

Borough of Somerset Council Meeting

January 27th, 2020 5:00 p.m.

1. Meeting Called to Order - President Ruby Miller

2. Pledge of Allegiance

3. Roll Call:

Council Members present: Ruby Miller; Pam Ream; Steve Shaulis and Gary Thomas.

Council Members absent: Fred Rosemeyer; Lee Hoffman and Sue Opp.

Also absent: Mayor Scott Walker.

Also present: Junior Council Member Patrick Kuhn.

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.

4. Announcements

(a) *None*

5. Approval of Minutes of Previous Meetings:

(a) ***December 9th, 2019 – Committee of the Whole Meeting Minutes.***

Motion

Mrs. Ream moved, Mr. Thomas seconded to approve the December 9th, 2019 Committee of the Whole Meeting Minutes.

Motion Unanimously Carried

(b) ***December 16th, 2019 – Borough Council Meeting Minutes.***

Motion

Mr. Thomas moved, Mr. Shaulis seconded to approve December 16th, 2019 Borough Council Meeting Minutes.

Motion Unanimously Carried

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

Motion

Mr. Shaulis moved, Mrs. Ream seconded to approve the Departmental Reports for December 2019.

Motion Unanimously Carried

6. Award of Bids:

(a) Mary S. Biesecker Public Library Grant – Consider awarding the roof replacement bid to the lowest responsive bidder.

Ms. Enos stated that when this project was originally bid out, there were no bidders at that time. The project was re-bid, and one bid was received. Grace Construction out of Ligonier, PA. was the only bidder.

Ms. Enos mentioned that Somerset Borough is the “pass-through” agency, so the bid award has to be approved by Borough Council.

Grace Construction had a base bid amount of \$151,368.00. They had a “de-duct alternate” of \$37,513.00. This brings the total bid award amount to \$113,855.00. Their architect is recommending the award of the \$113,855.00 to Grace Construction.

Motion

Mr. Shaulis moved, Mrs. Ream seconded, to award the roof replacement project, at the Mary S. Biesecker Public Library, to Grace Construction from Ligonier, PA, the only responsive bidder, in the amount of \$113,855.00.

Motion Unanimously Carried

7. General Public Comments:

(a) Mark Walker – Resident of Deal Street.

(Mr. Walker was not present, although requesting to be heard by Borough Council)

8. Administrative Business:

(a) Communications (None)

(b) Payment of bills

Motion

Mr. Thomas moved, Mr. Shaulis seconded, to approve the payment of bills numbered 34264 - 34470 totaling \$794,159.18.

Motion Unanimously Carried

9. Policy Agenda:

Old Business:

(a) *None*

New Business:

(a) Resolution No. 2020-03 – *Consider authorizing the disposal of certain records in accordance with the Commonwealth’s Records Retention Guidelines and Disposition Schedule.*

Ms. Enos brought out that we received requests to dispose of certain records from the Police Department, and the Sewer & Water Department.

She stated that we are following the Commonwealth’s guidelines and recommendations, insofar as, how long a municipality is required to keep certain records. Therefore, this is in accordance with those guidelines.

RESOLUTION NO. 2020-03

WHEREAS, The Borough of Somerset adopted Resolution No. 87-02 on April 27, 1987 providing for the destruction of certain papers in accordance with the Retention and Disposition Schedule for Records of Pennsylvania Municipalities and;

WHEREAS, The Somerset Borough Administration wishes to dispose of some of its records in accordance with this Resolution;

NOW THEREFORE, BE IT RESOLVED, that the following items be authorized for purging:

POLICE DEPARTMENT:

- ... 2012 Accident Reports*
- ... 2017 Abandoned Vehicle Forms*
- ... 2018 Abuse Petitions*
- ... 2009 Trespass Records*
- ... 2015 Letters In / Out*
- ... 2015 Warning / Repair Forms*
- ... 2015 Borough Permits*
- ... 2013 Vehicle Calibrations*
- ... 2016 Seized License Plates*
- ... 2016 Drivers Records*
- ... 2017 Due Diligence Forms*
- ... 2018 Paid / Voided Parking Tickets*
- ... 2016 TDR’s (Transport / Detention / Release Record)*

- ... 2015 Closed Traffic and Non-Traffic Citations
- ... 2016 Residential Parking Permit Applications
- ... 2018 Victim Services Forms
- ... 2016 Magistrate Reports

WATER / SEWER DEPARTMENT:

- ... 2012 Water / Sewer Bills
- ... 2012 Penalty Run & Account Detail Sheets
- ... 2012 Daily Cash Receipts Journal
- ... 2012 Adjustments
- ... 2012 Log Books
- ... 2012 Payment Schedules

Adopted this 27th day of January, 2020

Motion

Mrs. Ream moved, Mr. Shaulis seconded, to authorize the disposal of certain records from the Police and Sewer & Water Departments in accordance with the Commonwealth's Records Retention Guidelines and Disposition Schedule.

Motion Unanimously Carried

(b) Resolution No. 2020-04 – Consider authorizing the approval to transfer a liquor license into Somerset Borough as requested by Sheetz, Inc.

Solicitor Cascio stated that this subject was discussed at a recent Public Hearing held on January 13, 2020 regarding the request by Sheetz Inc. to transfer a liquor license into the Borough of Somerset.

A Resolution was proposed in the form of approving the request. Solicitor Cascio read the Resolution to Borough Council.

RESOLUTION 2020-04

A RESOLUTION OF THE BOROUGH OF SOMERSET, COUNTY OF SOMERSET, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF LIQUOR LICENSE NO. R-17251 INTO THE BOROUGH OF SOMERSET

BACKGROUND

WHEREAS, Act 141 of 2000 and Act 10 of 2002 (collectively, the “Act”) amended the Liquor Code to allow, in certain instances, the transfer of liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in the Borough of Somerset, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the Intermunicipal transfer of the liquor license prior to an applicant’s submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one public hearing be held for the purpose of permitting individuals residing with the municipality to make comments and recommendations regarding applicant’s intent to transfer a liquor license into the receiving municipality.

NOW, THEREFORE, BE IT RESOLVED, by the Somerset Borough Council that Sheetz, Inc. has requested the approval of the Borough of Somerset for the proposed transfer of Liquor License NO. R-17251 (acquired by Sheetz, Inc. from the Pennsylvania Liquor Control Board via Public Auction) by Sheetz, Inc. to facilities within the Borough of Somerset located at 457 East Main Street, Somerset Borough, Somerset County, Pennsylvania 15501 with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the Somerset Borough Council has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer; and

BE IT FURTHER RESOLVED that the Somerset Borough Council approves, by adoption of this Resolution, the proposed Intermunicipal transfer of the Liquor License No. R-17251 into the Borough of Somerset by Sheetz, Inc.; and

BE IT FURTHER RESOLVED, that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

DULY ADOPTED this _____ day of _____, 2020, at a regular meeting of the Borough of Somerset, at which a quorum was present and voting throughout.

SOMERSET BOROUGH COUNCIL

Borough Council added no further comments or questions before a vote was taken.

Motion

Mr. Shaulis moved, Mr. Thomas seconded, to authorize the approval to transfer a liquor license into Somerset Borough as requested by Sheetz, Inc.

Motion Unanimously Carried

(c) Municipal Authority Board – Consider appointing Ben Flower to the Municipal Authority Board to serve the unexpired term of Clyde Mostoller.

Ms. Enos stated that notification was received from Mr. Clyde Mostoller indicating that he was resigning from his position on the Municipal Authority Board. She added that Municipal Authority Board Members serve a 4-year term.

Ms. Enos disclosed that she recently received a letter of interest from a Somerset Borough resident, Mr. Ben Flower, to serve as a member of the Municipal Authority. She brought out that he worked as a water and sewer employee for Somerset Township Municipal Authority, and is currently with Ligonier in the same line of work.

Ms. Enos expressed that Mr. Flower comes with a good background in water and sewer. She added that he would be a good asset on the Municipal Authority Board.

Motion

Mrs. Ream moved, Mr. Shaulis seconded, to appoint Ben Flower to the Municipal Authority Board to serve the unexpired term of Clyde Mostoller.

Motion Unanimously Carried

Mr. Ben Flower, who was in attendance at the Council Meeting, was formally welcomed to his new position on the Municipal Authority Board by President Ruby Miller.

Ms. Enos also thanked Mr. Flower for sending his letter of interest to serve on the Municipal Authority Board.

(d) AFSCME Collective Bargaining Agreement Project – Consider ratifying the Collective Bargaining Agreement for the non-uniformed employees for years 2020-2024.

Ms. Enos updated Borough Council concerning this Agreement. She stated that she has not received the signed copy back yet from the Union. This discussion will continue into the next Council Meeting.

(e) Mary S. Biesecker Library/Change Order No. 1 – Consider approving the change order to relocate the sanitary sewer line, vent and cleanout at the exterior of the new elevator shaft in the amount of \$3,175.00.

Ms. Enos brought out that this Change Order is from a contract that occurred with the Elevator Project at the Library. Some unforeseen things surfaced in the Elevator Project that needed modified.

She said that with this Change Order, they had to relocate the sewer line and the vent, with its cleanout, because the elevator shaft is now in that location. The cost of that relocation is \$3,175.00.

Ms. Enos mentioned that the Library Board has looked at this and has approved it. They are asking Borough Council to consider approving Change Order No. 1, as well.

Motion

Mrs. Ream moved, Mr. Thomas seconded, to approve Change Order No. 1 at the Mary S. Biesecker Public Library, which includes relocation of the sanitary sewer line, vent and the cleanout at the exterior of the new elevator shaft in the amount of \$3,175.00.

Motion Unanimously Carried

(f) Mary S. Biesecker Library/Change Order No. 2 – Consider approving the change order for elevator door improvements in the amount of \$7,880.00.

Ms. Enos mentioned that there are 4 items under this Change Order No. 2 for the Mary S. Biesecker Public Library Elevator Grant Project. They include revising doorframes and finishes. Changing from painted steel cab doors to stainless steel. Changing powder-coated cabin interiors to laminate panels, and changing from single-phase power to three-phase power. She disclosed that this all adds up to \$7,880.00.

Ms. Enos brought out that the Mary S. Biesecker Library Board has approved Change Order No. 2, and they are asking Borough Council to officially consider it tonight.

Motion

Mr. Thomas moved, Mr. Shaulis seconded, to approve Change Order No. 2 at the Mary S. Biesecker Public Library for elevator door improvements in the amount of \$7,880.00.

Motion Unanimously Carried

10. Executive Session – To discuss personnel issues.

Motion

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

Motion Unanimously Carried

5:15 p.m.

Back in Session

5:24 p.m.

11. ADJOURNMENT

Motion

Mr. Shaulis moved to adjourn, motion seconded by Mrs. Ream.

Motion Unanimously Carried

5:25 p.m.

Michele A. Enos, Borough Manager/ Secretary

