

# Borough of Somerset Council Meeting

## April 22<sup>nd</sup>, 2024 - 5:00 p.m.

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

2. **Pledge of Allegiance**

3. **Roll Call:**

a) **Borough Council Members present:** Pam Ream, Ruby Miller (via telephone), 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; Municipal Authority Manager, Jessica Sizemore; Solicitor, James Cascio; Consulting Engineers, Tom Reilly & Jake Bolby.

d) **Public Attendance:** Susan Senft, Janice Forry, Molly Metzgar and Melanie Heiple.

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

### **Motion**

Mr. Shaulis moved, Mrs. Opp seconded, to approve the April 22<sup>nd</sup>, 2024 Borough Council Meeting Agenda.

Motion Unanimously Carried

5. **Announcements:**

a) **Spring Clean Up** – The date is set for Monday, June 3<sup>rd</sup>-5<sup>th</sup>, 2024.

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

a) **March 25<sup>th</sup>, 2024** – Borough Council Meeting Minutes.

### **Motion**

Mrs. Opp moved, Mrs. Miller seconded, to approve the March 25<sup>th</sup>, 2024 Borough Council Meeting Minutes.

Motion Unanimously Carried

## **7. Award of Bids:**

a) None

## **8. General Public Comments:**

a) Melanie Heiple – *To discuss the updates concerning the Union Street Playground.*

Ms. Heiple said that Career Link was contacted about the Union Street Playground. She said they would hire, be in charge of, and pay the salaries of employees for the playground. Career Link noted that they would need a Site Director, which Ms. Heiple expressed hopes that it would be someone from the Borough.

Ms. Heiple said she also contacted Bridget Mayak and the Art Director at the High School. She said that she would like them to paint the buildings at the playground. She said the Lion's agreed their building could be painted as long as the art work was approved by them. She expressed that she was hoping this would also help with donations.

Ms. Heiple asked about the status of the playground's pool.

Ms. Enos responded by saying that the Borough's crew will be the ones to fix the pool as long as Council approves of the costs involved. She said that the work would take approximately 2 months. The Borough is presently getting prices for materials, after which, Council will be notified of the costs before they approve for the work to move forward.

Ms. Heiple said that they would like to open programs for the playground on June 17<sup>th</sup>. She explained that the Director of the playground will have a themed program every week. A Program Schedule would be put on-line where it can be viewed.

Ms. Heiple asked if the Lions Club had cameras at the playground for safety.

Bill Snyder said that they were in, but not installed yet because of the weather. He said the cameras will be focused on their building because of the issues they have had in the past.

Ms. Enos said that she would want to consult with the Borough's legal counsel as far as cameras in the playground for protection of the children who are going to be there. She said that there are privacy issues that the Borough would have to deal with from a legal perspective.

Ms. Heiple said that they would also like to have motion lights to help prevent vandalism. They are looking for donations for this also.

Ms. Heiple said they were also looking at other areas of the playground that need freshened up. She asked if the Borough takes care of the playgrounds restrooms.

Ms. Enos responded by saying that the Borough takes care of cleaning and stocking the bathrooms in the summer. They are opened in the morning and locked in the afternoon during the summer. Locking them is necessary because of past issues with vandalism.

Ms. Enos added that Borough employees also take care of the mowing, the trimming and garbage collection at the playground all summer long. A company is used by the Borough to keep the playground equipment safe. It is done for insurance purposes and safety purposes, and has to come from a certified company who insures that.

Ms. Heiple asked if the Police patrol the playground regularly.

Mrs. Ream said that the Police Department is in a crisis with Police Officers, so she cannot guarantee that they will be there all the time. She added that if there are problems at the playground, 911 would have to be called. She said that as Officers are their leaving the Police Station, they always look over at the playground.

Ms. Heiple noted that they are considering holding a Memorial Day Parade where flyers will be handed out with information about playground donations.

Ms. Heiple mentioned some games and things that are being planned for the playground.

Mrs. Ream asked Ms. Heiple to draw up a list of plans they have for the playground, along with the expenses that would be incurred, so Council would know what funding amount is being asked of them. She added that Borough Council cannot do anything to help unless they have a cost amount.

Mrs. Ream also mentioned that Somerset Area High School contacted her to let her know they will be making a monetary donation for playground balls and such.

Ms. Heiple also noted that they signed all the paperwork for the playgrounds donated monies to go to the Community Foundation of the Alleghenies so the Foundation can handle all the money.

Storage of the playground's equipment was also discussed.

Mrs. Ream also noted that since the Borough has line painting equipment, she volunteered the Borough Crew to do the line painting at the playground where it needs done.

It was also mentioned that there will be a clean-up day at the playground by different groups that want to get involved.

## **9. Administrative Business:**

a) Communications – (none)

b) Payment of Bills – Month of April 2024.

**Motion:**

Mr. Mandichak moved, Mrs. Opp seconded, to approve the payment of bills for the month of April 2024 numbered 41454 – 41587 totaling \$1,797,314.89.

Motion Unanimously Carried

- c) *Department Reports – Consider approving the Departmental Reports for the month of March 2024.*

**Motion**

Mrs. Opp moved, Mr. Hoffman seconded, to approve the Departmental Reports for the month of March 2024.

Motion Unanimously Carried

**10. Policy Agenda:**

**Old Business:**

- a) *Somerset Vol. Fire Department – Update from Manager.*

Ms. Enos noted there is a two-part Resolution that is required for the Fire Department's billing. The one was finished. The Assistant to the Solicitor is helping with the second one. It will be ready shortly.

**New Business:**

- a) *Municipal Authority Board – Consider authorizing Terry Jerin to fill a current vacancy on our Municipal Authority Board. (This is a 5-year term)*

Ms. Enos said that Mrs. Sizemore sent out Letters of Interest for the vacancy on the Municipal Authority Board. She received interest, and it is her recommendation to Council to appointment Terry Jerin.

**Motion**

Mrs. Miller moved, Mr. Mandichak seconded, to appoint Terry Jerin to the Municipal Authority Board.

Motion Unanimously Carried

- b) *PSAB Junior Council Person Program – Consider appointing Robert Grega to serve as Junior Council Person for the 2024 to 2025 School Year. (Recommendation from Mayor Rosemeyer)*

**Motion**

Mrs. Opp moved, Mr. Mandichak seconded, to appoint Robert Grega to serve as Junior Council Person for the 2024 to 2025 School Year.

Motion Unanimously Carried

Mayor Rosemeyer mentioned that the Junior Council Person is selected to this position by his school, and Borough Council, to serve on the Borough Council Board as one of its Members.

*Robert Grega accepted his position as a Borough Council Board Member by reading the Junior Council Person Pledge out loud before Borough Council.*

Mr. Grega was congratulated, and welcomed, by all Borough Council Members.

**11. Executive Session – Personnel matters and potential litigation – President Ream.**

**Motion**

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

Motion Unanimously Carried  
5:29 p.m.

**Back in Session**

5:44 p.m.

***c) Full-time Civil Service Positions – Discussion concerning declaring vacancies within our Police Department.***

Mrs. Ream said the Police Committee has been meeting to discuss declaring vacancies within our Police Department. Mrs. Ream noted that she would like to propose that Council make a motion to open up 5 full-time Civil Service positions for full-time Borough Police Officers.

**Motion**

Mr. Shaulis moved, Mrs. Opp seconded, to open up 5 full-time Civil Service positions for Borough Police Officers.

Motion Unanimously Carried

Ms. Enos mentioned that she would send Council Members information regarding the process the Borough has to follow for Civil Service. This is why the process takes typical 2-3 months or maybe even longer. First, Council declares a vacancy. Then Council requests that

the Civil Service Commission provide a list of eligibles. The Civil Service Commission will then advise with the list of eligibles.

The information will be sent to the Police, the Sergeants, full Council and the Mayor so they have an idea of the timeframe and what has to be done. The Civil Service Commission will be part of that process, which is a 3-member volunteer Board.

*d) Chief of Police – Discussion concerning the position of Chief of Police and its duties.*

Mrs. Ream said that a Committee met to discuss what the plans looked like for moving forward with the Chief of Police.

She asked for a motion to appoint Richard Appel as the acting Police Chief for Somerset Borough.

**Motion**

Mr. Shaulis moved, Mrs. Opp seconded, to appoint Richard Appel as the acting Police Chief for Somerset Borough.

Motion Unanimously Carried

Mrs. Ream said that the Chief is endorsing, as well as other people in the Community. She added that the most important opinion was from Steve Borosky because he represents some of those in the Borough that understand who Richard Appel is and what he can do for us. She said that Council really appreciated it a lot.

*All Council Members broke out in applause.*

*Richard Appel was formally “Sworn In” for the position of Acting Chief of Police of the Borough of Somerset by Mayor Rosemeyer.*

Chief Appel thanked Borough Council Members and the Community for what they do for him and his family.

Mrs. Ream asked Council Members for a motion to authorize the development of a Memorandum of Understanding for Richard Appel as the acting Police Chief.

**Motion**

Mr. Hoffman moved, Mr. Mandichak seconded, to authorize the development of a Memorandum of Understanding for Richard Appel as the acting Police Chief.

Motion Unanimously Carried

e) Derek Horrall – Remove from the roster of part-time Police Officers.

Mrs. Ream asked Council Members for a motion to remove Derek Horrall from the roster of part-time Police Officers.

**Motion**

Mrs. Opp moved, Mr. Shaulis seconded, to authorize the removal of Derek Horrall from the roster of part-time Police Officers.

Motion Unanimously Carried

Ms. Enos noted that Sergeant-at-Arms is an annual designation. The person appointed sits at Council Meetings in Police form. Borough Council appoints this designation.

Mrs. Ream asked Council Members for a motion to appoint Richard Appel as the Sergeant-at-Arms.

**Motion**

Mr. Shaulis moved, Mrs. Opp seconded, to authorize Richard Appel as Sergeant-at-Arms.

Motion Unanimously Carried

**Committee Business/Reports:**

a) Borough Manager's Report – Given by Michele Enos.

Ms. Enos congratulated Richard Appel and thanked him for accepting the position of Chief of Police.

She also announced that Spring Clean-Up is advertised for June 3-5, 2024. What is accepted and not acceptable is posted on the Borough's website and Facebook page.

Ms. Enos said that complaints came in about speeders on the 200 block of East Church Street. Mr. Bailey had a surveillance company named L-Tap come into the Borough to do traffic surveillance and speed checks in that area. Afterwards, they issued a final report so that Council could see what the "theme" was in that block.

Mr. Bailey said that he received L-Tap's final report. That area was surveyed from April 12, 2024 – April 19, 2024. He said that out of the 7,619 vehicles clocked, there would have been 3 enforceable violations. The top violation was 42 mph on that block. The average speed on that block of all the vehicles was 20 mph.

Chief Appel said that he appreciates Mr. Bailey taking care of this issue because the Police Department didn't have the man power, or resources, to dedicate a week's long, 24/7

surveillance of this area to clock over 7,000 vehicles. He added that it doesn't appear to be deemed a significant problem according to the results of the report.

Mrs. Ream added that at 6:00 a.m. cars "fly" down this street to beat the traffic light.

*b) Finance Report – Given by Brett Peters.*

Mr. Peters provided Council with the Financial Report through March 2024. We are 3/12<sup>th</sup>s or 25% of the way through the year.

**General Fund:**

Revenues – 12.62%

Expenses – 25.1%

**Water Fund:**

Revenues – 30.39%

Expenses – 32.09%

**Sewer Fund:**

Revenues – 23.78%

Expenses – 24.65%

*c) Municipal Authority Manager's Report – Given by Jess Sizemore.*

Mrs. Sizemore said that the May 20<sup>th</sup>, 2024 meeting will be a Joint Meeting.

The inside Lead & Copper Inventorying is at 1,300 out of 2,836.

Prior to the June 24<sup>th</sup>, 2024 Borough Council Meeting, the Consultant who is helping with the LCRR accelerator program will have a Customer Informational Meeting. Information regarding the Lead & Copper Program, and what will follow until the due date in October 2024, will be provided.

Mrs. Sizemore said that she and Ms. Enos will be sending out postcards asking customers to update their account. It also mentions a letter that can be reviewed on the Borough website or picked up in the office. The letter notes where we are at, what is to come and a few other items.

*d) President's Report – Given by Pam Ream.*

Mrs. Ream said that Somerset Hospital has an issue with the crosswalk between the Wheeler Building and the hospital. Mrs. Sizemore said that she would check into this area.

As regards the Union Street Playground, Mrs. Ream said that she has compiled a list of things she is going to request be provided to her from those that are making plans for the playground. The information provided will then be shared with Borough Council so they can be involved with the decision making progress, because the Union Street Playground is still owned by the Borough. Additional organizations are also planning to offer their help with activities at the playground.

Solicitor Cascio pointed out that they have been researching this carefully, and some of the presumptions is that the Borough is legally immune from responsibility. He said that the

Borough is not. Sovereign immunity does not apply. He added that there will have to be a frank discussion about insurance, activities and things of this nature.

Mrs. Ream said that any planned activities would go to the Site Director. Career Link would be covering Worker's Comp. on the individuals they would hire. They would also pay their wages and make sure they would have their appropriate Clearances.

Ms., Enos added that once a final list is received, we need to be on-record, in writing, as to the responsibilities.

Mrs. Ream said that she would like to see things happen at the playground, but it needs to be done in the correct fashion.

*Discussion continued amongst Council Members regarding the playground. Also discussed was the Borough's responsibilities, the hire of playground employees, insurance, safety, playground equipment, signage in the playground, the wading pool, liabilities, and yearly sustainability with the playground.*

All Council Members agreed that the playground will not move forward with plans until Council Members are provided with the requested list from those actively making plans for the playground.

*e) Somerset Inc. Report – Given by Lee Hoffman.*

Mr. Hoffman mentioned that he expressed gratitude at the Municipal Authority Meeting surrounding the Brinker Building and the work that was done in collaboration with the Water & Sewer Projects. He said it would have been a very big lift for them to do outside of that. He expressed that it was a true collaboration and really worked out well.

Mr. Hoffman said that the "Earth Day Trail" event was held on April 20<sup>th</sup>, 2024, and was successful, with a lot of families "out and about."

He mentioned that "Chalk the Block" was right around the corner.

Also, on May 3<sup>rd</sup>, 2024, representatives from the Department of Community & Economic Development will be in town for a Press Release & Press Conference, then they will tour around some of the new businesses. He mentioned that all of the Council Members personal invitation from the State to join in this event is forthcoming.

Lastly, Mr. Hoffman said that the Farmer's Market will be starting back up June 1<sup>st</sup>, 2024 lasting all summer long. He mentioned that there are some different plans for developing the lot where the Market will be with different landscaping and fencing, but still making it conducive to merchants, vendors and whomever else may use the area.

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

Mayor Rosemeyer noted that the PSAB Conference is being held June 2<sup>nd</sup>– 5<sup>th</sup>, 2024 in Hershey, PA. He mentioned that Chief Clark will also be attending.

Mayor Rosemeyer said that the Somerset County Boroughs Association Meeting was recently held. There were 52 people in attendance. 14 individual Boroughs were present. Carl Metzger, 3 County Commissions and the Senator were also in attendance.

The theme was “What Resources Are Available for Borough Emergencies?” Joel Landis gave an excellent presentation on what is available, county-wide, for all the Boroughs. Another of the two excellent guest speakers was Sergeant Appel. He presented a fire video, and it went very, very well.

Chief Appel said that he was glad to be invited to the Meeting, and that it was one of the greatest experiences that he had in most recent times. He expressed that it was a great meeting, with great courageous people that want to fund public safety and are interested in what is all available in response to emergency. He added that a courageous effort was put forth in creating the presentation, and that he was quickly supported by the Borough’s Fire Department, EMS and all others involved in the effort to create it.

Lastly, Mayor Rosemeyer noted that EADS was the host who covered all the meals for Borough Council Members. He thanked them, and said that it was appreciated.

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

Mr. Clark said the report covers March 25, 2024 – April 22, 2024. There were 34 total alarms, with 18 of them in the Township, 14 in the Borough and 2 other calls.

The Fire Department will be participating in “Touch-a-Truck” at the Maple Ridge School on May 4<sup>th</sup>, 2024.

Mr. Clark noted that three firefighters just completed their Essentials of Firefighting, Hazmat Operations and Structural Burns, so there are now three more firefighters on board at the Fire Department.

Also, Mine Rescue Training has been completed, along with a tour, at New Enterprise’s mine. He noted that the Fire Department assists them.

Mr. Clark added that training is presently being done now.

The Fire Department will be participating in a carnival at Maple Ridge School in May 2024.

Mr. Clark also congratulated Richard Appel as the new Acting Chief of Police and said that it will be a pleasure working with him.

Ms. Enos noted that the Borough will also be participating in “Touch-a-Truck”, as well, and mentioned that Mrs. Sizemore set it up for the Boroughs crew to participate. They will be taking equipment to the school, as well.

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

***Mr. Bolby presented the Updates to the Engineer’s Report.***

**WATER:**

**1) Water System Capital Improvement Projects:**

Mr. Bolby said that the start of the season is in full swing. All three contractors who were active in town are back in the area. Construction is throughout, focusing a lot on restoration. The Waterline Contractor is on East Main Street currently installing waterline.

He mentioned that if there is anything of concern, it can be reported back to Mr. Bailey.

Mr. Bolby mentioned that there are two contractors at the Water Treatment Plants. They are making good progress now that the weather has broken.

**SEWER:**

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

Mr. Bolby said that they are moving the design, permits and documents along, so that is continuing to follow the schedule.

*i) Mayor's Report – Given by Mayor Rosemeyer.*

Mayor Rosemeyer had nothing further to report.

**12. ADJOURNMENT**

**Motion**

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

Motion Unanimously Carried

6:38 p.m.

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Michele A. Enos, Borough Manager/ Secretary