

# **Borough of Somerset Committee of the Whole**

## **June 08, 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; Fred Rosemeyer; Lee Hoffman; Pam Ream; Steve Shaulis; Sue Opp; and Gary Thomas.

Present: Mayor Scott Walker.

Also present: Junior Council Member Patrick Kuhn.

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

### **4. Announcements:**

#### **(a) Somerset Daily American:**

Mrs. Miller read a letter from the Daily American notifying the Borough and the public that they made a decision to cancel their Fireworks Display for 2020. In 2021, plans are to have the Fireworks Display once again.

### **5. Approval of Minutes of Previous Meeting:**

(a) *All minutes are approved at the regular Council Meeting.*

### **6. General Public Comments:**

(a) *None registered.*

### **7. Policy Agenda:**

#### **Old Business:**

(a) *None*

#### **New Business:**

(a) Request form submitted by Manager Enos:

1. Kay Kemp Property – Discussion concerning the Notice of Violation that was issued on June 1<sup>st</sup>, 2020.

Ms. Enos disclosed that a Notice of Violation was sent to Kay Kemp regarding the loose bricks in front of her building that had fallen onto the sidewalk below from the façade of her property. Ms. Enos said that after she noticed this occurred, she

immediately called Mr. Bolby to schedule an EADS Structural Engineer to evaluate her property. Mr. Bolby arranged to get the inspection the following day.

Ms. Enos said that she was concerned about serious underlying structural issues of the building, and the safety of Mrs. Kemp, the public and adjoining buildings. With Mrs. Kemp's permission, Ms. Enos, Mr. Bolby, and the Structural Engineer, Mr. Todd Brewer toured the facility.

Ms. Enos stated that in connection with a legal review with Solicitor Cascio, based upon our Property Maintenance Ordinance and Code, a Notice of Violation was issued to Mrs. Kemp on June 1<sup>st</sup>, 2020.

The Borough's Public Works Department closed and barricaded off the pedestrian walkway. The parking space right in front of Mrs. Kemp's building, and the side alley of the building, were also blocked off because of loose bricks still actively falling. Mrs. Kemp was instructed not to use the front entrance of the building because of the loose bricks.

"Phase 1" of the Notice of Violation covers removal and replacement of the bricks in the front entrance area, and repair of the wall structure. At the west side of the wall at Mrs. Kemp's building, the bricks need secured. In addition, remediation needs completed where there is water infiltration that is causing and creating all of the structural issues.

Ms. Enos mentioned that the EADS Report discloses that the structure, in its present condition, is not at risk of collapse. However, if nothing is done to rectify the structural issues where the water infiltration is coming in, that could change.

Ms. Enos disclosed that she spoke with Mrs. Kemp, and has another meeting setup with her to review all the line items in the EADS Report. Thus, Mrs. Kemp will have a full understanding of what is going to be required of her, and how she is going to handle this. Her contractor will have to submit a plan to the Borough as to how they are going to address the issues. Then the Borough has the right to go into the property and inspect to ensure that the repairs are done correctly.

Mrs. Kemp's deadline to complete the necessary repairs is on June 26<sup>th</sup>, 2020. With reasonable circumstances, Mrs. Kemp can file for an extension of that deadline.

Mr. Bolby had immediately reached out to two contractors to try to obtain cost estimates on the repairs. Only one contractor responded, and agreed to meet at Mrs. Kemp's property tomorrow morning.

Ms. Enos added that Kay Kemp received the certified Letter of Violation, and has given the Engineer and the contractor permission for all access of her property to make an appropriate cost estimate for repairs.

*2. Summer Lunch Program – Discussion concerning the request of our Union Street Playground for a weekly summer lunch program for children.*

Ms. Enos stated that this was something discussed late last summer with Borough Council. She said that Camp Harmony is providing food for their summer food program. They are looking for “grab-n-go” sites where children can come and pick up bagged lunches and “go” due to Covid-19.

Mary S. Biesecker Library is participating in the program. They asked if Borough Council would consider the Union Street Playground as a “grab-n-go” site. It would be every Monday, beginning June 15<sup>th</sup>, 2020, until the end of August.

Ms. Enos stated that she expressed to those in charge that she would get direction from Borough Council before they are given permission to proceed forward with the program.

### **Motion**

Mrs. Ream moved, Mrs. Opp seconded to allow the use of the Borough’s Union Street Playground for a weekly summer lunch program for children.

Motion Unanimously Carried

### **3. Handicap Parking Space – Request from April Hochard to designate a handicap parking space near 331 South Kimberly Avenue.**

Ms. Enos disclosed that during the Borough shutdown in April, she explained to Ms. Hochard that she would take her request to Borough Council.

She brought out that there is a handicapped individual that has difficulty breathing, and is on 100% oxygen, with this respiratory issue. She is asking for a handicap space to be designated on South Kimberly Avenue.

Ms. Enos stated that she explained to Ms. Hochard that this space would be a public parking space that anyone with a handicap placard could use, which she understood.

Discussion was held among Borough Council Members regarding this request.

### **Motion**

Mr. Rosemeyer moved, Mr. Thomas seconded to approve the request from April Hochard to designate a *temporary* handicap parking space near 331 South Kimberly Avenue, which can later be rescinded and made into a public parking area once again.

Motion Carried (6 yes - 1 no)  
(Mrs. Ream voting “No”)

### **4. Donation Requests:** **(a) None**

*(b) Year to Date Financial Report – Provided through the month of May 2020.*

Mr. Peters distributed the Year to Date Financial Statements through May 2020 to Borough Council. He added that we are 5/12's of the way through the year or 41.66%.

**General Fund:**

Revenues – 58.51%

Expenses – 36.27%

**Water Fund:**

Revenues – 31.78%

Expenses – 38.60%

**Sewer Fund:**

Revenues – 27.41%

Expenses – 35.47%

Mr. Peters mentioned that with the Borough's shutdown through the pandemic, we were not billing or collecting. We have since billed, and the remaining bills will go out this week. Therefore, we should catch back up with the Water and Sewer Fund Revenues in the next month or so.

*(c) Manager's Report – Reports provided by all Departments for May 2020.*

Borough Council had all of the Departmental Reports at their seats.

Ms. Enos mentioned that we are meeting with the Engineers to see what Water & Sewer Projects are moving forward, and what kind of a time schedule we are on since the delay. We have other projects that are moving forward.

Ms. Enos mentioned that the Municipal Authority awarded the bid to proceed with the Cleaning & Televising of our Sanitary Sewer Lines, and they authorized that to move forward. The Municipal Authority also approved the Digester Project. A Pre-Construction Meeting will be coming up in the next few weeks.

*(d) President's Report - Given by Ruby Miller.*

Mrs. Miller welcomed everyone back.

She stated that the regular Council Meetings are going to continue to be held at 5:00 p.m. instead of 7:00 p.m.

On behalf of Borough Council, Mrs. Miller also congratulated Junior Council Member Patrick Kuhn on his graduation from Somerset Area High School. It was mentioned that a graduation ceremony for Somerset Area High School would be held on June 17<sup>th</sup>, 2020. The motorcade for the graduates was also discussed, and Patrick Kuhn brought out that it was very enjoyable for the graduates.

*(e) Somerset Inc. Report - Given by Lee Hoffman.*

Mr. Hoffman disclosed that "Chalk the Block" is still being held July 25<sup>th</sup> & 26<sup>th</sup>, 2020 with guidelines being followed.

He also mentioned that Somerset Inc. has been "brainstorming" about the Kay Kemp situation by helping her to raise money by selling some of her things.

Mr. Hoffman also pointed out that the bricks on the Dave Ankeny Building are also “letting go.” He stated that Somerset Inc. has been discussing how to fix these historic buildings, because there is demand for more entrepreneur space, but everything is so far gone that they cannot start a business and refurbish the building. There are also tenants in these buildings, therefore, income-producing properties. Somerset Inc. is trying to “pair up” with the right people to do these projects.

*(f) PSAB Report – Given by Fred Rosemeyer.*

Mr. Rosemeyer mentioned that PSAB had a teleconference Board of Directors Meeting on June 12, 2020.

He brought out that the PSAB is fighting a case with the County Commissioner Association’s “mother” Association supporting Dauphin County. Dauphin County is being sued by a group called “Firearm Owner’s Against Crime vs The City of Harrisburg, Dauphin County”.

Mr. Rosemeyer mentioned that this lawsuit can affect Somerset Borough, because it relates to Ordinances. He pointed out that it might be harder to get an Ordinance passed if these individuals win their case. The PSAB is giving money to Dauphin County so the County Commissioners Association can help fight this case.

Mr. Rosemeyer said that the PSAB Conference is still scheduled for October 16<sup>th</sup>-18<sup>th</sup>, 2020 at the Wyndham Hotel in Gettysburg.

In addition, The Somerset County Boroughs Association is to still be held in September 2020.

*(g) Somerset Volunteer Fire Department Report*

*(No report was received from the Somerset Fire Department for review) Ms. Enos explained to Borough Council that Mr. Lyons was not made aware of this meeting tonight.*

*(h) Engineer’s Report – Given by Jake Bolby.*

Mr. Bolby brought out that in addition to the Cleaning & Televising and Digester Projects, there are still a few other things going on.

The Pump Replacement Project is still moving along. The second pump has been installed, started up and is functioning. The replacement of the third, and final pump, is scheduled for tomorrow. That project will then be wrapping up in the next week or two.

The Highland Park Waterline Replacement Project will begin with excavation on Wednesday.

Mr. Bolby also mentioned that there has been a lot of building permit processes in the Borough, showing that there is presently a lot of development activity within the Borough.

*(i) Mayor's Report – Given by Mayor Walker  
(Mayor Walker deferred his time to Chief Cox)*

Chief Cox stated that the motorcade for the Somerset Area High School Graduates went very well. He mentioned that he is receiving suggestions that it become an annual event for the graduating seniors.

Chief Cox also brought out that we had a lot of unfounded rumors about a major protest that was to be held June 6, 2020 in Somerset. The rumor was posted on social media by someone who is not a resident of Somerset Borough. He stated that the Police Department expended a lot of time and energy to prepare for a protest, were it to happen.

Chief Cox mentioned that he also wanted to give a public “shout out” to Regina with Somerset Inc. While Chief Cox wanted to put the business community at ease, due to the protest rumors, he did not want to go to social media to do it. He provided Regina with an email that she forwarded to folks which helped to calm things down. He added that they got tremendous assistance from, both, the PSP and Somerset County.

Chief Cox disclosed that he met with a group of high school students who are planning an event for this coming Sunday at 3:00 p.m. on the Courthouse steps. He expressed that he is impressed with these kids who are logical, rational, reasonable, articulate and intelligent. Chief Cox said that they feel moved to do something in light of what is going on across the country. The students want to try and make it into something positive. So the Police Department is giving them all the cooperation and support that they can. He stated that he expects the event to be very manageable, calm and peaceable.

**8. Executive Session – None requested.**

**9. ADJOURNMENT**

**Motion**

Mr. Thomas moved to adjourn, motion seconded by Mrs. Opp.

Motion Unanimously Carried  
5:52 p.m.

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Michele A. Enos, Borough, Manager/ Secretary