

**JOINT MEETING – Somerset Borough Council & The Municipal Authority of the Borough of Somerset
February 28th, 2022 - 5:00 p.m.**

JOINT MEETING AGENDA

1. Joint Meeting Called to Order:

- a) Borough Council Meeting Called to Order – President Ream
- b) Municipal Authority Meeting Called to Order – Chairman Flower

2. Pledge of Allegiance

3. Roll Call:

- a) Borough Council Members present: Pam Ream; Lee Hoffman; Ruby Miller; Sue Opp; Steve Shaulis and Jim Clark.
- b) Mayor: Fred Rosemeyer also present.
- c) Also present were the following: Borough Manager, Michele Enos; Director of Finance, Brett Peters; Administrative Assistant, Roger Bailey; Chief of Police, Randy Cox; Solicitor, James Cascio; Consulting Engineers, Tom Reilly, and Jake Bolby.

Roll Call:

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

Public Attendance:

- a) none

4. New Business – Joint Discussions:

- a) Sewer Project – Discussion concerning the private sewer lateral options and the costs associated with each option.
- b) Design of Capital Sewer Project – Authorize EADS to begin design on the Capital Sewer Project based upon the selected lateral option.

(“a” & “b” were discussed together)

Mr. Bolby quickly reviewed the Three Sewer Project Options that were discussed extensively at prior Joint Meetings.

Mr. Bolby distributed the “Sanitary Sewer Lateral Replacement vs. Public Infrastructure” Outline. It included the 1) “**Public Infrastructure**” option, the 2) “**Full Lateral Replacement**” option, and 3) the option to “**Replace the Lateral up to the Foundation**”, which is a partial replacement of the sewer lateral. Mr. Bolby also presented a map illustrating where these 3 options would occur, and the percentages of inflow & infiltration specifically removed when a project is done within those certain areas. For example, he explained that between the property line and the foundation, conservatively, 20% would be removed. But due to the fact that the house is still a source of the inflow & infiltration existing upstream, that problem can continue to grow, and it would still remain. As a result, bigger public infrastructure would be needed.

Mr. Bolby stated that all three options account for removal of 7 million gallons a day of inflow & infiltration flow.

He said that on **the public side**, we are removing seven million gallons of inflow & infiltration, but we are putting in the estimate of 9 million gallons of infrastructure because the problem still exists, and it will continue to grow. So, it would need approached with a little bit of a safety factor.

Mr. Bolby brought out that this is the same approach for **replacing the lateral up to the foundation**. Adding the safety factor in, approximately 6.7 million gallons of public infrastructure would still be needed for all the inflow & infiltration that would still exist. The cost is a little lower than the public infrastructure option, but you are still providing about 7 million gallons worth of public infrastructure to take care of what is left.

Mr. Bolby expressed that all 3 options are solutions to providing 7 million gallons of inflow & infiltration management. The decision choices are **whole lateral replacement**, **partial replacement up to the foundation**, or **up to the property line** when we would have projects that would occur, and would include, sewer main line replacement.

Mr. Bolby said that we could do other projects that would provide that additional volume to manage the inflow & infiltration elsewhere, such as the Sewage Treatment Plant and Equalization. He added that to get to that point, there is a lot of variety on the public side that can be done, but it will surround the decision that is made on the private sewer lateral.

*Mr. Clark asked Mr. Bolby if the “Estimated Average Monthly Customer Debt Service” cost, which will be added to a customer’s bill, would have to be paid before the project would get underway. (The outline brought out that \$77.31 would be an additional cost per/month to the customer before their water/ sewer consumption costs were added if **the Public Infrastructure option** is chosen.)* Mr. Bolby answered by saying that the \$77.31 would be the customer’s monthly cost to pay for the \$45 million dollars worth of Public Infrastructure Capital construction if this option is chosen. This potential cost would be added onto the customer’s monthly bill. He reiterated, that at the prior meeting, Mr. Reilly brought out that whenever we

go to the funding agencies, such as PennVEST, they look at each project that is presented to them based on the affordability rate. So those numbers can move around based on the affordability rate of the customers of the system. He said that the cost of \$45 million dollars, expressed as a 20-year debt service with the interest rates that we are seeing right now for PennVEST, is the \$77.31 a month for the Public Infrastructure choice.

*Mr. Hoffman asked Mr. Bolby to correct if we cannot use PennVEST for **the Full Replacement choice**.* Mr. Bolby answered by saying that there are entities right now allowing their customers to replace private sewer laterals using PennVest money to fund it, but the Authority takes on that loan, and then the Authority helps administer the replacement of the private sewer lateral.

Mr. Bolby brought out that the private lateral can be replaced in two ways: By the customer doing it themselves, or by hiring a contractor. The customer can pay for it by cash or a bank loan. Or if a customer chooses to pursue that program that equates to the 20-year loan at the prevailing interest rate at the time, it would be tacked onto the bill of the customer and stay with that property until it would be paid off. Mr. Bolby expressed that this option would be more affordable than your typical personal loan or home improvement loan. He added that this is the reason why they compared the project options using that money, so that the customer would be informed of what costs would be directed towards them. Mr. Bolby said that **the Full Replacement Option** is considering what it is going to cost, even on the private side, because it either translates into user rates or direct costs.

Mr. Flower asked, "When it comes to testing the homeowner's sewer lateral before we start digging, do we have something in an Ordinance that we are allowed to do that?" Ms. Enos answered by saying that we do not currently have testing for any laterals. She brought out that this portion of the Rules & Regulations is currently being revamped, but the decision that is made on the private lateral will directly affect what is placed into the Rules & Regulations moving forward. It can then be adopted by Ordinance. She added that if the decision is made to not do a private lateral replacement project, then there would be no need to go in and do any pressure testing.

Mr. Bolby added that testing could still be performed without a project. He said that you could still do a Resale Ordinance and have the same requirements for all new builds to meet those standards.

Mrs. Sizemore questioned whether a lot of the Public Infrastructure's main lines are being replaced. Mr. Bolby brought out that 81,000 feet of clay pipe is in bad condition. He said that there is a total of 217,000 feet of pipe, so roughly 40% of the main lines are in bad condition. He added that this bad piping is mostly in the older sections, central business district and towards the south of the Borough.

Mr. Bolby brought out that if the decision is to do **full lateral replacement** as the method of managing the inflow & infiltration, each structure would have to be tested to see if it meets the testing regulations that we would want to proceed with. If it passes that test, then the piping under any structure would not need to be touched. If it fails the test, there will need to be something done.

Mr. Bolby added that if the choice is to do **full lateral replacement** as the method of managing the inflow & infiltration or replacing all the sewer lines that are in bad condition or need to be replaced for another reason, we are providing a viewport at the property line. Then once the project goes through, a test would be conducted, and the property owner would be notified whether they passed the test and need to address the issue. The timeframe for any corrections to be done can be made by the Authority. Also, the decision can be made by the Authority whether the homeowner must pay for the testing to be done. It can be made as a requirement, or it can be made as part of the project. That cost comes back as either direct or as a rate. It was disclosed that 5% of the total population *might* pass the testing.

Chief Cox wanted to clarify that there is the option to jack hammering out your basement and your garage by removing all plumbing and drainage from your basement. Mr. Bolby said that this correct, and the decision would be left up to the property owner. Mr. Bolby expressed that replacing laterals in private structures is intense. Mr. Bolby stated that it is the most direct way of getting rid of the thing that is causing the problem, but difficult to get through because it is invasive upon private property.

*After Chief Cox raised a question about the Estimated Average Monthly Customer Debt Service to the customer if **the Public Infrastructure** choice was made,* Mr. Bolby explained that the primary intent of the Estimated Average Monthly Customer Debt Service brought out on the Outline, is to show that it is more effective to remove 1 gallon of inflow & infiltration by getting rid of the problem, rather than treating it after it has already gotten into the system. This is the reason why the costs for **the Public Infrastructure** option are increased. He said that as far as where the monthly bill will be, either project could be the exact same costs depending on the eventual funding. He added that there is no guarantee that can happen and is why it is very hard to speculate. Moving the project in the direction of **the Public Infrastructure** option will guarantee the customer a \$125 a month sewer bill. It is an estimate based on how much infrastructure will cost to manage 7 million gallons of inflow & infiltration. He said that whatever project the Authority takes on, the debt service costs will end up being passed along to the rate payer as a rate.

Mr. Bolby mentioned that there is still 7 million gallons of inflow & infiltration to take care of. He added that the Outline costs are comparing the most upstream point.

Mrs. Ream expressed that **Full Replacement**, by going into homes of people that cannot afford it, would be a definite issue that the Borough would have to address. She also

expressed disagreement with going into people's homes that have a completed, finished basement.

Mr. Hoffman expressed that some of the commercial properties' costs will be more than residential properties because they have needed updating for years. He added that with us needing to eventually get to the 14 million gallons anyways, it seems like those things eventually need to happen. He expressed that he is leaning towards *the Public* side of things, so we can hopefully incentivize people over a longer period of time to do those updates themselves instead of being on a time frame with the Borough. He added that there will be rebuttal from the public, but also stressed that this is a DEP mandate.

Mrs. Ream expressed concern on how to educate the Community to know that these were the choices given to the Authority & Borough Council, and that in the future, more may need added to fix this problem.

Solicitor Cascio stated that this takes into account the fact that if you do not do the full replacement or the partial replacement, you have to overbuild your Treatment Plant, tanks and pond because the water coming in will not be eliminated and will continue to worsen.

Mrs. Ream asked Solicitor Cascio what the recourse against the Borough residents would be if they refused to do the full replacement. Solicitor Cascio answered by saying, from a legal perspective, you could enforce it, lien it, or they could be charged a surcharge to get them to do it.

Mrs. Ream responded by saying that we can then tack on a whole lot more money from the Borough budget because it will take a lot of money for the liens and the court costs and everything that would have to be done, besides the fact that some of the Borough residents will do it, and some won't, will cause a "big mess."

Mrs. Ream added that she knows what decision will do the most good, but she doesn't know if she can do that, because she doesn't know if she can tell someone who has invested all this money in a finished basement to tear it up and redo it at their own cost.

Mr. Bolby said that you can tear it up and fix it, or you have the option to get rid of the plumbing or go out the side wall.

Mrs. Ream responded by saying that this would work for some people, but for the most part, it is not okay for the people that have finished basements.

Mr. Clark asked if a lot of this has come into play by the Smoke & Dye Testing. He added that sump pumps are not supposed to be taking water into the sanitary sewer. *He asked if we have addressed the issue of the people that have put their sump pumps into the sanitary sewer and told them that they must take them out.*

Ms. Enos stated that this is definitely our intentions.

Mr. Clark asked if we could start there.

Mr. Bolby responded by saying that there is a small percent, but they were waiting to get past this decision, because if the decision is to do a full lateral replacement project, those

people would be captured. So, you don't have to be hit people with a letter just yet to tell them to remove their sump pumps and disconnect them, and that we'll be coming around for an inspection. He added that the Smoke & Dye Test basically covered the exterior, so we don't go into the house to where you can see a sump pump that could get back into the sewer system unless you were told by the property owner that they have one.

Mr. Bolby said that the way you would find out if a sump pump is taking water into the sewer system is if you went around to every single structure and asked to do a compliance inspection, or have viewports installed at every single sanitary sewer connection where you could pop it to see if a ton of water is running through. This way you can see if a sump pump or roof leader is connected to it. He added that if you go through and do a project, regardless of where you stop, you will want to put a viewport in so you can conduct that inspection later and continue to do indefinite follow-ups to make sure that things weren't reconnected.

Mr. Hoffman voiced his concern if a full replacement was the decision. He is concerned that there will not be enough contractors in Somerset to do the work. Mr. Bolby brought out that contractors will come to do the work because there is money to be made replacing sewer laterals.

There were also several concerns voiced among the Authority and Council about properties being abandoned because of the costs of lateral replacements, and residents not being able to afford the costs of sewer repairs. It was also discussed among some Members what decision they were leaning towards.

Mr. Bolby brought out that the project is to be completed in the year 2030 no matter what decision is made. He added that if the decision is the **Public Infrastructure Replacement**, you can still also do **Main to Foundation** and replace a little more lateral. But if you decide with **Main to Foundation**, and back down to **Public Infrastructure Replacement**, then it is more problematic.

Mrs. Sizemore expressed that she feels that after the mains are replaced, and they are being reconnected onto property owner's laterals, there should be some sort of visual inspection. She added that there should also be ongoing public education.

Mrs. Miller asked how long it would be until the project got started after the decision is made. Mr. Bolby answered by saying that the next step is to prepare the Abatement Plan which outlines the strategy moving forward. He added that after submission to DEP, it could be several months to a year or more.

Mrs. Miller also asked what could happen if future Authority & Council Members do not like the decision that is being made from its current Members. Mr. Bolby answered by saying

that there is the possibility that the present Authority & Council Members could give the Engineers different direction in the middle of construction. He added that the first house that gets a lateral replaced could change everything. There is always that opportunity that something can change, but the present Authority & Council Members are just setting the foundation for those future Authority & Council Members.

Ms. Enos brought out that the reason for a target date now is due to the fact that we are under a Corrective Action Plan timeline. She added that the decision that is made will guide the decision on the Public Infrastructure. She said that we must get to that point by deciding what the Authority & Council want to do on the private side. She expressed that Council could change, decisions can change, and Ordinances can be changed in 2 years by another Board, because they want to do something differently.

*Mr. Clark asked what the average monthly bill would be if **the Public Infrastructure** decision is chosen.* Ms. Enos reiterated that the Outline shows that the debt service for **the Public Infrastructure** option is \$77.31. She added that once we get there, we are hoping to get an affordable rate for Borough customers as we did with the Water Project.

Mr. Clark responded by saying that it is probably the better option to get the Borough in compliance, but added "How many people in the Borough can afford this?"

Mrs. Ream commented that the cost will be an adjustment for the residents but stated that we are a Borough that supplies water & sewer, and there is not much of a choice. She expressed that if we do not submit something to DEP, we have a whole other problem as a Borough. Mrs. Ream said that the **Public Infrastructure** option is "the lesser of the two evils" and added that while there is no guarantee of how much lower the cost will be going with that option, history shows that it will be less than the \$77.31. She added that there is a chance that the Borough may fair well.

Mr. Bolby added that this is only one component. It is only half the problem. That is not the end price, it is just half. He said that there is going to be a lot of things to refine and change, but the best way to start this process off is by talking about the private lateral because that is the critical component. If the decision is to replace, or to not replace, it makes refining costs, and narrowing in, the end project. Then we really start talking about what the costs really are, and what the affordable rates are. We also start getting applications and grant applications and start down that funding road to really narrow in on those costs.

Mr. Clark asked if we must do anything at the Sewage Treatment Plant. Mr. Bolby answered by saying that this is an option. He explained that the Sewage Treatment Plant can process 2 million gallons per/day. The problem that was analyzed over a one-year period in the Borough is that a total of approximately 16 million gallons is getting into the sewer system and overflowing, so there is 14 million gallons of infiltration & inflow that we need to deal with in some way. This can be done through line replacement and upgrading the Sewage Treatment Plant, providing equalization.

Mr. Bolby brought out that there are a couple different options. The **Full Line Replacement** option is very straight forward. You replace all the lines and the laterals underneath the houses. With the **Public Infrastructure** option, there are several ways to manage the 14 million gallons of infiltration & inflow. This may include upgrades in the Sewage Treatment Plant by making it bigger and providing equalization there. Also, there is the option to upgrade the Pump Station and upgrade the size of line.

Mr. Bolby added that the Municipal Authorities and Municipalities that are dealing with this problem must start by deciding what to do with the lateral and how to manage it and then work down from there.

Answering a comment about whether private sewer lateral replacement can be eligible for grant funding, Mr. Bolby brought out that, on the private side, only unless we gain easement we can replace up to the foundation. But replacing the lateral underneath a basement would not be grant eligible through PennVEST.

Mr. Bolby added that there are CDBG Grants, and other different programs, to replace the sewer lateral under a grant. A lot of that is based on low-income housing.

Mr. Rosemeyer asked if we should be looking at next year, and the year after, to raise our millage to put that money into the Treatment Plant. Ms. Enos answered by reminding Mr. Rosemeyer that you cannot use Real Estate millage to do Sewer Projects.

Mrs. Ream said that it would have to be absorbed into other areas of the budget.

Mr. Jacob commented that those in the State who are pushing this on us probably realize that **Full Replacement** is the right way to go, but politically won't do it, so he expressed that we must go with the **Public Infrastructure** option.

Several Authority & Council Members agreed.

Mr. Jacob added that people are going to get hurt by anything that the Authority & Council decide, but they are forced to do something. He added that **Full Lateral Replacement** would be the right way to go, but there would be too many problems with that decision.

Mrs. Ream responded by saying that if the Authority & Council would decide on the **Full Replacement**, they will inflict pain in other ways to the residents in the Borough for costs. She expressed that she guarantees that a lot of Borough residents will refuse to do the replacement until they are forced to. The Borough would be paying a lot of legal fees and court costs to file liens. She added that she understands that **Full Replacement** is the right thing to do, but she doesn't want a disaster for the Borough.

Mrs. Ream said that she would rather take the opportunity to educate the people of the Borough and let them know their bills will go up, but it is out of their control, in a sense. It is a requirement of the government. She added that people know it is an old system from all the water line breaks. The Borough is like all the other towns with old infrastructure.

Motion

Mr. Jacob moved, Mrs. Sizemore seconded, to choose the **Public Infrastructure** option.

Motion Unanimously Carried

Motion

Mr. Clark moved, Mr. Hoffman seconded, to choose the **Public Infrastructure** option.

Motion Carried 3 yes votes 1 no vote
(Ben Flower voting “no”)

Mr. Flower expressed that by seeing this everyday at his job, he cannot vote “yes”. He brought out that he worries about what happens years down the road. He said that you have all this huge infrastructure, and years down the line at some point, that may not be big enough.

Solicitor Cascio said that the Authority & Council may want to consider additional restrictions on replacement and repair, on new construction and a Resale Ordinance.

Ms. Enos added that Mr. Flower is coming from a place where he does this every day. She added that all the Authority & Council agree that **Full Replacement** is the way to go if there were no other considerations, if it was a straight-forward way to go, and you didn’t have to worry about doing any type of PR.

Mr. Flower stated, “That as construction goes, and you have to envision that the equipment goes down your street and lays that new line and puts your tap at your house, and you’re not going to test underneath people’s basements, then I think that connecting to the new line that just got laid is not...you’re going to put new pipe in the ground for your lateral from the foundation out anyway. That is the way I see it. I cannot vote any other way.”

Motion

Mrs. Miller moved, Mrs. Sizemore seconded, for Management to look into Resale Ordinances to see what is available for us to adopt.

Motion Unanimously Carried

MUNICIPAL AUTHORITY MEETING AGENDA

1. Approval of Minutes of Previous Meeting:

a) February 7th, 2022 – *Joint Municipal Authority/Borough Council Meeting Minutes.*

Motion

Mrs. Miller moved, Mr. Flower seconded, to approve the February 7th, 2022, Joint Municipal Authority/Borough Council Meeting Minutes.

Motion Unanimously Carried

2. New Business:

a) Status of Projects – *Update from Mr. Bolby on the Status of Projects.*

ENGINEER'S REPORT

WATER:

1) Water System Capital Improvement Projects:

Mr. Bolby disclosed that we are still actively pursuing the easements to install the rights-of-way. We currently received 113, so we are making a lot of progress.

The Project Schedule was discussed with PennVEST. Advertisement is scheduled for 5/23/2022. Bid Opening for 6/02/2022, and Award of Contracts is scheduled on 6/27/2022. Construction, thereafter, would be contingent upon availability of construction materials, which are very difficult to get right now.

SEWER:

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

Mr. Bolby brought out that DEP provided the Tap Approval Letter on January 27th, 2022. It authorizes 20 EDU's to be connected to the sewer system. He said that if we were not following along with the Corrective Action Plan, there would be a sewer tap ban, and no new development would be allowed to occur and connect into the sanitary sewer system.

Mr. Bolby said that we are following along with the schedule, and DEP recognizes that. We give a 6-month report, DEP reviews that, and it is used to make the determination for tap approval. This is an annual request for taps, and we will have to continue to do that until we are outside of the Corrective Action Plan, so it allows development to continue.

Mr. Bolby mentioned that the Sewer System was discussed at this meeting, and the decision was made to go on ***the public side***. The Borough will not be planning to replace the private sewer lateral from the property line through the structure. He added that this will be worked into the Abatement Plan. We will be requiring things and bringing back costs and project scopes, which will happen over the next year. A draft of the Rules & Regulations will be pulled together that follow along, and pair with, the information that Ms. Enos will provide.

GENERAL:

1) Center Avenue Sidewalk:

Mr. Bolby brought out that they are moving forward with the design on the Center Avenue Sidewalk Replacement Project. They are in the preliminary phase and will be reaching out to other utilities, obtaining permits, and going through the process. He added that they have a couple years to complete the Project within the timeframe of the grant.

3. Payment of Bills/Requisitions:

a) None

4. ADJOURNMENT

Motion

Mr. Jacob moved to adjourn, seconded by Mrs. Miller.

Motion Unanimously Carried
6:07 p.m.

BOROUGH COUNCIL MEETING AGENDA

1. Approval of Minutes of Previous Meetings:

a) February 7th, 2022 – *Joint Municipal Authority/Borough Council Meeting Minutes.*

Motion

Mrs. Opp moved, Mr. Shaulis seconded, to approve the February 7th, 2022, Joint Municipal Authority/Borough Council Meeting Minutes.

Motion Unanimously Carried

2. Opening of Bids:

a) *None*

3. General Public Comments:

a) *None registered*

4. Administrative Business:

a) *Communications (None)*

b) *Payment of Bills for the month of February 2022.*

Motion

Mrs. Opp moved, Mr. Hoffman seconded, to approve the payment of bills for the month of February 2022 numbered 37817 - 37978 totaling \$463,348.82.

Motion Unanimously Carried

c) Department Reports – *Consider approving the Departmental Reports for the Month of January 2022.*

Motion

Mrs. Opp moved, Mrs. Miller seconded, to approve the Departmental Reports for the month of January 2022.

Motion Unanimously Carried

5. Policy Agenda:

Old Business:

a) *None*

New Business:

a) *Mary S. Biesecker Library* – Consider authorizing the appointment of Pam Webreck to fill the unexpired term of Mona Herrell on the Mary S. Biesecker Library Board of Directors. (Term expires May 2023)

Mrs. Ream mentioned that Pam Webreck would like to be appointed for the unexpired term of Mona Herrell on the Mary S. Biesecker Library Board of Directors. She disclosed that Pam Webreck is truly a friend of the Library and is very involved.

Motion

Mr. Clark moved, Mrs. Opp seconded, to authorize the appointment of Pam Webreck to fill the unexpired term of Mona Herrell on the Mary S. Biesecker Library Board of Directors whose term expires in May 2023.

Motion Unanimously Carried

b) *2022 Sewer Department/Capital Budget* – Authorization to approve the purchase of a 2022 Chevrolet Silverado in the amount of \$39,402.44 through the Commonwealth’s Co-Stars Cooperative Purchasing Program.

Ms. Enos stated that they are looking for authorization to approve the appropriation. She disclosed that this was part of the approval of the Sewer Department’s Capital Budget and was incorporated in the 2022 Budget.

Ms. Enos brought out that this is for a 2022 Silverado and is under the Co-Stars Government Cooperative Purchasing Program. The amount that we budgeted for, and that was approved in that category, was \$45,000.00. Through the Co-Stars discount, the total cost is \$39,402.44. She said that we will be adding \$2,000.00 to that cost by adding our normal light bar, toolbox and radio communications equipment. This is still under budget by \$3,600.00, even with the add-ons.

Motion

Mrs. Miller moved, Mrs. Opp seconded, to authorize the purchase of a 2022 Chevrolet Silverado in the amount of \$39,402.44 through the Commonwealth’s Co-Stars Cooperative Purchasing Program.

Motion Unanimously Carried

Mrs. Enos mentioned that they had a quote come in on another budgeted item this morning. She added that, because it came in so late, it didn’t make it onto the Agenda.

Mrs. Ream stated that this quote was probably too good to pass up. She said that they would like to amend the Agenda so that this discussion could be added onto it.

Solicitor Cascio added that the amendment would also authorize the posting of the revised agenda, as required by Law.

Motion

Mr. Hoffman moved, Mrs. Opp seconded, to amend the Agenda to include another budgeted item.

Motion Unanimously Carried

- c) *2022 Capital Budget Purchase – Authorization to approve the purchase of a 2022 Chevrolet Trailblazer in the amount of \$23,573.16 through the Commonwealth’s Co-Stars Cooperative Purchasing Program.*

Ms. Enos brought out that this was brought before Council during the 2022 budget process and was approved. This next step is to always appropriate the funding.

Ms. Enos said that this is to replace the Ford Fusion that we have had for 10 or 12 years. It is used by multiple departments, so it is multi-funded. The plans were to purchase a used vehicle, but if we purchase a smaller model, we could get a brand-new vehicle for under the cost of a used, larger model. The budget amount approved on a purchase was \$24,000.00. The quote came in at \$23,573.16. This is approximately \$400.00 under budget. Ms. Enos stated that they are seeking Council’s approval at this meeting for this purchase, because as soon as vehicles are coming in, they are going off the market.

Motion

Mr. Clark moved, Mr. Hoffman seconded, to authorize the purchase of a 2022 Chevrolet Trailblazer, through the Commonwealth’s Co-Stars Cooperative Purchasing Program, in the amount of \$23,573.16.

Motion Unanimously Carried

- d) *Council Vacancy – Consider filling the vacancy on Borough Council for the unexpired term of Fredric Rosemeyer.*

Mrs. Ream stated that the vacancy on Borough Council was advertised, and no letters of interest was received at this time. She expressed that people do not read the newspaper anymore, so this could be an opportunity to put a professional post on social media which could be shared by other Borough Council Members regarding applicants for this position. The post could include that a letter of interest would need to be submitted to the Borough stating their desire to potentially be chosen for this vacancy.

Ms. Enos added that the formal letter of interest advertised in the newspaper could be used as the post.

- e) *Resolution No. 2022-04 – Authorizing the submission of a DCED Application for upgrades to the Union Street Playground. The total amount of the grant application will be \$352,055.20.*

Ms. Enos explained that this is a DCED Grant with no local match required. It is from the Gaming Industry. She added that what qualifies is a “Quality of Life” Project.

Ms. Enos brought out that they wanted to take the opportunity to do some necessary upgrades to the playground with fencing, which would include some security measures.

Chief Cox asked if he could have some input, as far as the security features, before everything is finalized. He brought out that he could see some expansion of some of their IT

resources that could benefit the playground, and at the same time, probably piggyback some other things from the Fire Department back onto that.

Ms. Enos brought out that adopting the Resolution is part of the grant application. She said that we will also have ADA access and an upgrade to the wading pool area.

Mrs. Ream expressed that if there are upgrades at the playground, we may be able to reach out to Somerset Inc. and some of the businesses. She added that if the playground is a more controlled environment, she feels it would be more enticing to more people to develop programs at the playground.

Motion

Mrs. Opp moved, Mr. Shaulis seconded, to authorize the submission of a DCED Application for upgrades to the Union Street Playground. The total amount of the grant application will be \$352,055.20.

Motion Unanimously Carried

BOROUGH OF SOMERSET, SOMERSET COUNTY, PENNSYLVANIA

RESOLUTION NO. 2022-04

A RESOLUTION OF BOROUGH OF SOMERSET TO APPLY FOR A FLOOD MITIGATION PROGRAM GRANT THROUGH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, AS WELL AS, AUTHORIZING THE PRESIDENT AND MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO APPLY FOR THE AFOREMENTIONED GRANT.

Be it RESOLVED that the Borough of Somerset of Somerset County hereby request a Statewide Local Share Assessment grant of \$352,055.20 from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Somerset Borough Union Street Playground Project.

Be it FURTHER RESOLVED that the Applicant does hereby designate Pamela Ream, Borough President, and Michele A. Enos, Borough Manager, as the official(s) to execute all documents and agreements between the Borough of Somerset and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Michele A. Enos, duly qualified Secretary of the Borough of Somerset, Somerset County, Pennsylvania, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by IN WITNESS THEREOF, I affix my hand and attach the seal of the Borough of Somerset, this 28th day of February 2022.

f) Part-time Police Officer - Consider adding Katherine Frey to the roster of part-time police officers.

Mr. Rosemeyer brought out that this is a replacement hiring for an Officer who resigned in 2021 and is not a new position.

Mr. Rosemeyer disclosed that Katherine Frey is a 2021 graduate of Westmoreland County Police Academy and has a Bachelor of Science degree from California University. She is currently completing a Field Training Officer program. Mr. Rosemeyer added that she expected to be on regular patrol by the end of March.

Ms. Enos brought out that a motion, and a second, was needed from Borough Council because she was not officially added to the part-time roster.

Chief Cox brought out that it was authorized by Council in October 2021 to replace the Officer that resigned. He said that Ms. Frey has yet to be added to the roster.

Mrs. Opp stated that Ms. Frey was already administered the "Oath of Office" and was given her Badge, so now it is being approved when it was already done?

Chief Cox brought out that the roster is something unique to Somerset Borough. Nonetheless, the Council adding the name to the roster has become an official step in that hiring process which finalizes the process.

Mrs. Ream added that Mrs. Opp's question goes back to Feb 21st, 2022, where we administered the "Oath of Office" to a newly hired Officer, Katherine Frey. She said that it seems to be a little out of order.

Chief Cox brought out that the Mayor administered the "Oath of Office" to Ms. Frey. He said that Council's counterpart to doing that would be adding her to the roster. He added that if we would have waited to do it in the order that Council felt would be appropriate, we could have lost her, and would be a month behind placing her on street patrol.

Motion

Mr. Shaulis moved, Mrs. Opp seconded, to add Katherine Frey to the roster of part-time police officers.

Motion Unanimously Carried

Committee, Administration, Special Reports:

a) Manager's Report - (Enos)

Ms. Enos stated that if anyone had any questions about the Monthly Reports, feel free to contact her and she would be glad to give them more information and answer those questions.

Ms. Enos also thanked Borough Council for the difficult decision they came to after all the months of listening.

b) President's Report – (Ream)

Mrs. Ream asked Mr. Peters, as far as the budget, how we were with snow removal. Mr. Peters answered by saying that it all started over with January 2022.

Mrs. Ream also mentioned that she received a phone call about parking by fire hydrants and over-parking on Brubaker Street.

Chief Cox said that he is aware of it and has seen the report.

c) Finance Report – (Peters)

Mr. Peters provided Borough Council with the Year-to-Date Financial Report through the month of January 2022. It added that we are 8.33% of the way through the year.

General Fund:

Revenues – 4.12%

Expenses – 7.51%

Water Fund:

Revenues – 6.83%

Expenses – 7.82%

Sewer Fund:

Revenues – 7.65%

Expenses – 5.75%

Mr. Peters added that if Borough Council had any particular questions, to reach out to him and he would address any questions.

d) Engineer's Report - (Bolby/Reilly)

(The Engineer's Report was discussed during the Joint Municipal Authority/Borough Council Meeting)

e) Somerset Inc. Representative – (Hoffman)

Mr. Hoffman brought out that as the Brinker Building progress continues, they removed the antiquated electrical service. He added that a lot more visual projects should be happening.

Mr. Hoffman mentioned that he had some favorable conversations about someone potentially using the actual Somerset Inc. office as a retail space. He said that Somerset Inc. would move to Uptown Works and rent the space there where they currently hold all their meetings.

Mr. Hoffman briefly mentioned that Somerset Inc's Board Meeting is tomorrow.

He also mentioned that they had some favorable conversations, regarding the Jacob Building across from Cascio's, concerning the blight issue there.

Solicitor Cascio added that "Haz Beans" has vacated and is moving to a new location. A Bakery has already taken over that space.

f) Fire Department Representative - (Clark)

Mr. Clark said that the Fire Department is going to go through a computer hardware update. Their computers haven't been updated in 20 years.

Mr. Clark disclosed that the ladder truck was damaged during an assist to a fire call. He said that they have been without it for approximately 2 months. He brought out that the ladder was broken when a piece of equipment wasn't stored properly. He said that it is all covered by insurance, and it should be back in our community this week.

Mr. Clark mentioned that with a total of 28 alarms for the month of February, and with Chief Cox and himself curbing the Fire Department's response to accidents and fire alarms in the Borough, the Borough only had 10 alarms out of those 28. He added that the Officers are doing a wonderful job helping in this regard, so it is working out well.

g) PSAB Representative – (Rosemeyer)

Mr. Rosemeyer said that the PSAB Conference will be held in Hershey, PA in May 2022.

Mr. Rosemeyer also mentioned that on April 21st, 2022, at the Coal Miner's Café in Jennerstown, PA, the Borough will be hosting the County Borough's Association Meeting.

h) Solicitor's Report – (Cascio)

Solicitor Cascio disclosed that a Nuisance Lawsuit was filed that they are responding to. He stated that if any Council Member heard anything at all, to refer the information to him or Chief Cox. He added that it should be something that can be resolved.

Chief Cox expressed that he will not tolerate inappropriate, unlawful activity on the part of his Officers. He trusted that this Officer did nothing wrong.

Chief Cox expressed that, in his opinion, this is a Nuisance Lawsuit. He would not go into any details. He added that it is a shame that after saving someone's life, this Officer ends up being sued.

i) Mayor's Report – (Rosemeyer)

Mayor Rosemeyer brought out that Accreditation is a massive undertaking for the Police Department. He said that the goal is to get the Police Department reaccredited.

Mayor Rosemeyer expressed that Chief Cox should be commended for the amount of training that Somerset Borough Police go through. He said that Borough Council is unaware of how well trained' the Officers are, and that this is to Chief Cox' and his Staff's credit. He said that Chief Cox has excellent trainers, and Somerset Borough, and Borough Council, should be very proud of what is occurring in the Police Department.

Chief Cox brought out that after the initial accreditation, the Police Department must be reaccredited every 3 years. He said that in 2019 the Department surrendered their accreditation because it was clear that they were not going to pass. Chief Cox added that they would have undergone the reaccreditation had it not been for Covid.

Chief Cox disclosed that Mayor Rosemeyer is undergoing all the trainings and testing's right along with the Officers, which he volunteered to do.

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

11. **ADJOURNMENT**

Motion

Mr. Shaulis moved to adjourn, seconded by Mrs. Opp.

Motion Unanimously Carried

6:43 p.m.

Michele A. Enos, Borough Manager/ Secretary