

# **Borough of Somerset Council Meeting**

## **September 27<sup>th</sup>, 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; Steve Shaulis and Gary Thomas.

**Council Members absent:** Sue Opp.

**Also present:** Mayor Scott Walker.

**Also present were the following:**

Borough Manager, Michele Enos; Administrative Assistant, Roger Bailey; Solicitor, James Cascio and Consulting Engineers, Tom Reilly and Jake Bolby.

**Absent:** Director of Finance, Brett Peters.

### **Public Attendance:**

a) *None present*

### **4. Announcements**

a) Oath of Honor – Administer the Oath of Honor for Officer Joshua Fleming.  
*(The Oath of Honor did not take place)*

### **5. Approval of Minutes of Previous Meetings:**

a) *August 23<sup>rd</sup>, 2021 – Borough Council Meeting Minutes.*

### **Motion**

Mr. Rosemeyer moved, Mr. Thomas seconded, to approve the August 23<sup>rd</sup>, 2021 Borough Council Meeting Minutes.

Motion Unanimously Carried

### **6. Award of Bids:**

a) None

### **7. General Public Comments:**

a) Rebecca Mull and Commissioner Gerald Walker – To speak about Red Ribbon Week.  
Mayor Walker will then present the acknowledgement and support by proclamation for Red Ribbon Week.

Commissioner Gerald Walker thanked Borough Council for entertaining the thought of Red Ribbon Week once again this year.

Ms. Rebecca Mull also thanked Borough Council for their support for Red Ribbon Week. She said that this year for Red Ribbon Week there are a few changes. She disclosed that a new student digital video contest was added for all students from 4<sup>th</sup> to 12<sup>th</sup> grade.

The Red Ribbon Rally will be held at 9:00 a.m. on Friday October, 8<sup>th</sup>, 2021 at the Somerset County Courthouse. In order to socially distance and keep people spread out, the number of people will be limited at the Rally. It will also be live-streamed on their Drug-Free Facebook page.

Ms. Mull brought out that on Saturday October 9<sup>th</sup>, 2021, they will be at the Somerset Athletic Complex. The Red Ribbon Saturday event will be held there, so any type of organization in the community that supports any type of healthy drug-free alternative is invited. Also any service club or organization is invited to set up a table with some type of activity for the youth to enjoy. Participating will also be several dance clubs and gymnastic studios in the area who will be doing demonstrations.

Also new this year is a 5K which will be held before the event. She encouraged everyone to please come.

Ms. Mull mentioned that although Red Ribbon Week is celebrated early in the month of October, the schools will be celebrating this event in their schools from October 25<sup>th</sup> to the 29<sup>th</sup>, 2021.

Ms. Mull pointed out that they will support any business or school that want to have a "Spirit Week" or anything of this nature.

Ms. Mull said that, in the last several years, they have also provided to schools, examples of their morning announcements which relay some type of drug or alcohol fact or why we celebrate Red Ribbon Week. She added that they want to expand that knowledge outside of the schools, and the contest, to the community as much as they can.

*Mayor Walker next read the "Proclamation of Red Ribbon Week" to Borough Council.*

## **8. Administrative Business:**

a) Communications (None)

b) Payment of Bills – Month of September 2021.

### **Motion**

Mr. Rosemeyer moved, Mr. Shaulis seconded, to approve the payment of bills for September 2021 numbered 37116 – 37247 totaling \$554,010.41.

Motion Unanimously Carried

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

### **Motion**

Mr. Thomas moved, Mr. Hoffman seconded, to approve the Departmental Reports for the month of August 2021.

Motion Unanimously Carried

### **9. Policy Agenda:**

#### **Old Business:**

a) None

#### **New Business:**

*Prior to the discussion of the scheduled Agenda items, discussion ensued regarding the fencing around the recycle area at the Borough Garage due to complaints about the limited hours of operation.*

Ms. Enos said that the reason for the limited hours was due to illegal dumping at the site. She explained that this is a cost to the taxpayers, because employees were spending many hours going through and separating the piles, so labor costs were also involved in this illegal dumping.

Ms. Enos pointed out that much of the illegal dumping was happening in the overnight hours. 7:00 p.m. on Mondays and Thursdays was chosen to extend the hours for “drop-off” in the recycle area until the gate is locked for security reasons.

The decision was made to open the recycle area on Saturdays from 8:00 a.m. to 5:00 p.m. It is closed on Sunday because Borough employees would have to be paid overtime to keep the gate open for “drop-off” that day. Ms. Enos said that if Borough Council wants the gate to be kept open for Sunday hours, this can be changed.

Ms. Enos also mentioned that the materials at the Borough Garage, which the Borough stores for its own use for the roads and water line breaks, was also being taken. She said that if Borough Council wants to make changes, by official action, to this issue then it can be added to next month’s Agenda, due to the new Sunshine Law.

Solicitor Cascio explained that the State Legislature and Governor have amended the Sunshine Act which states that the Borough is required to advertise the Council Meeting Agenda at least 24 hours before the meeting. Borough Council cannot take action on anything other than what is on the Borough’s Agenda for the meeting.

Solicitor Cascio said that there are certain exceptions where you can change the Agenda. One of these is if any Borough Council Member would like an additional item addressed at a meeting, that Council may want to take official action on, that item has to get to the Borough Office so it can be added to the Agenda well before the meeting is scheduled to start. This is basically so that the Public has transparency.

- a) Stephen Imler Subdivision Request – Consider approving the subdivision request that was reviewed by our Planning Commission for 802 Tayman Avenue. (Planning Commission is recommending its approval)

Ms. Enos stated that this request is for one parcel that he made into two. So it was a property line adjustment. She added that it was already reviewed by the Planning Commission, and it comes back to Council for formal action.

### **Motion**

Mr. Hoffman moved, Mr. Rosemeyer seconded to approve the subdivision request from Stephen Imler that was reviewed and recommended for approval by our Planning Commission.

Motion Unanimously Carried

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

(Mr. Bolby reviewed the “Status of Projects” during the Engineer’s Report)

- c) Somerset Borough Stormwater System – Consider authorizing the transfer of ownership of our Stormwater System to the Borough’s Municipal Authority.

Ms. Enos pointed out that there has been prior discussion regarding this subject held with both the Borough Council and Municipal Authority. Discussed was the benefits of transferring the ownership of the stormwater system.

Presently, the only way a stormwater project can be funded is through General Fund monies, which is taxes. Ms. Enos pointed out that if the stormwater system is transferred to the Municipal Authority, a rate structure can be developed to handle future projects. This will have an integral part in where we go with our sewer projects. So, in planning for the future, it makes sense to move the stormwater system since it directly correlates with the sewer as well.

### **Motion**

Mrs. Ream moved, Mr. Rosemeyer seconded to authorize Borough Management to develop a plan and procedure to transfer ownership of our Stormwater System to the Borough’s Municipal Authority.

Motion Unanimously Carried

- d) Resignation of William Kuhlman – Consider accepting the resignation of Mr. William Kuhlman as Chairman of the Municipal Authority Board.

Ms. Enos brought out that Mr. Kuhlman has served for multiple decades on the Municipal Authority Board and has been fantastic. She said that he is a terrific individual, and also a great Chairman, who will really be missed.

**Motion**

Mr. Thomas moved, Mr. Shaulis seconded to accept, with regret, the resignation of Mr. William Kuhlman as Chairman of the Municipal Authority Board.

Motion Unanimously Carried

e) Letters of Interest – Consider authorizing to advertise for “Letters of Interest” for residents to serve on various Boards and Commissions.

Ms. Enos brought out that we now have a vacancy on the Municipal Authority Board do to Bill Kuhlman’s resignation. She said that there is also a vacancy on the Planning Commission, as well. Ms. Enos added that we need “Letters of Interest” authorized for anyone interested in serving. This will be advertised on the Somerset Borough’s website and the newspaper.

**Motion**

Mrs. Ream moved, Mr. Rosemeyer seconded to authorize to advertise “Letters of Interest” for residents to serve on various Boards and Commissions.

Motion Unanimously Carried

f) Manager’s Report – Reports distributed to Council for all Departments for the month of August 2021.

Ms. Enos mentioned that all Department Reports were distributed by electronic form, or by hard copies, for each Member of Council.

Ms. Enos also reminded Council that, for the next three months, a joint meeting will be held with the Borough’s Municipal Authority. These meetings will be held on the fourth Monday of each month in the Community Room at the Public Safety Building. Joint discussions will include the upcoming Sewer & Water Capital Projects, as well as Budget discussions.

g) President’s Report – Given by Ruby Miller.

Mrs. Miller asked if we were going to have a “Student of the Month” this year?

Mr. Rosemeyer said “yes”, and that he should be getting the name of the student in October 2021.

Mrs. Miller asked when the conversations about budgets were going to start for next year?

Ms. Enos stated that it is currently out to all the Management Staff. She said that they are gathering up quotes and estimates for all their projects. A return date for all this information is due back October 12<sup>th</sup>, 2021 for staff to review.

*In answering Mrs. Miller about the status of the paving, Ms. Enos disclosed that one more block of paving has to be done to complete the paving for this year.*

*h) Somerset Inc. Report – Given by Lee Hoffman.*

Mr. Hoffman brought out they are approximately half-way through the Neighborhood Partnership Grant that is a 5-year grant which includes the Tax Abatement Program which is helping some local businesses get rolling. There is some help for the people in the South Center neighborhood. They are reaching out to help them with porch projects and exterior repairs. The Next Step Center received some money through the Grant, as well. Somerset Lake is also getting a bit of funding from that too.

Some blight money is available and will be applied to another project.

Mr. Hoffman said that there are 10 Façade Projects currently going on throughout town.

Somerset Inc. has plans to do some “pop-up” shops starting Veterans Day and moving into the Christmas season. There should be 4 or 5 proprietors setting up in different spaces. Hopefully, this will enable them to kick-start their own store.

He said that the Brinker Building is still moving along.

Lastly, Mr. Hoffman pointed out that “Light-Up Night” is coming up, and “Fire & Ice,” hopefully, will be more robust than ever this year. The theme is “Winter Carnival.”

*i) PSAB Report – Given by Fred Rosemeyer.*

Mr. Rosemeyer stated that PSAB is still meeting at the Convention Center in Erie in October 2021.

The County Boroughs Association meeting has been cancelled.

*j) Somerset Volunteer Fire Dept. Report – Given by Steve Shaulis.*

Mr. Shaulis brought out that the Fire Department has responded to 293 alarms so far this year. 102 have been in Somerset Borough, 157 in Somerset Township, 17 on the PA Turnpike and 17 were assists to neighboring Municipalities.

Firefighters Cody Brown and Brodie Close have successfully completed their Firefighter I Certification.

The Pennsylvania Senate Veteran’s Affair and the Emergency Preparedness Committee held a hearing at the Community Room on September 13<sup>th</sup>, 2021. Expert witnesses from various areas of the State were also brought in to present information on the future of the Fire Service. Senator Pat Stefano, of our District, is the Chairman of the Committee and is taking an active lead in addressing issues such as Recruitment and Retention Training and funding for Fire Departments.

The Fire Department's Annual Golf Tournament was a big success. There were 24 teams that participated and 55 Sponsors. These were record high numbers for the golf outing. The profit amount is yet to be determined until all the bills are received.

On behalf of the Laurel Arts Board, Mr. Rosemeyer thanked the Fire Department, Mr. Shaulis, the Borough's Police Department and Joel of 911 for their involvement with the Shanksville 911 Memorial Display at Laurel Arts that included remnants of the Flight 93 Plane. He wanted to express their appreciation.

k) Engineer's Report – Given by Tom Reilly and Jake Bolby.

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

### **WATER:**

#### **1) Water System Capital Improvement Projects:**

Mr. Bolby mentioned that, presently, the large water project is being considered by PennVEST. They are going to look at that project on October 20<sup>th</sup>, 2021 at their Board Meeting. This is when the funding decision will be announced for that project.

Mr. Bolby added that the results will be reported to Borough Council.

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

Mr. Bolby disclosed that the generator was finally delivered on September 13<sup>th</sup>, 2021. We have been waiting on a generator for at least 6 months. The delay was due to supply chain issues. He said that the project will start on Thursday September 30<sup>th</sup>, 2021.

#### **3) Coxes Creek Water Treatment Plant (WTP):**

Mr. Bolby brought out that a permit is being submitted to change some of the operations at the Coxes Creek Water Treatment Plant to lead to an upcoming DEP Permit change. It is moving along as scheduled.

#### **4) Laurel Hill Reservoir:**

Mr. Bolby said that the Borough is working jointly with American Rivers, Somerset Conservation District and Western PA Conservancy to restore the reservoir area. He said that Borough staff is in the process of dewatering the reservoir. It will sit in its direct level until all the vegetation comes back. It was lowered approximately 4 feet so far, and is starting to revegetate.

*When Mr. Bolby was asked "What would we do if PennVEST says "No" for funding to the Borough's \$20-million-dollar Water Project?"*

Mr. Bolby answered by saying that we would go to the next round for funding. He added that there is a lot of funding.

Mr. Bolby pointed out that he has not gotten any indication from PennVEST that the Borough wouldn't receive an offer. But PennVEST's offer could come back less than what was requested. We also could not receive an offer at all, or we could receive a favorable offer with some loan forgiveness or good interest terms and long terms.

Mr. Bolby disclosed that the last number he heard that PennVEST had in their Water Fund was approximately \$400 million dollars.

*Discussion ensued about Johnstown, PA's Sewer Project.*

Ms. Enos mentioned that we are waiting on the information to find out if we will be completely funded and what that will look like. Will it be all loan, partial loan or partial grant funding?

Ms. Enos mentioned that just because we make application, we are not stuck within the \$20-million-dollar zone. She added that if it ends up being all loan, we can scale the project back based on the Borough's affordability.

Mr. Bolby brought out that a specific request was made for replacement of lead in our water system. He said that there are certain aspects of plumbing that have lead in them. Newer plumbing does not have lead, or it meets the criteria of having a reduced amount of lead.

*Mr. Rosemeyer asked if there is any funding coming from the Biden administration for the infrastructure?*

In answer, Mr. Bolby said that they did not come up with a specific package yet for storm, sewer and broadband.

Mr. Reilly said that it is presently "very much up in the air."

## **SEWER:**

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

Mr. Bolby brought out that the Cleaning & Televising Project is 100% complete. It finished up ahead of schedule.

Mr. Bolby said that due to the fact that the Municipal Authority had to cancel its last meeting, the Sewer Lateral Review will be covered during the Joint Borough Council/Municipal Authority Meeting in October 2021 before a final decision is made regarding the private laterals.



## **GENERAL:**

### **1) Center Avenue Sidewalk:**

Mr. Bolby said that we started to look at the South Center Avenue Sidewalk Replacement Project. It is underway with some of the preliminary survey work already done. The project is to be completed in 2024. Mr. Bolby added that have a generous schedule, but are on schedule for this project.

*l) Mayor's Report – Given by Mayor Walker.  
(Mayor Walker had nothing new to report)*

Mrs. Ream disclosed that the walk-in Covid Vaccine Clinic is still open every week at Somerset Hospital on Thursdays from 12:00 p.m. – 5:00 p.m. They are offering both Moderna & Pfizer vaccines.

Mrs. Ream also noted that the public can go where booster shots are being offered.

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

## **11. ADJOURNMENT**

### **Motion**

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

Motion Unanimously Carried  
5:56 p.m.

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Michele A. Enos, Borough Manager/ Secretary