

Borough of Somerset Council Meeting
August 22nd, 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; Jim Clark and Ian Mandichak.*

b) **Also present:** *Mayor Fred Rosemeyer.*

c) **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.*

d) **Public Attendance:** *None*

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

All members of Borough Council approved the August 22nd, 2022 Agenda.

5. **Announcements**

a) *None*

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

a) *July 25th, 2022 – Borough Council/Joint Authority Meeting Minutes.*

Motion

Mrs. Miller moved, Mr. Clark seconded, to approve the July 25th, 2022 Borough Council/Joint Authority 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 August 2022.

Motion

Mr. Shaulis moved, Mr. Mandichak seconded, to approve the payment of bills for August 2022 numbered 38684 – 38825 totaling \$475,064.53.

Motion Unanimously Carried

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

Motion

Mr. Shaulis moved, Mr. Hoffman seconded, to approve the Departmental Reports for the month of July 2022.

Motion Unanimously Carried

10. Policy Agenda:

Old Business:

- a) None

New Business:

- a) Police Ceremony – Mayor Rosemeyer will hold a ceremony to honor the Police Officers.

The Police Ceremony was held from 5:00 p.m. to 6:00 p.m. to honor the Police Officers.

- b) Resolution No. 2022-06 – Authorizing submission of our 2022 CDBG Application.

Ms. Enos said that this authorizes the Borough to submit for our Community Development Block Grant funding. Council previously discussed using it for the sidewalk project and different projects that qualify. This is a formal action Resolution for submission, and also allows the President to execute the necessary Resolution.

Motion

Mr. Clark moved, Mr. Hoffman seconded to authorize the submission of our 2022 CDBG Application.

Motion Unanimously Carried

RESOLUTION
of the Somerset Borough Council

RESOLUTION NO. 2022-06

A Resolution of the Borough of Somerset, Commonwealth of Pennsylvania, authorizing the submission of an application to the Pennsylvania Department of Community and Economic Development for funding through the Community Development Block Grant (CDBG) Program, as authorized under the Housing and Community Development Act (42 USC 5301 and 24 CFR Part 570), and further certifying compliance with the requirements of said program.

WHEREAS, it is necessary and in the public interest that Borough of Somerset, Pennsylvania, receive funds from the Commonwealth through the Department of Community and Economic Development in accordance with the Community Development Block Grant Program; and

WHEREAS, the Borough of Somerset has the legal authority and responsibility under Act 179 to apply for Community Development Block Grant funds; and

WHEREAS, Borough of Somerset have undertaken a considerable citizen participation process including written invitations to municipalities, informational meetings, hearings and legal notices all of which culminated in the prioritization of projects and development of a Community Development Plan; and

WHEREAS, Borough of Somerset are familiar with the requirements of the program as provided for in the Housing and Community Development Act (HCDA) and the Community Development Block Grant regulations; and

WHEREAS, Borough of Somerset wishes to apply for said funds.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Somerset that the President is authorized to have prepared the necessary forms and documents to submit an application to the Department of Community and Economic Development for Community Development Block Grant funds for the purposes aforesaid; and

BE IT FURTHER RESOLVED, if CDGB funds are determined by the Pennsylvania Department of Community and Economic Development to be expended on ineligible program costs or do not meet a national objective, Borough of Somerset agrees to repay the proportion deemed ineligible from non-federal sources.

BE IT FURTHER RESOLVED that the Community Development Plan was developed in coordination with low and moderate individuals, interested organizations, non-profits and other interested parties through the citizen participation process and municipal information gathering is hereby adopted; and

BE IT FURTHER RESOLVED that the President of the Borough of Somerset is empowered to place his/her signature, on behalf of the governing body, on necessary application forms and affix thereto the official seal of Borough of Somerset.

Adopted by Borough of Somerset at the regular meeting on August 22, 2022 .

c) *2022 CDBG Application – Authorize execution of the General Application Certification forms for our 2022 CDBG Funding.*

Ms. Enos disclosed that this is the same funding, but two different actions. One is a Resolution, and the other one is the execution of the General Application Certification forms which is executed by President Ream and herself. She added that they are asking for approval and authorization of the execution of the Application.

Motion

Mrs. Miller moved; Mrs. Opp seconded to authorize execution of the General Application Certification forms for our 2022 CDBG Funding.

Motion Unanimously Carried

d) *Collective Bargaining – Schedule an upcoming Executive Session to discuss police collective bargaining.*

Ms. Enos said that this should be done in the early part of September, if possible. The date of Wednesday August 31st, 2022 at 5:00 p.m. was agreed upon.

e) *Resolution No. 2022-07– Authorize to apply for the multi-modal grant through DCED and authorize the Manager and Council President to sign all documents necessary to apply. This will include a waiver of the local match required.*

Ms. Enos reminded Council that at last month’s Meeting it was mentioned that the Borough qualified to use CDBG funding as the local match for the 100 Block of N. Center Avenue. The Engineers made application on the Borough’s behalf and received a response back that said Municipalities can apply for a waiver of the local match altogether. She said in order to do this, there has to be a re-do of the Resolution, which is the 2022-07. It will include that Council is electing a waiver of the local match. A Commitment Letter will also be included. Ms. Enos added that there would be zero local match and zero CDBG funds used if received.

Mr. Bolby added that it is still a request, and the Borough may be asked to “pitch in”.

Ms. Enos reiterated that it takes a Resolution to be adopted plus the certification that goes with that.

Motion

Mrs. Opp moved; Mr. Mandichak seconded to authorize the application for the multi-modal grant through DCED and authorize the Manager and Council President to sign all documents necessary to apply. This will include a waiver of the local match required.

Motion Unanimously Carried

THE BOROUGH OF SOMERSET, SOMERSET COUNTY, PENNSYLVANIA

RESOLUTION NO. 2022-07

A RESOLUTION OF SOMERSET BOROUGH TO APPLY FOR A MULTIMODAL TRANSPORTATION FUND GRANT THROUGH THE PENNSYLVANIA DCED AS WELL AS AUTHORIZING THE BOROUGH MANAGER AND COUNCIL PRESIDENT AS OFFICIALS TO SIGN ALL DOCUMENTS NECESSARY TO APPLY FOR THE AFOREMENTIONED GRANT.

Be it RESOLVED, that Somerset Borough of Somerset County hereby requests a Multimodal Transportation Fund Grant through the PA DCED in the amount of \$426,280.00 to be used for the North Center Avenue Sidewalk Project in the Borough of Somerset.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Michele Enos, Borough Manager or Pamela Ream, Council President as the official(s) to execute all documents and agreements between the Borough of Somerset and the PA DCED to facilitate and assist in obtaining the requested grant.

I, Michele Enos, duly qualified Secretary of the Borough of Somerset (Name of Applicant), Somerset County, (Name of County), Pennsylvania, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Borough of Somerset Council (Governing Body) at a regular meeting held August 22, 2022 and said Resolution has been recorded in the Minutes of the Borough of Somerset Council (Applicant) and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Borough of Somerset (Applicant), this ____ day of _____, 2022.

ADOPTED: August 22, 2022

Committee Business/Reports:

j) Manager's Report – Given by Michele Enos.

Ms. Enos mentioned that all the Department Reports were sent out to Council and if there were any questions, she would be happy to answer them.

k) Finance Report – Given by Brett Peters.

Mr. Peters provided Borough Council with the Year-to-Date Financial Report through the month of July 2022. He mentioned that we are 7/12th's of the way through the year or 58.33%.

General Fund:

Revenues – 79.76%

Expenses – 61.94%

Water Fund:

Revenues – 54.40%

Expenses – 58.97%

Sewer Fund:

Revenues – 57.48%

Expenses – 46.11%

Mr. Peters added that if Council had any questions, he would be glad to address them.

l) President's Report – Given by Pam Ream.

Mrs. Ream expressed that Somerset's "Night Out" was a success, and pointed out the nice interaction between the Officers and the Public. She added that the attendance was also good.

Mrs. Ream also mentioned that the Firemen's Convention was still successful in spite of the inclement weather.

She also thanked Mayor Rosemeyer, Chief Cox and Ms. Enos for the Police Ceremony to honor the Borough's Police Officers before the Council Meeting.

m) Somerset Inc. Report – Given by Lee Hoffman.

Mr. Hoffman mentioned that "Chalk the Block" went smoothly last month.

He also mentioned that planning for "Fire & Ice" will begin at the end of the month.

Mr. Hoffman said that progress at the Brinker Building continues, and is fully gutted. Construction will begin. New stairs will be added so that it is properly laid out to be ADA compliant. There will also be a central restroom.

He said that there were a few bids received for demolition and salvage efforts of the Jacobs Building across from Cascio's.

n) PSAB Report – Given by Fred Rosemeyer.

Mayor Rosemeyer said that he had nothing new to report.

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

Mr. Clark said that the Firemen's Convention was nice in spite of the weather. It was supported by the Community. He thanked Ms. Enos, Mr. Bailey, Chief Cox, the Police

Department and Borough Council, and added that it was an effort that could not have been done without their support.

Mr. Clark mentioned that the Fire Department also participated in the “Night Out” and “Chalk the Block” events with a truck display which he felt were successful events.

Mr. Clark said that the Fire Department had 38 alarms from 7/25/22 – 8/22/22. A lot of the calls were storm related. One day, when heavy rain and lightning strikes were bad, the Fire Department had a very close call where “one of their own” had a lightning bolt strike right beside him, which sent shock through his body, as he was checking a downed tree.

The Fire Department had 22 alarms in the Borough, 3 assists, 1 cancelled alarm, 2 on the PA Turnpike and 10 in Somerset Township.

Mr. Clark expressed that the working relationship that the Fire Department has with the Borough and its employees is magnificent, and he said “thank you very much” on behalf of the Fire Department.

p) Engineer’s Report – Given by Jake Bolby.

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

WATER:

1) Water System Capital Improvement Projects:

Mr. Bolby disclosed that we are moving forward with the Water Project and the Authority is set to settle on the PennVEST loan September 13th, 2022. The documents are all coming together. Construction will not take place until the fall or in the next year.

SEWER:

1) Assessment, Repair, and Abatement Plan (Hydraulic Overload):

Mr. Bolby pointed out that at the last Joint Meeting, discussions were held regarding sewer laterals. He said that he collected the thoughts of both the Council & Authority regarding their views about the particulars related to when sewer laterals would be tested.

It was noted that new construction is subject to UCC, so as part of the building permit and code process, they are subject to a test whenever a new structure is being built.

There were some points and ideas brought up suggesting to do testing at a certain interval or with a building permit. Some ideas included a recommendation or semantics between two things.

Mr. Bolby formulated what testing events might include. They are:

- 1. New Construction**
- 2. Re-construction After Demolition**

3. If a Plumbing Permit was issued

Mr. Bolby said that this would include larger buildings that are commercial or industrial. They can apply for a building permit, that is plumbing specific, that might be disturbing the sewer lateral.

4. Renovation

As far as renovation, to what level of a renovation or addition would a sewer lateral test be required?

5. Additions

If private sewer laterals were being replaced anyway by the property owner due to damage or collapse, that would be a good time to test the sewer lateral. This would be at the property owner's expense.

Mr. Bolby said that after talking about these things with the Authority, the consensus was that they continue on with new construction.

The Authority was also strongly considering testing at the transfer of property, and not to have any other building permit event, or other type of activity being conducted by the property owner, other than new construction or replacement of the sewer lateral. There were no decisions made, but this was the way they would like to continue the discussion.

Mr. Bolby stated that the meeting concluded with the Authority wanting to know more, and tap resources, to figure out what the issues were and what could be done to better implement a program.

q) Mayor's Report – Given by Mayor Rosemeyer.

Mayor Rosemeyer said that he wanted to thank Ms. Enos, Mr. Bailey and Chief Cox for their help with the Police Ceremony.

He mentioned that he was reading information regarding how the Fire Department, Police Department and Public Works Department truly effect our Home Insurance Policies, which he was unaware of. They affect the ISO ratings. He added that he was thankful for what we have in the Borough.

Solicitor Cascio stated that he recommends the Council consider passing a Motion authorizing or ratifying the delay of the start time of this meeting from 5:00 p.m. to 6:00 p.m. to comply with the Sunshine Law.

Motion

Mrs. Opp moved; Mr. Mandichak seconded to move the Borough Council Meeting from 5:00 p.m. to a 6:00 p.m. start time.

Motion Unanimously Carried

10. Executive Session – None requested.

Ms. Enos mentioned to Council about holding a Joint Meeting on September 19th, 2022 with the Municipal Authority Board. No decision was made, and Ms. Enos said she would contact Council regarding a date at a further time.

Mr. Peters added that due to budget purposes, and the upcoming holidays, he asked Council about changing meeting dates for both November & December's Meetings. Council agreed upon changing meeting dates to Monday November 21st, 2022 and December 19th, 2022.

11. ADJOURNMENT

Motion

Mrs. Opp moved to adjourn; motion seconded by Mrs. Miller.

Motion Unanimously Carried
6:36 p.m.

Michele A. Enos, Borough Manager/ Secretary