

# **Borough of Somerset Council Meeting**

## **May 23<sup>rd</sup>, 2022 - 5:00 p.m. *(In-Person Meeting)***

1. **Meeting Called to Order** – Vice-President Shaulis.

2. **Pledge of Allegiance**

3. **Roll Call:**

**Borough Council Members present:** *Ruby Miller; Sue Opp; Steve Shaulis; Jim Clark and Ian Mandichak.*

**Borough Council Member absent:** *Pam Ream and Lee Hoffman.*

**Also absent:** *Mayor Fred Rosemeyer.*

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

**Public Attendance:**

*a) None*

4. **Approval of Agenda:** *Consider approving the Agenda.*

**Motion**

Mrs. Opp moved, Mr. Mandichak seconded, to approve the May 23<sup>rd</sup>, 2022, Agenda.

Motion Unanimously Carried

5. **Announcements**

*a) None*

6. **Approval of Minutes of Previous Meeting(s)**

*a) April 25<sup>th</sup>, 2022 – Borough Council Meeting Minutes.*

**Motion**

Mrs. Opp moved, Mrs. Miller seconded, to approve the April 25<sup>th</sup>, 2022 Borough Council Meeting Minutes.

Motion Unanimously Carried

**7. Award of Bids:**

a) *None*

**8. General Public Comments:**

a) *None registered*

**9. Administrative Business:**

a) Communications (*None*)

b) Payment of Bills – *Month of May 2022.*

**Motion**

Mrs. Miller moved, Mrs. Opp seconded, to approve the payment of bills for May 2022 numbered 38256 – 38379, totaling \$405,902.00.

Motion Unanimously Carried

c) Department Reports – *Consider approving the Departmental Reports for the month of April 2022.*

**Motion**

Mr. Clark moved, Mrs. Opp seconded, to approve the Departmental Reports for the month of April 2022.

Motion Unanimously Carried

**10. Policy Agenda:**

**Old Business:**

a) *None*

**New Business:**

a) DCED Multimodal Grant – *Discussion concerning a grant to replace the sidewalks and utilities in the 100 Block of North Center Avenue. We will discuss the project description and costs associate with applying.*

Ms. Enos pointed out that the Borough received a grant that is taking care of the sidewalk replacements and underground utilities for the 100 Block of South Center Avenue.

The Borough currently has an opportunity to apply for a Multimodal Grant for the 100 block of North Center Avenue. Applying does not mean the Borough will be successful in receiving the grant. The project costs to complete the 100 block of North Center Avenue is estimated to cost approximately \$426,000.00 to complete. Of that, there is a required local

match of 30%, which would be approximately \$127,000.00. This would all come from General Fund monies.

Mr. Bolby clarified that the North Center Avenue Project would only include the sidewalks. The current project, which is partially funded through a Multimodal Grant for South Center Avenue, includes its sidewalks and utilities for both North and South Center, and pairs with the Sewer and Water Projects that are upcoming. A Multimodal Grant for North Center Avenue would only be for surface and above.

*When asked how much money the Borough has in its General Fund monies*, Mr. Peter disclosed that the Borough has approximately \$3.8 million dollars. He added that the Borough is currently in the peak of its tax season now.

Ms. Enos added that what the General Fund has in it right now, may be completely different from what the General Fund may have in it as of December 31, 2022. She mentioned that we could be looking at a tax increase next year. She pointed out that the local match of \$127,000.00 equates to a little more than a mill.

Mr. Bolby brought out that with the South Center Avenue Project, which includes both north and south utilities and the south side sidewalk, the Borough was able to commit CDBG Entitlement Funds, which we receive annually through the State as an Entitlement Community. Right now, we are committing 3 years of entitlement funds to that portion of the project.

Mr. Bolby noted that entitlement funds could be a potential source of local match funds for the North Center Sidewalk Project, but the census tract could change where the qualifier for using entitlement is income based, thus disqualifying us from using entitlement funds for the North Center Sidewalk Project.

Ms. Enos added that the local match of \$127,000.00 is the worst case scenario, and that is what Council has to be prepared for.

Mr. Bolby said that similar to the south side, we requested \$587,000.00 in grant, and was awarded \$250,000.00, so this is where the commitment of the entitlement ended. Approval to use the entitlement on that project became very important.

Ms. Enos added that the South Center Project was not moved forward until they knew that CDBG monies could be used.

Ms. Enos explained that General Fund monies are tax-driven to do projects. Unfortunately, sidewalks are General Fund. This is the reason why we struggle to get certain sidewalks done that may need to be done, because the funding isn't always there. Councils are reluctant to increase taxes for these types of things.

Ms. Enos pointed out that the North Center Sidewalk Project will be based on how high of a priority Council deems it necessary. She said that, presently, emphasis is being put on changing the turnaround for the Uptown Buildings and getting new businesses in. She added that streetscaping is part of what brings some businesses in. Nonetheless, this will require the commitment of at least \$127,000.00, which is over 1 mill of taxes.

Ms. Enos said that if Council felt comfortable with the application, it will be submitted, but noted that this will also affect what is budgeted for, and committed to, for 2023. She explained that a letter committing to the local share has to be sent with the grant application, along with passing a Resolution committing to the local share. The State requires that if you are making application, you have to commit the money for your local share if they are going to look at you for funding.

*Discussion was held among Council Members regarding sidewalk improvements, street paving and curbing concerns in the Borough.*

Mr. Bolby mentioned that Columbia Gas is replacing approximately 3 miles of pipe with 1-2 miles being within the Boroughs streets. The whole width of road, or a half width of road will be repaved in these Borough streets after the pipe is laid.

Also, Mr. Bolby noted that with the upcoming Water Project, 7 miles of pipe will be laid with 75% of that being in the Borough streets. Approximately 75% of that will be repaved the whole width of the road. This is scheduled into the project, and will be required by the Municipal Authority to take care of. This will be the most amount of paving the Borough has experienced. PennDOT is also doing some work in the Borough streets.

*After Mr. Clark asked if all the paving in the Borough streets will be done after all the replacement,* Ms. Enos answered by saying that the Borough does paving each calendar year. Once we formulate what streets we are doing, the paving project will be bid out. This year will be different, because the Borough is working in cooperation with the gas company.

Ms. Enos stated that the grant application will be due in the early part of July 2022. So if Council chooses to, authorization will have to be given by next month.

- b) PennDOT Agreement – Consider authorizing the execution of an agreement with PennDOT for the 2022-2023 Winter Season. This agreement will allow us to maintain North and South Franklin Avenue for winter maintenance.*

Mrs. Enos noted that this is something that is done every year.

### **Motion**

Mrs. Opp moved, Mr. Mandichak seconded to authorize the execution of an agreement with PennDOT for the 2022-2023 Winter Season, allowing us to maintain North and South Franklin Avenue for winter maintenance.

Motion Unanimously Carried

- c) Police Services Agreement – Update on the status of the agreement with the School District and Somerset Township on providing police services. (Ordinance and Agreement will appear on June's Council Agenda for official action)*

Ms. Enos brought out that Solicitor Cascio framed out this Agreement with Mr. Barbera. Somerset Township has already approved it. The next step is for the School District and Somerset Borough to both execute the Agreement. It allows for our Police Department to provide police services to the School District outside of the Borough limits.

The Ordinance is currently being advertised, and will appear on the June 2022 Agenda for consideration of action. Also, the Tri-Party Agreement between Somerset Borough, Somerset Township and the School District will also be placed on June's Agenda for consideration of action.

Solicitor Cascio stated that this is Intergovernmental Cooperation proceedings between the School District, the Borough and Township. In the past, the concept was that an Ordinance needed to be passed every time Council wanted to do something like this. He said that they created, by Ordinance, the ability to enter into Intergovernmental Agreements without having to go through the whole process in the future. It will streamline the whole process, and can be easily modified by just a Resolution. It generally authorizes the Borough to enter into Intergovernmental Agreements rather than passing an Ordinance every time you want to do it. This will be useful going forward.

Chief Cox added that they have been functioning legally in providing services to Maple Ridge, for years, by drawing on a Police statute that is part of a Judicial Code. The Agreement just makes it a lot firmer, and greatly reduces any questions about any actions the Officers would take jurisdictionally. It is just a better way to do it.

Solicitor Cascio said that when the Police Department is at the school during school hours, the Agreement can enforce State and Federal Laws on Rte. 281 so that traffic situations, and things like that, can be cited.

*d) Request from Mayor Rosemeyer – Requesting authorization from Borough Council for him to join the Association of Mayors of the Boroughs of Pennsylvania. The membership dues is \$70.00.*

Ms. Enos disclosed that the Borough Code will legally allow Mr. Rosemeyer's membership, and membership dues request, with Borough Council's authorization.

### **Motion**

Mr. Clark moved; Mrs. Miller seconded to authorize Mayor Rosemeyer to join the Association of Mayors of the Boroughs of Pennsylvania, and pay for his membership costs of \$70.00.

Motion Unanimously Carried

*g) Manager's Report – Given by Michele Enos.*

Ms. Enos mentioned that the Fire Department will be hosting the Western PA Firemen's Association, hence, Mr. Clark is seeking potential donations for this, and also for an ad for the

Convention Booklet. This will be added to the June 2022 Meeting Agenda for Council's consideration.

She also mentioned that if anyone had questions regarding the monthly Department Reports, she would be happy to answer them.

*h) Finance Report – Given by Brett Peters.*

Mr. Peters provided Borough Council with the Year-to-Date Financial Report through the month of April 2022. He mentioned that we are a third of the way through the year.

**General Fund:**

Revenues – 31.04%

Expenses – 34.99%

**Water Fund:**

Revenues – 29.66%

Expenses – 34.09%

**Sewer Fund:**

Revenues – 31.97%

Expenses – 25.91%

Mr. Peters invited Council to contact him with any questions they may have.

*i) President's Report – Given by Pam Ream.*

*(Mrs. Ream was absent for this meeting so no report was given)*

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

*(Mr. Hoffman was absent for this meeting so no report was given)*

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

*(Mayor Rosemeyer was absent for this meeting so no report was given)*

*l) Somerset Volunteer Fire Dept. Report – Given by Jim Clark.*

Mr. Clark read over the Department's monthly report and provided a copy to be filed with the Borough records. The report is as follows:

The Fire Department has been very busy with 29 alarms from April 25<sup>th</sup> – May 23<sup>rd</sup>, 2022. 11 were in Somerset Borough, 1 assist, 2 on the PA Turnpike and 15 in Somerset Township.

Mr. Clark mentioned that the Firefighters turning out for fire calls have been great, and they are hoping it continues.

He also expressed that there has been great cooperation with the Police Department, which is greatly appreciated. They are doing their "due diligence" in responding to events in the Borough, and are not automatically calling the Fire Department out. He added that the Police Department's efforts have reduced the calls for the Fire Department in the Borough.

A recent cooperative effort between the Fire Department and Police Department has enabled children from the Pre-K Class of Maple Ridge School to tour through the Fire Station and Police Station.

Also, the Fire Department, along with the Ladies Auxiliary, recently attended a car show at Memorial Highway's Dealership in Somerset.

Mr. Clark also mentioned that Police, Fire, EMS and Med-Star will be going back to Maple Ridge School for a carnival.

Mr. Clark also mentioned that Wednesday through Saturday, in the first week of August 2022, the Western PA Firemen's Convention will be held. He mentioned that Chief Cox graciously helped with getting the parade route laid out.

Mr. Clark lastly mentioned that in the 2<sup>nd</sup> Saturday of August 2022, the "Table Top" exercise will be held for all emergency responder agencies and municipal governments. He added that this exercise really creates a "real world" situation of what may happen in our town, and how to deal with it. Mr. Clark encouraged Council Members to attend.

*m) Engineer's Report – Given by Jake Bolby.*

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

Mr. Bolby brought out that the Water Project is moving forward and will be advertised soon.

He disclosed that they are in the preliminary planning stages of the private sewer laterals since receiving direction from the Authority and Borough Council.

Mr. Bolby mentioned that if there were any questions regarding Center Avenue, the Engineers were available to try their best to answer those.

He also mentioned that a DCED grant for Union Street Playground was submitted on March 4<sup>th</sup>, 2022. He added that it did not have any local match requirements.

Mr. Bolby lastly mentioned that they are always working with Ms. Enos, Mr. Peters and Mr. Bailey to give them information about grant applications and opportunities, and will continue to do so.

*n) Mayor's Report – Given by Mayor Rosemeyer.*

*(Mayor Rosemeyer was absent for this meeting so no report was given)*

**10. Executive Session** – To discuss matters of potential litigation and personnel matters.

**Motion**

Mrs. Opp moved, seconded by Mr. Mandichak to go into Executive Session to discuss matters of potential litigation and personnel matters.

Motion Unanimously Carried  
5:54 p.m.

**Back in Session**

6:02 p.m.

## **11. ADJOURNMENT**

### **Motion**

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

Motion Unanimously Carried  
6:02 p.m.

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Michele A. Enos, Borough Manager/ Secretary