

**JOINT MEETING – Somerset Borough Council & The Municipal
Authority of the Borough of Somerset
October 25th, 2021 - 5:00 p.m.**

JOINT MEETING AGENDA

1. Joint Meeting Called to Order

- a) Borough Council Meeting Called to Order – President R. Miller
- b) Municipal Authority Meeting Called to Order – Vice-Chairman Jacob
(Vice-Chairman Jacob was absent. Mrs. Miller called meeting to order)

2. Pledge of Allegiance

3. Roll Call:

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

- b) Mayor: Scott Walker present

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, Jake Bolby and Ethan Keefer.

Roll Call:

- a) Municipal Authority Members present: Ruby Miller; Jessica Sizemore and Ben Flower.
Authority Member absent: Vince Jacob.

Public Attendance:

- a) Chico Alvarez; Chuck Livengood; Eleanor Stutzman and Ginger Brown.

4. New Business – Joint Discussions

- a) Smoke & Dye Testing – Discussion concerning the results.
- b) Cleaning & Televising – Discussion concerning the results.
- c) CCTV of the Sanitary Sewer System – Discussion concerning the findings.

(All 3 subjects above were discussed together)

Mr. Bolby stated that this update is being presented on the information collected from the Smoke & Dye Testing and Cleaning & Televising. It will present facts and allow Borough Council & the Municipal Authority to guide their decision related to the sanitary sewer system.

In review, Mr. Bolby said that the Corrective Action Plan was approved by DEP on October 1st. We are on Phase II, with Smoke, Dye and CCTV. The Hydraulic Report was presented in March 2021 which covered the mapping of the sanitary sewer system and mapping of the stormwater system. Flow Metering was also presented, along with the Corrective Action Plan, which helped to guide the upcoming steps.

The findings on the initial study report covered issues with the Coxes Creek interceptor and a widespread inflow & infiltration problem that was causing the hydraulic overload.

In the report, the recommendation was to look at everything in the future using a design point of a 10-Year Storm. That commutes to a rainfall of approximately 3 ½ inches, which would capture most of the storms that had caused the hydraulic overload issue within the Borough. That storm produces about 16 million gallons/per day of flow. That was experienced at the Wastewater Treatment Plant, and also pumped from the wastewater system at various points to try to protect homes from being surcharged with sewage.

In the Corrective Action Plan, the next step was Smoke Testing, Dye Testing and Cleaning & Televising. These three components were required by DEP to get a Corrective Action Plan approved by them.

The Smoke Testing was done throughout all the sanitary sewer pipes to see where the smoke would pop up. This could be seen in catch basins, manholes, downspouts, roof leaders, and cracks and breaks in pipes.

In Dye Testing, we pumped dye and water in the roof leaders where the end couldn't be visualized. The purpose of the dye testing was to see if the end of a roof leader, which was going into the ground, was going into the sanitary sewer system.

Along with roof leaders and downspouts, we would look at area drains, or other things, where we didn't know where the discharge was, that had the ability to collect stormwater and send it somewhere.

The next task was Cleaning & Internal Inspection. This was done by the contractor, Mr. Rehab. They went through the entire town to clean out the pipes to make sure they had their full capacity available to them. Internal video inspection was also done along the entire length of the pipe.

Mr. Bolby disclosed that 170 smoke tests were completed to get 100% of the system tested. This included about 200,000 feet of sewer mainline that is public. 16,000 feet of private mainline sewer in some of the developments such as Brierwood, Phase IV and Cherry Lane, and 67,000 feet of private sewer laterals.

Mr. Bolby noted that there are limitations to smoke testing, such as if a trap is on the outside of a home. If this is the case, dye testing would have to be followed-up to figure out if that is connected to the sanitary sewer system or not. Another example is if a mainline sewer

has a dip in the sewer line that is trapping water. In this case, the smoke machine had to be strategically adjusted to make sure smoke could be blown in all directions.

Mr. Bolby brought out that they found 137 places where smoke observations came up out of an area where it was not supposed to *on the private side*. These areas included a roof leader, a broken piece of the sewer viewport and area drains. *On the public side*, these areas were limited to catch basins and stormwater manholes that have perforated grates.

Mr. Bolby gave the breakdown of the 137 smoke observations *on the private side*: 42 missing viewports, 42 occurrences of broken laterals in the yard, 6 where the smoke was coming out around the water curb box and 14 roof leaders that were illegally connected directly to the sanitary sewer system that were seen through smoke.

Mr. Bolby presented videos showing some of these areas just mentioned, along with the details.

Mr. Bolby mentioned that *on the public side*, DEP has you disconnect any direct connections of the public stormwater system to the sanitary sewer system. He said that there was not one single connection like this found through our recent testing. He pointed out that this was due to the fact that this was corrected in the 1990's, when a similar effort was done through smoke testing, and the dozen or so storm pipes directly connected to the sanitary sewer system were disconnected.

Mr. Bolby said that this created a new category called "minor interconnections." He said that we saw smoke come out of an inlet, but it is not a lot. He explained that stormwater, in most cases, is not water tight or pressure tested in any way. It just allows the stormwater to go wherever it wants. So there is most likely a non-water tight stormwater feature happening there. In the pipe, there could be a loose fitting, some gaps in the inlet or broken sewer pipe that is allowing smoke to get out of the sewer pipe and find its way into the stormwater. We are seeing it in the catch basin. These areas are not from those true direct connections.

Mr. Bolby said that also observed was smoke coming out around sewer manholes. In this case, it is most likely from a damaged pipe right near the manhole itself.

Mr. Bolby also mentioned that in public sewers smoke was seen coming up through the yard, which was not a lateral in that case.

Mr. Bolby presented more videos showing some of these areas described above, along with the details.

Mr. Bolby next presented a map illustrating the concentration of the smoke observations throughout the Borough from the Smoke Testing that was completed.

Mr. Bolby mentioned that all of this information, and its details, are plotted onto the GIS System.

Mr. Bolby pointed out that the next step after Smoke Testing is Dye Testing. He said that this is done to find out where all of the roof leaders, down spouts and area drains are

connected to. The intent is to try and find out who is connected to the sanitary sewer system, the stormwater system, or discharging to the ground, a pond, a stream or somewhere where it was not affecting the sanitary sewer system.

Mr. Bolby said there were a little over 10,000 roof leaders and area drains, *on the private side*, that were looked at. Just over 3,000 of those were underground and 7,000 were above ground. It was determined where they were connected to.

Mr. Bolby gave the breakdown of the 4,600 Dye Tests that were completed in the Borough: 76 roof leaders and area drains were found to be connected to the sanitary sewer system illegally. Also, 65 clogs were found.

Mr. Bolby next presented a map with the Dye Testing results.

Mr. Bolby said that Mr. Rehab was awarded the contract for the Cleaning & Televising project. Their task was to clean all of the sewer lines and remove all the debris. They were cutting roots out of the sanitary sewer lines. They were removing any laterals or obstructions that came into the sewer lines that were reducing capacity to make sure that we had full flowing capacity of the sanitary sewer lines. They also found manholes that could not previously be found, with the exception of one. They were able to find 3 or 4 that were previously hidden during the course of their Cleaning & Televising effort.

After the cleaning was completed, a video inspection of the pipes was done. The camera ran down the entire length of the sewer pipe. Whenever they encountered cracks, sewer lateral taps, failing pipe, holes, breaks, collapses, offset joints or anything not supposed to be there, they called it out. Mr. Rehab also confirmed the material, diameter and length of the pipe. The job was completed on October 1st, 2021, ahead of schedule. Mr. Bolby added that the project went well.

Mr. Bolby explained that when the video inspection is being done, they are looking at the observations in the pipes such as the holes, breaks, collapses, cracks, and off-set joints and assigning them to a rating scale. The scale is from 0-5, with 0 being a brand new pipe in its best condition, and 5 being a pipe that is failing and needs immediate attention. Then that gets applied across the entire length of the pipe, and it's a weighted average of the entire pipe, to give an overall scale of the pipe run from manhole to manhole. It can consist of multiple observations along that length of pipe.

Mr. Bolby said that the pipe is placed in that 0-5 category using a **N**ational **A**ssociation of **S**ewer **S**ervice **C**ontractors rating. He disclosed about 60%-70% of the Borough's inspected pipes, based on the NASSCO rating, are in the 0-2 range. This indicates that the pipe is in decent condition. 25%-30% of the Borough's pipes were rated in the 3-5 range. These are the pipes that need replaced within 10-20 years, immediately, or within 5 years.

Mr. Bolby noted that the NASSCO number range does not take into consideration the condition of the entire pipe or diameter and length of the pipe, which could have the potential to contribute to more inflow & infiltration if the pipe is bigger or if a crack is larger. NASSCO

number ranges do not go into these specifics, does not consider all the parameters or describe what the condition the pipe is in. Also the NASSCO number rating includes issues related to a bad sewer lateral tap, so the rating doesn't give you a true rating of the pipe.

Mr. Bolby said that the Engineers looked at other perimeters, removed the sanitary sewer taps, took into consideration the diameter and length of the pipe, and developed a similar scale which also has a rating of 0-5. This scale provides more weight to the 4 & 5 rating defects that are occurring in the pipe. Mr. Bolby added that this rating scale was developed because DEP is asking the Borough and Municipal Authority to repair all the 4 & 5 rated defects. This new rating scale provides a better understanding of how many defects there are, including the quality of the pipes, and the diameter and length of the pipes, unlike the NASSCO rating scale.

By using this new scale, Mr. Bolby said that this would shift the 11,700 feet of pipe that was in 0-2 category into the 3-5 category, which are pipes you would be looking at to potential replace. The category 5 pipes grows significantly by shifting the rating to the new scale. Since category 5 pipes require immediate attention, it goes from 11,500 up to approximately 55,000 linear feet of pipe.

When Mr. Bolby was asked if these category 5 pipes were concentrated to any particular area of the Borough, Mr. Bolby answered by saying that most of that shift from the 1-2 category to the 3-5 category, happens from removing that value of "1" that NASSCO assigns to a sewer lateral tap. He said that taps really should not be included in the rating, but that is part of the NASSCO approach. Mr. Bolby said that it doesn't devalue the pipe, but it also doesn't benefit the pipe. He said that if the sewer lateral tap is obstructed in a way that is water tight, it doesn't take away from the integrity of the pipe. If there is an issue related to the sewer lateral tap, NASSCO would rate that individually as its own separate observation. So it is still accounted for if it is a bad tap, but NASSCO provides a category 1 rating to taps, which skews the number and doesn't give you a true rating of the pipe.

Mr. Bolby presented video clips capturing defects in selected areas of pipe throughout the Borough.

Mr. Bolby explained a heat map illustrating all the observations that were found during the course of the Cleaning & Televising.

Mr. Bolby brought out that with all the observations brought back from the Cleaning & Televising, along with the Smoke & Dye Testing, all factor in on how the hydraulic overload would be addressed.

He reiterated that everything is being related back to the 10 year/24-hour storm that has 3 ½ inches of rain. The total flow is 16 million gallons/per day, 2 million gallons of which is standard sewage and the other 14 million which is the inflow & infiltration.

Mr. Bolby said that with the Smoke & Dye Testing, there is some overlap of inflow & infiltration, but testing primarily goes after sources of inflow. These are direct connections such as roof leaders, downspouts and area drains, which are connected directly to the sanitary sewage system.

Mr. Bolby said that DEP also uses the term “streaming inflow” which is defined as “any water body which is making its way directly into the sanitary sewage system.” DEP focuses on this “streaming inflow” because it is a constant source of water that is feeding inflow into the sanitary sewage system. Infiltration is ground water that is making its way into the sanitary sewage system through the cracks, joints or any sort of defect in the pipes. The Cleaning & Televising efforts is what was able to locate and look at the infiltration sources. The Smoke & Dye Testing was able to look at all of the illegal connections and sources of the problem.

Mr. Bolby pointed out that they looked at a reasonable estimate as to how much water can actually get into *the roof leader* and make its way to the sanitary sewer system. He said that they wanted to quantify that and determine how much of that 14 million gallons/per day is coming from those direct inflow sources. Mr. Bolby revealed that the total amount that they were able to assign to those sources in the Borough was .71 million gallons/per day.

Mr. Bolby also brought out that *the sewer laterals* were looked at through the Smoke & Dye Testing and were assigned direct values that have a basis for providing a calculation. He said that there was .21 million gallons/per day that could be assigned to broken laterals.

Mr. Bolby added that all the other cracks, collapses, holes and offset joints that were identified in the Cleaning & Televising contract, make up *the unclassified sources* which amounts to 93% of the total inflow & infiltration that is getting into the sanitary sewer system. This shows how widespread all those observations were.

Mr. Bolby said that in the initial Report & from the Flow Metering Study, we were able to try to say that the issue was widespread, and this is what we have experienced from other systems with similar construction and age.

This information confirms the initial assumption that it is widespread, and we are not able to just remove everyone’s roof leader and get rid of 14 million gallons of inflow & infiltration.

All of *the unclassified sources* may not be seen on video inspection. Ground water can change through the seasons, and there could be movement in the ground that affects the water tightness of a pipe and the joints. Not all pipes are definable or able to be assigned specifically to certain areas. It truly is widespread.

In the report discussed at large, and throughout the various presentations, for the sanitary sewer issues, the typical ratio of inflow & infiltration that is being experienced from the public side and private side is about the 50/50, 60/40 ratio. In the areas where we are seeing a lot of bad sewer main lines, we are assuming that the laterals are also contributing and probably in poor condition.

The private sewer lateral is one section of the sewer system that cannot be televised due to the limited ability of the camera to travel up into the sewer lateral. The only two tests that

we are able to try and assign inflow & infiltration to, in the private sewer laterals, is the Smoke & Dye Tests.

When Mr. Bolby was asked, "In the wintertime when the ground freezes, do the cracks freeze?", Mr. Bolby brought out that most of the cracks are going to be below the frost line so the freeze/thaw action is not getting the whole way down to the crack. He said that in some, cases where things are moving, such as moving manholes or adjacent structures, the cracks could grow bigger or break during that freeze/thaw, but this is not that common.

Mr. Bolby said that, in general, the sewer pipe is going to be about 6 feet deep in the ground. The majority of the sewer lines in the Borough are between 8-10 feet deep.

Regarding the Corrective Action Plan, DEP is telling the Borough that they are overdue with the hydraulic overload situation.

Phase I was Assessment, which included the Hydraulic Report. Phase II included the Smoke & Dye Testing and Cleaning & Televising. The next step immediately following was to be the repair. DEP specifically asked to include the 3 items listed, which are stream inflow, the 3, 4 & 5 defects and the illegal connections. We only saw one instance of stream inflow. There were a total of 90 illegal connections. That would only remove 6½ % of the inflow & infiltration if we went after the illegal connections and stream inflow.

Mr. Bolby explained that 4 & 5 defects have severe cracks and small holes in pipes. A 5 rated defective pipe has significant holes in it. He said that there is 5,081 of those defects that occur in the Borough's system. There are 900 manholes with multiple pipe runs that have multiple occurrences of 4 & 5 defects on them. He said that there are 1,391 pipe segments between manholes, or between manholes and a structure, in the Borough. This is a mixture of public and private lines. He brought out that only 98 of those pipes have a 4 & 5 defect. There are 174 that have a 3 or more. There are many more that have a lot of problems wrong with them. The most numerous of the 4 & 5 defects is 24 on one single piece of pipe. There are also pipes that exist with just 1 issue in them. Mr. Bolby explained that 378 pipe segments have a defect rating of 3 in them along with 4 or 5 defects on the same line, as well.

Mr. Bolby pointed out that these known occurrences in the pipe are more of a planning tool and not specific to addressing the Corrective Action Plan. Does it make sense to replace the entire pipe verses doing spot repair, which DEP would like the Borough to do on the 4 & 5 defects. There are numerous 4 & 5 defects, so to do that amount of individual spot repairs isn't practical.

Mr. Bolby stated that after looking at all the data as a whole, if we just take care of the inflow of 4 & 5's, and the illegal connections, it is most likely not going to reduce the inflow & infiltration because there are so many different sources coming in. He said that the problem is more associated with the old terracotta clay pipe. He added that we would get the most out of replacing the terracotta pipe, but it will not get all the inflow & infiltration out of the system.

Mr. Bolby pointed out that the Smoke Map, he presented, makes up a Heat Map which illustrates all the roof leaders and area drains in the Borough. Parcels are also illustrated, along with illegal connections. The material of the pipes was also revealed on the Heat Map.

Mr. Bolby showed more video clips of defective pipe that are presently in the Borough, and discussed the details.

Mr. Bolby concluded by saying that the purpose of the presentation was to give the report back on what the condition of the system is, and what are the results of the Smoke, Dye and Cleaning & Televising efforts.

Mr. Bolby mentioned that next month's Joint Meeting will be a review of the sewer laterals. The review will help to get to the decision surrounding the sewer laterals. Regardless of what the project is, it hinges on what the approach of the private sewer laterals is.

Solicitor Cascio added that it is how much you have to restrict the inflow from the connection. If the decision is to design it to take up all the inflow & infiltration, either way it has do with capacity which is part of the ability to convey the water. That is the fundamental decision.

Mr. Bolby said we are looking to manage, control or remove 14 million gallons of inflow & infiltration.

When Mr. Bolby was asked if DEP has signed off on a set Design Storm number, Mr. Bolby answered by saying that a 10-Year Storm Event is being proposed in the Abatement Plan. He said that DEP can make it more stringent, or say "no overflow", which is different from picking a Design Storm, because if you get a storm larger than that one, you could potentially have an overflow. So our recommendation is trying to get DEP to agree to a Design Storm, then argue the technical side later whenever we see a larger storm that has an overflow. But DEP has also been agreeable to picking a certain Design Storm. It is a case by case basis.

When Mr. Bolby was asked, "From a technical prospective, have you arrived at any kind of preference or recommendation relating to the lateral?", Mr. Bolby answered by saying that the sewer laterals come down to community decision. He said that the Engineers will design to whatever the choice is, whether it is to replace the sewer laterals, or not to replace the sewer laterals. It means bigger public infrastructure if the laterals are not replaced.

Mr. Bolby added that if the laterals are replaced, we are still looking at managing the stormwater that is no longer getting into the sanitary sewer system. If the sewers are fixed to remove the inflow & infiltration, the stormwater that use to go into the sanitary sewer system will find another place to go, which unfortunately will be in someone's basement, into a garage or against the house. So stormwater has to be a part of this to make the whole project successful.

Mr. Bolby pointed out that it was also discussed about putting stormwater under the umbrella of the Municipal Authority to make it easier to obtain funds through a specific Stormwater Funding stream.

Ms. Enos said that by putting this into the hands of the Municipal Authority, they will be able to create a rate structure, and then we can borrow funding and have the ability to pay the debt service. She said that presently, in the Borough's General Fund monies, there is not enough monies to pay for debt service or for a project. That is why we are shifting in this direction.

Mr. Bolby said to stay on schedule, regarding the sewer laterals, we are asking the Municipal Authority for their direction by February 2022. He added that with the information that has been gathered so far, we can make the argument and say that doing the spot repairs is impractical, and it would be a waste of time.

d) December Joint Meeting - Discussion concerning the date of the December joint meeting due to the holiday season. Authorize the date and time that has been selected.

After discussions were held, the consensus was to keep December's Joint Meeting scheduled for Monday December 27th, 2021 at 5:00 p.m.

e) PennVEST Offer – Discussion on the PennVEST offer concerning the \$20,000,000 Capital Water Project Application.

Ms. Enos stated that the Municipal Authority will be making the decision regarding the acceptance of the PennVEST offer because, as owners of the infrastructure, their name is on the application.

The EADS Group, on our behalf, submitted the application for the \$20,000,000.00 Capital Water Project. On October 20th, 2021 PennVEST came back to us with an offer. Out of the \$20,000,000.00 application, the amount of grant that PennVEST is giving us is \$5,404,769.00. The loan portion is \$14,595,231.00 at a fixed interest rate of 1% over a period of 20 years.

Ms. Enos stated that the customer rate increase to fund the project will be approximately .17 cents/per hundred gallons. The household's usage will be reflected on their bill.

She brought out that our current rate for usage is .67 cents/per hundred gallons. To fund this project for a fixed rate of 1% over a 20-year period, will increase the rate to .84 cents per/hundred gallons.

Ms. Enos expressed that this was an excellent offer from PennVEST to receive \$5.4 million dollars in grant monies. The loan at 1% fixed is very good too.

MUNICIPAL AUTHORITY MEETING AGENDA

1. Appointment of Chairman and Vice-Chairman:

a) Nomination/Appointment of Chairman

Mrs. Miller *nominated* **Mr. Flower** as the new Chairman of the Municipal Authority.

Motion

Mrs. Miller moved; Mrs. Sizemore seconded to *appoint* Mr. Flower as the new Chairman of the Municipal Authority.

Motion Unanimously Carried

Ms. Enos pointed out that Mr. Jacob will continue in his role as Vice-Chairman of the Municipal Authority until January 2022.

2. Approval of Minutes of Previous Meeting:

a) August 16th, 2021 – Municipal Authority Meeting Minutes.

Motion

Mr. Flower moved; Mrs. Sizemore seconded to approve the August 16th, 2021 Municipal Authority Meeting Minutes.

Motion Unanimously Carried

3. New Business:

a) PennVEST - *Considering accepting the PennVEST offer to finance the Capital Water Project of \$14,595,231.00 and accepting the grant of \$5,404,769.00. The terms of the loan are 1% Interest over 20 years.*

Motion

Mrs. Sizemore moved; Mr. Flower seconded to accept the PennVEST offer to finance the Capital Water Project of \$14,595,231.00 and to accept the grant of \$5,404,769.00. The terms of the loan are 1% Interest over 20 years. This acceptance will include allowing the Borough Manager to execute the documents that will be required to sign, for accepting this offer.

b) Status of Projects – Engineering Report provided by the EADS Group.

Mr. Bolby recommended that the Municipal Authority Board make the motion to authorize Ms. Enos to execute the documents for the PennVEST loan.

Motion

Mr. Flower moved; Mrs. Sizemore seconded to authorize the Borough Manager, and such other Officers that are necessary, to execute and deliver any documents related to the loan commitment or to conduct the closing.

4. Payment of Bills/Requisitions:

a) *None*

5. ADJOURNMENT

Motion

Mrs. Sizemore moved to adjourn; seconded by Mrs. Miller.

Motion Unanimously Carried

6:54 p.m.

BOROUGH COUNCIL MEETING AGENDA

1. Approval of Minutes of Previous Meetings:

a) September 27th, 2021 – Borough Council Meeting Minutes.

Motion

Mr. Shaulis moved, Mrs. Ream seconded to approve the September 27th, 2021 Borough Council Meeting Minutes.

Motion Unanimously Carried

2. Opening of Bids

a) *None*

3. General Public Comments:

a) Charles Livengood – *To address the ownership of the Brierwood Estates sign.*

Mr. Livengood said that he is a resident of Brierwood Estates. He said that he and his wife do a lot of walking in the Brierwood Area through the day. He also said that the traffic up there is like a race track some time. He said they do not follow the stop signs and stop, but go straight through the stop signs. He said if the Police were to sit there, they would be able to write a lot of speeding tickets.

b) Chico Alvarez – Water Issues.

Mr. Alvarez thanked Borough Council for allowing Mr. Livengood and himself to speak about concerns at Brierwood Estates. He said that they have a lot of problems and damage with water at Brierwood Estates. Brierwood also has problems with cars speeding down Brierwood Drive, and Mr. Alvarez voiced his safety concerns for the neighbors there who are walking along the road, and sometimes walking their pets. There is also not enough lighting going down Brierwood Drive at Teri-Lyn Drive.

Mr. Alvarez also brought out that he spoke with Harold Knupp who sold the Brierwood establishment to the Borough many years ago. He said that Mr. Knupp built a structure by Mr. Alvarez' house that has signage displaying "Brierwood Estates." He said that the sign is falling apart. Mr. Alvarez noted that he spent his own time and money repairing it over the years.

Mr. Alvarez explained that Mr. Knupp told him that whenever he sold the Brierwood establishment to the Borough, this structure went along with the sale. Mr. Alvarez said that he was informed by someone else that this structure is not owned by the Borough, and he doesn't know who it belongs to. He asked Borough Council if they could get the lighting, water problems and traffic to slow down at Brierwood Estates, and take care of the structure. He said that he wants to know whose responsibility is it to take care of the structure.

Ms. Enos explained that research was done dating back to the 1970's. She said that the Borough took over *streets* in the Brierwood Area which includes the lighting, water, sewer, utilities and stormwater. She said that typically the Borough does not get involved in any type of private signage.

Ms. Enos said that she looked back to make sure this signage wasn't a part of any street or Deed of Dedication. She has copies of at least 9 Ordinances for all the streets that were dedicated in the Brierwood Development area. She added that none of these Ordinances make reference to any sign. She said that they did assessment record research. There is no separate parcel on that as well.

Ms. Enos explained that the Borough Meeting minutes in 1978 indicates that we gave permission, which is normally done as part as our sign permit requirements, for the sign to be installed, and it was stated that we would need a 14-foot cartway on each side of the sign. The permission to erect the sign was actually given, but the Borough does not take ownership of those signs. Ms. Enos said that Harold Knupp and his company applied for the permit.

Ms. Enos said that they looked under a separate agreement. They went back from 1978 and beyond, and they did not find any agreement between the Borough and Mr. Knupp for any dedication of this sign, and it does not reflect in any of the Borough Meeting minutes either. The only minutes that was recorded on this sign, at all, was the permit that was issued for the sign to be originally installed at the time of the development.

Mr. Alvarez expressed that he would gladly take down what he put up by the structure, but he said that the Borough can destroy the structure and continue to do the grass cutting there. He said that the development doesn't need the structure, and that he would rather it not

be there because it is an eyesore. He said that if it is okay with the Borough, it is fine with him and the other residents.

It was expressed that it is very dangerous for the school buses on Cannel Drive because the traffic “flies” down the road.

Ms. Enos stated that there will be further discussion with Borough Council regarding these concerns. Also discussed will be the potential costs that could be associated with the structure, and if the Borough has the legal right to remove it if it is not owned by them.

Also, discussion with the speeding issues in the Brierwood Area will be referred to the Police Department, because their Department is the only ones that can take action with this issue.

4. Administrative Business:

a) Communications (None)

b) Payment of Bills for the month of October 2021.

Motion

Mr. Thomas moved, Mr. Shaulis seconded, to approve the payment of bills for October 2021 numbered 37248 - 37400 totaling \$908,177.74.

Motion Unanimously Carried

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

Motion

Mrs. Ream moved, Mr. Thomas seconded, to approve the Departmental Reports for the month of September 2021.

Motion Unanimously Carried

5. Policy Agenda:

Old Business:

a) None

New Business:

a) Resolution No. 2021-05 – Consider authorizing the deposit of Commonwealth monies into the Borough’s various pension plans.

Motion

Mr. Shaulis moved, Mrs. Opp seconded, to authorize the deposit of Commonwealth monies into the Borough's various pension plans.

Motion Unanimously Carried

Resolution No. 2021 - 05

WHEREAS, the Borough of Somerset has received a direct deposit from the Commonwealth of Pennsylvania dated September 28th, 2021 in the amount of Two Hundred Thirty Thousand, Two Hundred Sixty-Nine and 56/100 (\$230,269.56) Dollars, representing the Commonwealth's allocation from the General Municipal Pension State Aid Program, and;

WHEREAS, Act 205 of 1984 provides that pension allocations must be deposited in the Municipal Pension Plan within thirty (30) days of receipt by the Municipal Treasurer, and;

WHEREAS, the governing body must determine by Resolution the amount to be distributed into its various plans;

NOW THEREFORE, BE IT RESOLVED, that Thirty-Five Thousand Four Hundred Fourteen and 56/100 (\$35,414.56) Dollars be allocated to the Non-Uniformed Collective Bargaining Pension Plan; and One Hundred Ninety-Four Thousand Eight Hundred Fifty-Five and 00/100 (\$194,855.00) Dollars be allocated to the Police Pension Plan.

ADOPTED this 25th day of October 2021.

- b) **Resolution No. 2021-06** – Consider authorizing the elimination of member contributions to the Police Pension Plan for 2021. (Based upon the recommendation of our pension actuary)

Motion

Mrs. Ream moved, Mrs. Opp seconded, to authorize the elimination of member contributions to the Police Pension Plan for 2021 based upon the pension actuary report.

Motion Unanimously Carried

Resolution No. 2021-06

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 Lori R. Owen, QPA, Consultant, Dunbar, Bender & Zapf, Inc., dated October 17th 2021, states “that the Borough may eliminate employee contributions in the Police Plan for 2021 ...

NOW THEREFORE, BE IT RESOLVED, that the five (5) percent contributions from Police Officers for the year 2021 be eliminated.

ADOPTED this 25th day of October 2021.

c) **Special Budget Meeting** – Selecting a date in November to hold a Special Budget Meeting to discuss the operating and capital budgets for 2022.

Ms. Enos pointed out that since we are going to be concentrating on the Sewer Projects and the Joint Meetings with the Municipal Authority in November & December 2021, a Special Budget Meeting needs to be held to discuss just the Operating & Capital Budgets so this can be separately concentrated on.

Motion

Mr. Shaulis moved, Mr. Thomas seconded, to hold a Special Budget Meeting to discuss the Operating and Capital Budgets for 2022 on Monday, November 8th, 2021 at 5:00 p.m.

Motion Unanimously Carried

d) **Somerset Inc./Fire & Ice Festival** – Consider authorizing a 1 block ice sculpture and ¼ page advertisement for the 2022 Fire & Ice Festival.

Motion

Mrs. Ream moved, Mr. Thomas seconded, to authorize a 1 block ice sculpture and ¼ page advertisement for the 2022 Fire & Ice Festival.

Motion Unanimously Carried

Committee, Administration, Special Reports:

a) Manager's Report - (Enos)

Ms. Enos stated that if there were any questions, after Council Members reviewed their Departmental Reports for the month of September, they could contact her.

She added that Council Members would have the Special Budget Meeting information for review prior to the meeting on Monday November 8th, 2021.

b) President's Report – (R. Miller)

Ms. Miller reminded Borough Council to vote on November 7th, 2021.

c) Finance Report – (Peters)

Mr. Peters provided Borough Council with the Year-to-Date Financial Report through September 2021. He mentioned that we are 3/4s or 75% of the way through the year.

General Fund:

Revenues – 103.93%

Expenses – 67.42%

Water Fund:

Revenues – 67.68%

Expenses – 71.75%

Sewer Fund:

Revenues – 70.55%

Expenses – 58.38%

Mr. Peters added that if Borough Council had any particular questions, feel free to contact him and he would answer them as best as he could.

d) Engineer's Report - (Bolby)

(Mr. Bolby noted that the information in the report will be given at a later date)

Mr. Peters pointed out that the countywide Tax Collection Committee picks the Earned Income Tax Collector for the Borough and all the Municipalities in Somerset County. He said that this is going to change in 2022. Capital Tax will no longer be the Tax Collector, but it will go to Keystone Collection. Being that the Local Service Tax is separate, and apart, from Earned Income Tax, Mr. Peters asked whether Borough Council would want the same collector to collect both taxes, or if they would want to stay with Capital Tax. He said that it is more a matter of convenience, and less confusion, for employers in the Borough if they wouldn't have to file with two different collectors. Mr. Peters brought out that Keystone did not submit a proposal.

A decision by Borough Council will be made at a later date regarding this issue.

e) Somerset Inc. Representative – (Hoffman)

(Mr. Hoffman was not present)

f) Fire Department Representative – (Shaulis)

Mr. Shaulis disclosed that so far this year, Somerset Volunteer Fire Department has responded to 329 alarms. 116 were in Somerset Borough, 176 in Somerset Township, 19 on the PA Turnpike and 18 were assists to neighboring Departments.

Recently, the Fire Department purchased state-of-the art gas detection equipment. One of its unique features is that it uses laser technology that can detect a gas leak from outside the structure. As a result, Firefighters no longer have to go directly inside the structure and put themselves in danger.

Seth Yoder, who was once a Junior member, and resigned to go to Military Basic Training, has returned and joined the Department as an active member.

The annual Cash Calendars Fund Raiser is about to begin. The calendars are presently being printed. This Fund Raiser brings in approximately \$15,000.00 in profit a year to the Fire Department.

g) PSAB Representative – (Rosemeyer)

(No report given)

h) Solicitor's Report – (Cascio)

(Solicitor Cascio had nothing to report)

i) Mayor's Report – (Walker)

(Mayor Walker had nothing to report)

10. Executive Session – None requested.

11. ADJOURNMENT

Motion

Mrs. Ream moved to adjourn; motion seconded by Mrs. Opp.

Motion Unanimously Carried

7:05 p.m.

Michele A. Enos, Borough Manager/ Secretary