the 100 block of north and south Center Avenue. After receiving the grant, the original scope of work had to be revised because the grant was less than what we were requesting. The grant total was \$250,000.00.

Motion

Mr. Thomas moved, Mr. Rosemeyer seconded to execute an Engineering Agreement with the EADS Group for the replacement of the sidewalks along the 100 Block of South Center Avenue.

Motion Carried Unanimously

- e) Report from Chief Cox – Experimental Parking Regulations.

Chief Cox brought out that at the previous Council Meeting, discussions were held regarding the traffic issues at Stadium Drive and Garrett Street with speeding in the neighborhood.

He had mentioned Council considering adopting an Ordinance that would allow the Borough, by Resolution, to create temporary or experimental traffic/parking regulations. Borough Council would be required to enact an Ordinance before anything could be immediately done in the area.

(A copy of a proposed Ordinance was distributed to Council by Chief Cox, which was reviewed by Solicitor Cascio)

The proposed Ordinance, pertaining to experimental parking or traffic regulations, would allow Council to take immediate action, and would be valid for 90 days. Thereafter, any signage would need to be removed or properly adopted by Ordinance.

Chief Cox added that an Ordinance like this could be used in a situation where some sort of traffic control device needs to be put into place immediately. Or if Council would want to experiment with some sort of traffic control device, rather than being forced to pass an Ordinance, it would allow for them to do it, by Resolution, immediately for a period of 90 days.

Chief Cox asked that Borough Council consider taking the appropriate action to turn the proposed Ordinance into an Ordinance.

Motion

Mr. Thomas moved, Mr. Rosemeyer seconded to authorize the Borough and Solicitor to take the necessary steps to create and advertise an Ordinance which would allow Borough Council to have the authority to take immediate temporary actions, by Resolution, pertaining to Borough experimental parking /traffic regulations.

Motion Carried Unanimously

Chief Cox suggested placing stop signs immediately in this area, without enforcing them, before an Ordinance is put into place as a deterrent and warning for drivers.

Motion

Mr. Rosemeyer moved to authorize Public Works to install two temporary stop signs at the intersection of Garrett and Stadium, located on the west and eastbound traffic lanes of Garrett Street, to take immediate actions that will prepare the public for the upcoming parking/traffic regulations.

(Motion failed due to lack of a second)

Motion

Mr. Shaulis moved, Mr. Thomas seconded, to authorize following the proper procedure to create and advertise an Ordinance before any action is taken with traffic control in this area.

Motion Carried Unanimously

f) Report from Chief Cox – Status of the cat issue in the Brierwood Neighborhood.

Chief Cox disclosed that, thus far, he received a total of five responses. Some of the responses mentioned things that happened beyond the statute of limitations. He said that the

responses are coming from two streets. Two are from South Columbia and three are from Cindy Lane.

Chief Cox said that he is not going to take any action, at this point, because he needs more than five responses to be able to justify a criminal complaint, if it would reach that, as a public nuisance that is impacting the public. He added that he will let this ride for another month.

Chief Cox mentioned that he has not yet contacted the gentlemen feeding the cats. He said that if he received enough responses to justify a prosecution, he wants to be able to talk to the gentlemen first with a little “clout”, which would be his preference. Chief Cox said that if he doesn’t end up with enough responses, he still plans on communicating with the gentlemen in some way.

Mr. Rosemeyer brought out that the PSAB Conference will be held in Erie, Pa October 8th-10th, 2021. He noted that PSAB is making available the ability for an additional person from Borough Council to attend the Conference by eliminating the registration fee associated with the Conference.

Chief Cox stated that he wanted to acknowledge the comments made regarding the recently held “Night Out”. He suggested sending Officer J. Evans a commendatory letter regarding “Night Out”. He said that Officer Evans did a really nice job with it and wanted to commend him. He expressed that, in his opinion, this year’s event was probably the nicest one held from previous years.

Chief Cox stated that Officer Evans did a good job of “getting the word out” about “Night Out” to the Community. He noted that this resulted in a much more representative reflection of the Community coming to the event, and that was especially encouraging.

Chief Cox wanted to commend Officer Evans, and suggested that Borough Council consider sending him a letter thanking him for his efforts in this regard.

Motion

Mr. Thomas moved, Mr. Shaulis seconded, to send Officer J. Evans a Letter of Recognition thanking him for his efforts associated with this years “Night Out.”

Motion Carried Unanimously

Mr. Bailey brought out that he was notified from New Enterprise that the paving will be starting in the Borough in late August – early September 2021.

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

He said that so far this year, the Fire Department has responded to 259 alarms. 93 have been in Somerset Borough, 134 in Somerset Township, 17 on the PA Turnpike and 15 were assists to neighboring Departments.

In-house training sessions are temporarily suspended during the busy summer months and will resume in September 2021.

There are tentative plans that will involve training in the Uptown area with aerial trucks and practice with placement of trucks and operations.

Specs are being put together for an electrical contractor to install LED lighting in various areas of the hall which will involve replacement of bulbs and fixtures.

Western PA Firemen's Association Convention was held 2 weeks ago in New Kensington, PA. Talks were held as to where to hold next year's convention. Somerset was approved as a host, therefore the Western PA Firemen's Association Convention in 2022 will be held in Somerset from August 4th – August 7th.

Mr. Peters mentioned that the Year to Date Financial Report, through July 2021, was previously included in Borough Council packets. We are 7/12's of the way through the year or 58.33%

General Fund:

Revenues – 88.12%

Expenses – 54.66%

Water Fund:

Revenues – 53.28%

Expenses – 54.41%

Sewer Fund:

Revenues – 51.51%

Expenses – 41.30%

Mr. Peters noted that things are on track, especially with the General Fund this year.

Mrs. Miller read a letter sent by the Richland School District thanking the Somerset Borough Police Department for coming to their school on August 20th, 2021 to present the "Handle With Care" Program at Richland High School.

Chief Cox explained that the "Handle With Care" Program involves when a Police Officer who may be on-call, or however he receives the information, becomes aware of a kid who may have been involved in a traumatic situation. After information is received by the Police Department, the Officer posts a very quick report. The next morning Chief Cox then generates a notification to the school before the school day begins, so that by the time the student who has experienced the traumatic event walks into the school, the school is ready and aware of the situation and better able to deal with any type of trauma the student may have suffered.

Chief Cox disclosed that since February 2021, to the end of the school year, the Borough Police Department made over 70 referrals of kids from the Somerset Area School District that were involved in situations that was detrimental to them. It enabled the school district to better aid the students.

He pointed out that there are no costs involved in the “Handle With Care” Program. He said that it is very beneficial to the kids, the school district and us. He added that it is a very solid program.

Chief Cox pointed out that after getting the information, if the Officer feels that the kid has been negatively impacted by either being involved in a perpetrating event, being a victim of an event or even witnessing an event, the Officer will do the entry and the notification will go out.

g) 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 the Funding Application was submitted to PennVEST on August 4th, 2021.

He added that we will hear back from PennVEST at their October 20th, 2021 Board Meeting.

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

Mr. Bolby brought out that the generator for the State Hospital tank should be in this week.

SEWER:

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

1) Sewer Line Cleaning and Inspection:

Mr. Bolby disclosed that the Cleaning & Televising Project is 99% complete.

2) Smoke & Dye Testing:

Mr. Bolby said that Smoke Testing is 100% complete, and Dye Testing is 99.9% complete. There is only one structure that we had to make special accommodations in our schedule to get dye tested. But, basically, we are all done with those efforts.

Mr. Bolby distributed the “Sanitary Sewer-Corrective Action Plan Meeting & Design Selection Schedule” to Members of Council. He explained that this is the same information from the original presentation that was discussed jointly with the Municipal Authority. He

added that these topics are going to be revisited in advance of the decision that is going to be related to the sanitary sewer lateral on the private side.

Mr. Bolby noted that it was emphasized the importance of a private sanitary sewer lateral as it relates to a project. The decision surrounding private sewer laterals effects which project can be chosen.

Mr. Bolby brought out that the first two project options, ***Transport and Treat & Equalization Techniques*** will make everything bigger, and there would not need to be a private sewer lateral replacement to achieve the goal of the project.

With the next three project options, ***Stormwater Management, Infiltration and Inflow Removal*** and ***Pressure Sewer System Techniques***, these would require replacement of the private sewer laterals to function. He added that there are some details within the aspects of how much of the private sanitary sewer lateral would get replaced, and then what the eventual project outcome would look like.

Mr. Bolby brought out that the ***Transport and Treat Technique*** would also include making the Sewage Treatment Plant bigger and the pipes that get the increased flow down to the Treatment Plant.

The ***Equalization Technique*** will involve putting tanks throughout the system and at the Sewage Treatment Plant to accommodate the extra stormwater that is getting in there. This wouldn't impact the public directly whenever it relates to the private sewer lateral or collection system construction.

With the ***Stormwater Management & Sewer System Improvements Technique, the Infiltration & Inflow Removal Technique*** and the ***Pressure Sewer System Technique***, the private sewer laterals would be replaced right up to the home with sewer construction. All pair with some level of ***Stormwater Management***. Either it being a technique to try to limit the amount of infiltration & inflow that gets into the sanitary sewer system, or as a way to treat the infiltration & inflow that you are removing from the sanitary sewer system and having a place for it to go.

Mr. Bolby mentioned that it is known that Borough residents are subjected to flooding, and there is constant concern surrounding that. Therefore, it is being recommended to look at stormwater in tandem with a sanitary sewer project that tries to remove infiltration & inflow from the system. The techniques that could be utilized to achieve this goal would include the ***Stormwater Management & Sewer System Improvements Technique***, the ***Infiltration & Inflow Removal Technique*** and the ***Pressure Sewer System Technique***.

Mr. Bolby again mentioned that the ***Infiltration & Inflow Removal Technique*** would replace all the sanitary sewer piping, including the private sewer laterals. And the ***Pressure Sewer System Technique*** is a variation of that using a pressure system.

Mr. Bolby pointed out that following along with the "Sanitary Sewer-Corrective Action Plan Meeting & Design Selection Schedule", in *October*, discussion will involve the results of the Cleaning & Televising, Dye Testing and Smoke Testing. In *November & December* discussions will be held regarding the Project Strategy & Sewer Laterals, along with the Sewer

Lateral Selection. This will set how we respond to DEP. After that, the Abatement Plan will be submitted to DEP. The Abatement Plan will include how we plan to address the hydraulic overload. The Plan will be based on all the data that has been collected so far, and the eventual technique that will be chosen.

To answer a question raised about what the costs may be to each family, Mr. Bolby said that the costs would be dependent upon the project that would be selected. He brought out that if a project would be selected that deals with just improving the public infrastructure, families would see that in terms of a sewer rate increase. The cost of that rate would be spread out from month to month over many years. Or if a project chosen includes a private sewer lateral replacement, there are programs in place through PennVEST that give 20-year money at the Counties Cap Rate. So in effect, it is a user rate that families would pay for on their bill.

When asked what would be done with individuals who had septic tanks, Mr. Bolby brought out that families with septic tanks would not be included in these costs. He added that the Corrective Action Plan is only for the customers that are tributary to the Sewage Treatment Plant.

When asked where the Authority or Borough would get the money to replace the sewer laterals, Mr. Bolby said that this would be done through PennVEST loans, or a PennVEST loan could be issued at the same beneficial rate of 20-years at approximately 1% interest.

Mr. Bolby added that the project costs can be incurred by the sewer customer directly, or the Municipal Authority can pay for it, then in turn, get the cost incurred back to them as a rate increase on the customer's bill. He added that there are many Municipalities who do not have these programs in place and require their customers to replace their sewer laterals at their own expense.

Mr. Bolby noted that until the Municipal Authority would actually go get a loan, it would be between the years of 2023 – 2025, so there is time to plan. Grant Funding is also a probability in the future, which would result in bringing rate increases down, if awarded.

10. Executive Session – None requested.

11. ADJOURNMENT

Motion

Mr. Shaulis moved to adjourn; motion seconded by Mr. Rosemeyer.

Motion Unanimously Carried
6:03 p.m.

Michele A. Enos, Borough Manager/ Secretary