

Borough of Somerset Council Meeting March 25th, 2019 at 7:00 p.m.

Meeting was called to order by President Ruby Miller, opening with recitation of the Pledge of Allegiance to the Flag.

Roll Call:

Council Members Present: Ruby Miller; Judy Pyle; Pam Ream; Sue Opp; Steve Shaulis and Gary Thomas. Mayor Scott Walker also present.

Absent was Council Member Fred Rosemeyer.

Also present was Junior Council Member Jonathan Wagner.

Also present were the following: Borough Manager, Michele Enos; Solicitor, James Cascio and Consulting Engineers, Tom Reilly and Jake Bolby.

Announcements:

(a) Swearing in of Part-time Police Officers – Mark A. Custer and Devin T. Keiser.

Mark A. Custer and Devin T. Keiser were sworn into the Somerset Borough Police Department, as Police Officers, by Mayor Walker.

Chief Cox presented Officer Mark A. Custer and Officer Devin T. Keiser with an embossed coin displaying the “swearing in” oath. He also presented the Officer’s families with a gift, in gratitude, for supporting the Officer’s Oath to serve their community.

Officer Custer and Officer Keiser thanked their families for their love and support in helping them reach this milestone in their lives of becoming a Police Officer.

(b) Executive Session – To discuss police personnel issues.

Motion

Mrs. Ream moved, Mr. Thomas seconded to go into Executive Session to discuss police personnel issues.

Motion Unanimously Carried
7:13 p.m.

Back in Regular Session

7:44 p.m.

Approval of Minutes of Previous Meetings:

(a) February 11th, 2019 – Committee of the Whole Meeting Minutes

Motion

Mr. Thomas moved, Mr. Shaulis seconded to approve the February 11th, 2019 Committee of the Whole Meeting Minutes.

Motion Unanimously Carried

(b) February 25th, 2019 – Borough Council Meeting Minutes

Motion

Mrs. Ream moved, Mrs. Opp seconded to approve February 25th, 2019 Borough Council Meeting Minutes.

Motion Unanimously Carried

(c) Departmental Reports - Approval of Departmental Reports for February 2019

Motion

Mr. Shaulis moved, Mr. Thomas seconded to approve the Departmental Reports for February 2019.

Motion Unanimously Carried

Award of Bids:

(a) None

General Public Comments:

(a) Eric Sadler

Mr. Sadler stated that he had a few concerns that he wanted to bring before Borough Council.

The first was concerning the road conditions in the Borough. He expressed that the roads were in horrible condition.

Mr. Sadler asked Borough Council what the plans were to address this issue, and what roads are set aside for repair this summer in the Borough. Mr. Sadler also asked how the Public could be included to come up with the funds to get the roads repaired and done.

Mr. Sadler's second concern involved the blight condition of some homes in the Borough. He expressed that these buildings need addressed because they are driving down the value of surrounding homes.

Mr. Sadler brought out that it is not fair to the surrounding neighbors or anyone else in the Borough. He feels that the owners of the homes should be held responsible for the condition of their houses. He also stated that we need to "step up" and force the owners to do something with their blighted houses.

Ms. Enos addressed Mr. Sadler's concerns. She mentioned that some of the roads being repaired in this year's budgets are North Rosina and Garrett Street. She disclosed that they were to be done last summer, but when a valve and fire hydrant replacement needed addressed, this took additional time. After completion, it was too late in the year to start road repair.

Ms. Enos brought out that Mr. Sadler's concerns are what Borough Council evaluates on a yearly basis. She said that they meet quarterly with our Joint Utilities, as well.

Ms. Enos explained that after the winter months, Penndot's Municipal Services Representative comes into the Borough and measure all the streets and evaluates what needs done. After evaluation, Municipal Services gives the Borough a rough budget number so we can see what is affordable. The number of streets that will be paved is dependent on the cost. Ms. Enos disclosed that we have \$100,000.00 in the budget, specifically, for paving.

Mr. Sadler asked how more streets could be paved without raising taxes. He expressed that taxes cannot be raised because people are "strapped." He feels that revenue could be raised by cutting Police Officers and Borough employee jobs, or cutting services in the Borough. Mr. Sadler added that something has to be done to raise revenue.

Mayor Walker explained that raising taxes is the source of raising revenue. The revenue comes directly out of the General Fund Budget, which is tax based. He brought out that these monies are used for paving costs, and for the blighted home issues, that concerns Mr. Sadler.

Ms. Enos explained to Mr. Sadler that his current concerns were discussed during the Budget Meeting process with Borough Council, for a four-month period, prior to final decisions made for the following budget year. She stated that Borough Council discusses *all services* provided in the Borough during this time, not only street issues.

Ms. Enos disclosed that services have already been cut in the Borough. She mentioned that retired Borough employee jobs have been combined with other positions. Ms. Enos explained that over the last three years, we have been restructuring within the Borough to try to make more room in the budget for more Borough services.

Ms. Enos stated that there are many things that are unaccounted for that come up within the course of a year, for example, "nuisance" properties. She brought out that the

Borough Council faces high costs to cleanup these nuisance properties. The money is pulled from the General Fund Budget.

Solicitor Cascio brought out that there has been a lot of recent changes in State Law. He stated that the "Blight Bill" has just been passed. He mentioned that blighted properties are handled at the County-wide level. He stated that tax dollars are being spent to alleviate these blighted properties. The remedy, as a government, is to spend tax money to remedy the condition, and then put a lien on the property. So money gets fronted out of tax dollars.

Ms. Enos stated that Borough Council recognizes this regional "blight" problem. She disclosed that Somerset County has set up a "Land Bank". Ms. Enos brought out that the Redevelopment Authority has approached the Borough about redeveloped areas and properties, which focuses on each and every one of these blighted properties.

Ms. Enos brought out that there are specific regulations that deem these blighted properties a public hazard to other people. She explained that "condemning" a property only means that it is not safe for occupants, so it cannot be occupied. It does not mean that it is going to cause a safety risk to adjoining properties. Ms. Enos stated that it takes specific regulations to determine that it is "unsafe".

Ms. Enos explained that if the Municipality deems the property to be "unsafe" and a "public nuisance", then the process is to try to force a property owner to demolish the property. If the owner does not have the funds for demolition, then the Borough would be *required*, at that point, to go in and do the work. Ms. Enos brought out that the Borough does not have the money on hand to do the demolition work on these properties.

Ms. Enos disclosed that there are blighted homes in the Borough being evaluated through the Redevelopment Authority and the Land Bank processes. Ms. Enos said that these are set up to seek Grant Funding to demolish and redevelop those sites. If Grant Funding is awarded, then the funds are not coming directly from the Boroughs General Fund but through Grant Funding.

Mrs. Ream brought out that when it comes to the yearly budget, Mr. Peters provides a great deal of information. She stated that Borough Council spends several months looking at the budget before decisions are made.

Mrs. Ream reiterated that Borough services have already been cut, and jobs have been combined. She said that the problem with the Boroughs Budget is that most of the things on the budget are not able to be cut. Mrs. Ream added that the budget includes utilities and all of the things that Borough Council are responsible for.

Mrs. Ream disclosed that all of the Borough's Department Supervisors are questioned by Council on purchases they request for their Departments. She stated that it is not an easy process to purchase even small things in the Borough.

Mrs. Ream also acknowledged that Mr. Peters and Ms. Enos work really hard to balance the Borough's Budget.

Administrative Business:

(a) Communications (none)

(b) Payment of Bills:

Motion

Mrs. Opp moved, Mrs. Ream seconded, to approve the payment of bills numbered 32740 – 32905 totaling \$707,624.50.

Motion Unanimously Carried

Policy Agenda:

Old Business:

(a) None

New Business:

(a) Used 1 –Ton Dump Truck – Ratify the motion that was made at our March 11th, 2019 meeting to award a 2014 F-550 Dump Truck from Tri-Star Motors in the amount of \$48,744.00.

Ms. Enos mentioned that this was discussed and “tabled” during the last Committee of the Whole Meeting. She stated that since this is our actual official meeting, Solicitor Cascio would like that to be ratified during this Council meeting.

Motion

Mr. Thomas moved, Mr. Shaulis seconded, to authorize the purchase of a 2014 F-550 Dump Truck from Tri-Star Motors in the amount of \$48,744.00.

Motion Unanimously Carried

(b) 2018 Towmaster Trailer – Consider authorizing the purchase of a 2018 Towmaster Trailer under the Co-Stars Cooperative Purchasing Program in the amount of \$9,527.00.

Ms. Enos stated that this was also discussed at the last Committee of the Whole Meeting. She mentioned that this would be under our “Water Distribution” Department, although Public Works can utilize the equipment, as well. She stated that we will still have \$20,000.00 in the Capital Budget if Council chooses to authorize this.

Motion

Mrs. Pyle moved, Mr. Shaulis seconded, to authorize the purchase of a 2018 Towmaster Trailer under the Co-Stars Cooperative Purchasing Program in the amount of \$9,527.00.

Motion Unanimously Carried

(c) Daily American – Requesting a donation for the annual 4th of July community fireworks display.

Mr. Peters brought out that \$600.00 was donated last year toward the fireworks display.

Motion

Mr. Thomas moved, Mrs. Ream seconded, to donate \$500.00 this year for the annual 4th of July community fireworks display.

Motion Unanimously Carried

(d) PSAB Voting Delegate – Consider the appointment of a voting delegate for the 2019 PSAB Annual Convention.

Mrs. Miller brought out that at the last Committee of the Whole Meeting, Mr. Rosemeyer was mentioned to be appointed as the voting delegate.

Motion

Mrs. Opp moved, Mrs. Pyle seconded, to appoint Mr. Rosemeyer as the voting delegate for the 2019 PSAB Annual Convention.

Motion Unanimously Carried

(e) Stormwater Management Ordinance – Consider adopting the proposed Stormwater Ordinance which enacts rules, regulations and procedures to manage and control stormwater.

Ms. Enos stated that this was also discussed at the previous Committee of the Whole Meeting. She mentioned that this new Stormwater Ordinance is designed to revise the criteria that we are now under.

Ms. Enos stated that this revised Stormwater Ordinance will improve renovation projects, and new construction, in the future, so that it doesn't contribute to an already existing stormwater issue. This newly revised Stormwater Ordinance is designed and streamlined for residential development, small projects, and large projects that are incorporated into this Ordinance.

Motion

Mrs. Ream moved, Mrs. Opp seconded, to adopt the Stormwater Management Ordinance which enacts rules, regulations and procedures to manage and control stormwater.

Motion Unanimously Carried

(f) Stormwater Resolution – Consider adopting the fee schedule associated with administration of the Stormwater Management Ordinance.

Ms. Enos stated that this Stormwater Resolution goes “hand in hand’ with the Stormwater Management Ordinance.

This Stormwater Resolution is setting the fee structure for the Stormwater Application. The Application Fee is \$50.00. The Initial Supplement Review, that includes all incurred costs of the Construction Fee and Inspection Fee, is \$100.00 each. The Small Project Fee is \$150.00.

Motion

Mrs. Ream moved, Mr. Thomas seconded, to adopt the fee schedule associated with administration of the Stormwater Management Ordinance.

Motion Unanimously Carried

Ms. Enos disclosed that there was a recent sewer main line leak. Upon investigation, a 14-inch sewer line break was discovered. Ms. Enos explained that the system had to be bypassed by running a separate line. The line was 15 feet deep along the Gilmore Bypass area. She stated that the area needed to be excavated, and 40 feet of line was replaced. The work took 3 days, running 24 hour shifts, to maintain the pumping. The work was done with contracted services, under an emergency order, through Berkey Excavating. She brought out that we needed “track” equipment, because our equipment couldn’t have gone into the area without sinking. Long hours were worked by some of the Borough employees to resolve the issue, which was greatly appreciated.

Ms. Ream expressed that she desired to make a motion to authorize the continued suspension of the Police Officer by the Mayor, until further action required by Council, in accordance with Policies and Procedures.

Motion

Mrs. Ream moved, Mrs. Opp seconded, to authorize the continued suspension of the Police Officer by the Mayor, until further action required by Council, in accordance with Policies and Procedures.

Motion Unanimously Carried

Mayor Walker stated that he had received 8 letters from students at Somerset High School. He asked Borough Council what they would like him to do with the letters because they pertain to Borough issues, such as street complaints. Other letters received by him included how to recruit Volunteers for the Fire Department and how to support such a program. Other letters pertained to taxes.

Ms. Enos stated that the letters are part of a student project, and that the letters Mayor Walker received can be given to her to address.

Mrs. Pyle mentioned that Somerset Inc. has many upcoming events during the summer months. She brought out that they have been rotating movies with Laurel Arts and the Library. They are encouraging “togetherness” as opposed to partnerships.

Mrs. Pyle stated that forthcoming is the “Gala at the Courthouse”, “Chalk the Block” and “The Shooter Showdown.”

Mrs. Pyle brought out that Somerset Inc. has 4 individuals voluntarily going to the “National Main Street Program” in Seattle, WA.

Executive Session – *(Held at the beginning of the meeting)*

ADJOURNMENT:

Mr. Shaulis moved to adjourn, seconded by Mr. Thomas.

Motion Unanimously Carried

8:12 p.m.

Michele A. Enos, Borough Manager/Secretary