

Borough of Somerset Council Meeting

November 21st, 2022 - 5:00 p.m. *(In-Person Meeting)*

1. **Meeting Called to Order** – President Ream.

2. **Pledge of Allegiance**

3. **Roll Call:**

- a) **Borough Council Members present:** *Pam Ream; Ruby Miller; Lee Hoffman; Sue Opp; Steve Shaulis and Jim Clark.*
- b) **Borough Council Members absent:** *Ian Mandichak.*
- c) **Also present:** *Mayor Fred Rosemeyer.*
- d) **Also present were the following:** *Borough Manager, Michele Enos; Director of Finance, Brett Peters; Administrative Assistant, Roger Bailey; Solicitor, James Cascio; Consulting Engineers, Tom Reilly and Jake Bolby.*
- e) **Public Attendance:** *Henry Cook.*

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

Motion

Mr. Shaulis moved, Mrs. Miller seconded, to approve the November 21st, 2022 Borough Council Meeting Agenda with an additional discussion of the South Center Avenue Sidewalk Project under “Old Business”.

Motion Unanimously Carried

5. **Announcements:**

- a) *None*

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

- a) **October 24th, 2022** – *Borough Council Meeting Minutes.*

Motion

Mrs. Opp moved, Mrs. Miller seconded, to approve the October 24th, 2022 Borough Council Meeting Minutes.

Motion Unanimously Carried

7. Award of Bids:

a) *None*

8. General Public Comments:

a) *Henry Cook, President of Fire Department*

As President of the Fire Department, Mr. Cook stated he was before Council regarding a number of concerns. He said that he was not looking for specific action from Council. He mentioned that he met with Ms. Enos a number of times discussing the crisis of man power at the Fire Department. The Borough Police have been working with the Fire Department in helping get rid of the nuisance fire calls. Every time the whistle blows, the Department has to respond.

Mr. Cook pointed out that Council is facing having to hire a professional Fire Department, which is a budget nightmare for them. Everyone that Mr. Cook has spoken to have acknowledged that a professional Fire Department costs more than a Police Department. He reiterated that the problem they are having is not a funding issue, but a personnel power issue.

Mr. Cook said that one solution, that needs to be a priority of Council, is to encourage all Borough employees to respond, particularly, to day time fires. He said the average age of people responding to fire calls is over 60 years of age.

He feels that employers are more than willing to be cooperative with the Department when there is a structure or significant fire. The Fire Department needs people who are in a position that can always respond, and he feels that this can include people that work for the Borough. In the past, they had as many as 5 or 6 Borough employees who would respond to fire calls. He expressed that Council has to somehow be more encouraging. He added that the real alternative is that the Borough is going to have to pay people to do it.

Mr. Cook also expressed how much the Firefighters appreciated the Real Estate Tax benefit that was given to them, and added that they may want to come back to talk to Council again about this. He and Chief Clark are planning on talking to the School District and the County about getting a similar discount for our people from the Real Estate tax, and depending what happens there, they may be back talking to Council again.

Mr. Cook said that the Fire Department is hoping to engage in encouraging people to get smoke and carbon monoxide detectors. He expressed that any encouragement that could come from Borough Council regarding this would be appreciated. Mr. Cook noted that he believes the Red Cross has smoke detectors, and the Fire Department is looking to promote that, and hopes Council will do the same.

Mr. Cook also mentioned that it will be the 25th anniversary of 9/11 in 2026. He noted that, this past year, Somerset hosted the Western PA Firemen's Convention. He expressed that it was apparent that it had been 20 years since they hosted this sort of thing. It went "alright", but it wasn't nearly what it should have been, and we could have done a lot better.

For the 25th anniversary of 9/11, the Fire Department is going to ask that the Western Convention come back to Somerset. They believe that they will get fire companies from greater New York and from Alexandria, VA to come here as part of that event.

It also occurred to Mr. Cook that 2026 is the 250 anniversary of the United States. So he suggested that whatever celebration the Borough looks to do, perhaps it should be combined with the Western PA Firemen's Convention, which is going to be recognized with the 25th anniversary of 9/11.

Mr. Cook mentioned that he will be speaking to the Somerset County Firemen's Association tomorrow asking them to be co-sponsors of the Western PA Firemen's Convention in 2026. He will need a Borough Resolution to endorse having the Western Convention here again. He said that what he hopes to have happen, is to focus the entire County Event, for the 250th and 25th anniversaries, on the period that sits halfway between July 4th and September 11th. It will be possible to get things like fireworks, a drone display, and other things for a reasonable price during that time period.

Mr. Cook has spoken to the County and has encouraged them for money, and to put aside 10% -15% of their hotel tax to build up a "kitty" to fund this. So whatever the Borough is hoping to do for the nation's birthday, Mr. Cook hoped that Council would consider moving that into this combined celebration.

Mr. Cook expressed that it is his hope, with all the frustrations and anger that has been in this country, that maybe Somerset can focus on that event 2-3 years from now, and put on a great party. He added that Council's support and encouragement will certainly be needed for that.

Mr. Cook noted that the specific thing he needs from Council will be a letter supporting the fact that we are going to bid on the Western Convention that year.

He added that Somerset County Association is not a member of the Western, so the Fire Department will make them a co-sponsor. As a member, the Fire Department has to be the agency that submits.

9. Administrative Business:

a) Communications – (none)

b) Payment of Bills – Month of November 2022.

Motion

Mrs. Opp moved, Mrs. Miller seconded, to approve the payment of bills for November 2022 numbered 39104–39230 totaling \$544,904.06.

Motion Unanimously Carried

- c) Department Reports – Consider approving the Departmental Reports for the month of October 2022.

Motion

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

Motion Unanimously Carried

10. Policy Agenda:

Old Business:

- a) South Center Avenue Sidewalk Project - Consider approval to advertise for bids.

Ms. Enos stated that this is fully funded by grant monies and Community Development Block Grant Funding. She said that this has been discussed in the past, and we have authorized and signed the agreements. The next step is to authorize to advertise for bidding.

Motion

Mrs. Opp moved, Mr. Hoffman seconded, to approve the advertising for bids for the South Center Avenue Sidewalk Project.

Motion Unanimously Carried

New Business:

- a) 2023 Tentative Budgets – Consider the adoption of the Tentative Budgets for year 2023.
(All Funds)

Ms. Enos explained that in light of all the discussions, we are in a 2 mill deficit in the Operating Budget. Council's direction was for Mr. Peters to prepare the General Fund Budget with a 2 mill increase to cover the Operating expenses. All Capital expenses had been chosen to be funded from our Reserves.

Motion

Mrs. Miller moved, Mr. Clark seconded, to authorize the adoption of the Tentative Budgets, as presented, with the 2 mill tax increase for year 2023.

Motion Unanimously Carried

Ms. Enos explained that there is a misconception that every tax dollar that residents pay goes to the Borough, which is not true. She explained that out of \$100.00, \$20.00 goes to the Borough, \$20.00 goes to the County and \$60.00 goes to the School District. The overall cost increase in the Borough's Budget from this year to next year is around 11%. If you consider inflation to be 9%-10%, this is the reason for the cost.

b) Resolution No. 2022-12 – Consider the appointment of Friedline, Pison & Co. to audit the Borough's Accounts for the year 2022.

Mrs. Ream stated that this is something done yearly, and a Resolution is needed in order to have them audit the books.

Motion

Mr. Shaulis moved, Mrs. Opp seconded to appoint Friedline, Pison & Co. to audit the Borough's Accounts for the year 2022.

Motion Unanimously Carried

RESOLUTION No. 2022-12

WHEREAS, The Borough of Somerset has by ordinance established the use of Certified Public Accountants to audit Borough Accounts, and;

NOW THEREFORE, We, the Council and Mayor of the Borough of Somerset designate Friedline, Pison & Company to audit Borough Accounts for the year 2022.

ADOPTED this 19th day of November 2022.

c) Real Estate Tax– Consider authorizing the preparation and advertisement of an Ordinance to set the tax rate for 2023.

Ms. Enos pointed out that we have to set the Tax Rate each year by Ordinance and advertise it because it is required. She pointed out that every Ordinance, prior to its adoption, has to be advertised.

Ms. Enos said that the advertising portion of the Ordinance will be prepared with the 2 mill increase attached to it. The Ordinance itself will not come up until December's Agenda for formal action.

Motion

Mr. Clark moved, Mrs. Miller seconded to authorize the preparation, and taking all necessary steps, to advertise an Ordinance to set the tax rate for 2023.

Motion Unanimously Carried

d) Grant Opportunities –Discussion concerning available grant funding for certain projects.

Ms. Enos stated that we explore any grant opportunities that may fit into projects we are considering. Mr. Bolby & EADS have been great on keeping us “in the loop” with grant opportunities too.

Ms. Enos mentioned the Borough has 3 grant opportunities:

1) “Small Water & Sewer” Grant:

Ms. Enos brought out that the scope of the project would be the Patriot Manor Looped Water Line Project with approximately 300 linear feet of 6” water line. The grant request would be for approximately \$108,000.00, and the local match would be \$19,000.00 out of the Water account.

Ms. Enos pointed out that with all these projects, there has to be a commitment to the local share at the time of making application.

The Borough may not be funded because there are many Municipalities that apply. If we are funded, and the Borough is in a financial position where we do not think that it is best to move forward with the project at that time, we can always refuse the grant and seek it at another time. So we are not locked in. If the Borough receives grant funding, and we are in a position to accept it, this would not be funded with the 2023 budget that has already been reviewed and approved. This would be something that would occur in 2024.

2) “H2O PA” Grant:

Ms. Enos explained that the scope of this project would be East Main Waterline Project. This is a much larger project that will not be encompassed in the \$20-million-dollar Project discussed earlier. It is 2,250 feet of 6” line and 300 linear feet of 2” line. The cost would be approximately \$450,000.00. The grant match is a 50/50 grant match. This larger project will let you go up to larger amounts for projects, but the match of that is \$270,463.88.

3) “H2O PA” Grant:

Ms. Enos mentioned that this project would be on the Sewer end. The scope would include Brierwood Sewers, and would be an extremely large project. It would be 20,800 linear feet of line replacement. The total part of the grant would be \$3,453,036.79, and the local match would be \$1.7 million dollars.

Mr. Bolby clarified an update on this Brierwood Sewer Project. He said that they incorporated the stormwater component on Brierwood so costs went up slightly. The grant request is \$5,182,450.00. So the local match would be \$2,591,225.00.

Ms. Enos said that all of these projects are ones that have been discussed over the years. She said that when there are grant opportunities, they want Council to be aware of those grant opportunities as well.

The due date for all these grant opportunities is December 1, 2022. If Council wants to move forward with application for any, or all of these grants, an adoption will have to be made for the local share, because that will be part of the application. She added that if we are in a

different position in 2024, we don't have to accept the grant. We can always turn down the grant offer.

Mr. Bolby noted that the Sewer application being made for the Brierwood area is one of the five areas that we are looking at for sewer line replacement. This is just asking for grant funding that is going into a larger project package that will be presented to PennVEST. So if the Borough is successful with this H2O PA Grant, we can tell PennVEST that we're coming in with grant monies already. He added that this is a project that is moving forward with the Corrective Action Plan, and it is definitely one that doesn't hurt asking for grant monies.

Mr. Bolby also brought out that the Patriot Manor is being served by a single line, and Mr. Suder has to arrange shutdown arrangements with that facility if there is a disruption to that single line, because there is a lot of issues that come along with that. We are able to provide a second line down to that facility. So this is one project Mr. Suder wants to get accomplished because he understands the need to provide redundancy and safeguards for that personal care facility.

Ms. Enos said that if Council wants to go for these projects, we would have to authorize submission and execute all necessary Resolutions for the local match that is required. She reiterated, that if in 2024 we are in a different position, we do not have to accept it, but have a choice. She said that if we are there in 2024, then this is less money that is being financed on projects by the residents that would normally be 100% financed through the residents.

Motion

Mrs. Miller moved; Mrs. Opp seconded to authorize the general authorization to prepare for necessary applications and submission for grant funding projects, and adoption of the Resolutions acceptable to the Authority, Borough and Grant Agencies.

Motion Unanimously Carried

e) Columbia Gas Right-of-Way – Consider authorization to execute a right-of-way for Columbia Gas for the replacement of a gas line along our property (parking lot) located at the corner of Edgewood Avenue and Patriot Street.

Ms. Enos brought out that this area is along the parking lot behind the F.O.E. She said that this is just a standard right-of-way easement. Anything disrupted will be replaced. She added that she would recommend authorizing this.

Motion

Mr. Clark moved; Mr. Shaulis seconded to authorize the execution of a right-of-way for Columbia Gas for the replacement of a gas line along our property (parking lot) located at the corner of Edgewood Avenue and Patriot Street.

Motion Unanimously Carried

f) Nardecchia Spaying and Neutering– Requesting a donation for spaying and neutering of cats in the Cherry Lane Mobile Home Estates area.

Mrs. Ream explained Nardecchia Spaying and Neutering is an independent group that will pick up feral cats, spay them and replant them where they got them from.

Ms. Enos noted that Nardecchia has been receiving multiple donations from multiple organizations. They have been picking up these feral cats and having a veterinarian do the spaying and neutering at a very low cost. The residents in the Cherry Lane area are taking care of the cats, but Nardecchia is looking to spay and neuter as many as they can so that they are not repopulating. Afterwards, the cats will go back in the area where they were found, because there is no availability at the Humane Society to house them. The cats will also receive rabies shots to protect them.

Nardecchia is asking Council for a donation to help toward the costs because Cherry Lane is in the Borough, and that is where their focus has been through all these other donations that have come in. They are asking for additional help from the municipality in which the cats are located.

After discussion was held among Council Members, it was agreed upon that Borough Council, as a whole, would not allocate monies to this donation request.

Mr. Clark mentioned what Mr. Cook discussed regarding the man power crisis in the Fire Department. He said that at some point, in the distant future, Borough Council will be faced with this “bridge” they have to cross.

Ms. Enos added that when she spoke to Mr. Cook about this issue, she mentioned to him that Borough employees are under a Union Contract, so she cannot force any of the workers to respond to fire calls. She said that the way can be paved for that, but unless we open up a Union Contract, we cannot pay an additional stipend, but can allow it to happen. She pointed out that this is more of a Union, legal issue that would have to be dealt with. It is not currently set up in the Contract for this.

ALL COMMITTEE REPORTS WERE PUT ON-HOLD UNTIL NEXT MONTH’S MEETING DUE TO THE LIMITED MEETING TIME AND NEED FOR AN EXECUTIVE SESSION TO BE HELD.

10. Executive Session – To discuss personnel matters.

Motion

Mrs. Opp moved, seconded by Mr. Shaulis to go into Executive Session to discuss personnel matters.

Motion Unanimously Carried
5:49 p.m.

Back in Session

5:53 p.m.

Motion

Mr. Clark moved, seconded by Mr. Shaulis to authorize a 3% wage increase for Managerial staff, which are not covered by the AFSME Contract or the Police Contract.

Motion Unanimously Carried

11. ADJOURNMENT

Motion

Mrs. Miller moved to adjourn; motion seconded by Mr. Clark.

Motion Unanimously Carried

5:55 p.m.

Michele A. Enos, Borough Manager/ Secretary