

**Rockwood Borough Council**  
**September 17, 2019**

The meeting of the Rockwood Borough Council was held on September 17, 2019 at 7:00 pm. Members present were Amy Jo Stout, Larry Mazer, Nancy Sleasman and Dennis Weimer. Also present was Maintenance Supervisor Carl Jones, Solicitor Bill Carroll and Mayor Melissa Cramer. Sarah Sleasman was present via Skype. Jill Shultz was absent.

The motion was made by Larry Mazer to approve the August 20, 2019 meeting minutes as presented with no corrections. Nancy Sleasman seconded the motion and the motion carried.

**Visitor Comments:**

Jesse Edminster, who lives at 529 Market Street, was present to express his concern about the intersection by his house. It is becoming a very big issue with people coming up the hill speeding and not stopping at the stop signs either way. President Amy Jo Stout asked Mr. Edminster to give us some time to look into the situation to see what we can do to remedy the problem and go from there.

**Old Business:**

- A.** Kevin Yoder with Appalachian Engineering Group reviewed his items:
- 1) In regards to the NPDES permit, Kevin contacted Representative Carl Metzgar about making calls on behalf of the Borough Council to see what was happening with the permit. Mr. Metzgar did make calls to the head of DEP in the Pittsburgh office and they are moving that to the top of the pile to get that issued at his request. Kevin spoke with him late last week and Mr. Metzgar expressed frustration about that at the Pittsburgh level. Mr. Metzgar will be in Harrisburg shortly and he is going to hand deliver our concerns to the secretary of DEP.
  - 2) The line painting on Broadway was done on August 26<sup>th</sup>. Kevin is anticipating setting the center line spikes on September 20<sup>th</sup>.
  - 3) The PA Small Water Grant Project grant program reopens for the 2020 cycle in November 1, 2019 and closes at the end of February 2020. Kevin spoke to some of the suppliers for the telemetry that we had talked to previously to get updated costs. They are working on those so that we can get that submitted in the early part of November so we are ahead of the curve on the grant process.
  - 4) Kevin believes that the Street Scape Grant is coming up at the end of October but he will confirm that with Steve Spochart. That is the PA Department of Transportation Multimodal Grant. If we apply for the grant under the Borough, there is a zero percent match. If we would be awarded funds, we would enter into an agreement with the Redevelopment Authority to manage the funding for us and provide the inspections.
  - 5) The FEMA flood control grant for the conduit replacement has been submitted and we should hear something on that grant application in the October 1-15 range. It is Kevin's understanding that they are meeting sometime in September to make that decision.
  - 6) Kevin spoke with Steve Spochart on several occasions regarding a storm water grant or something along those lines for the Amfire drain issue. It is still on Steve's radar to try to come up with something that we would possibly use towards that. It is possible that they will go straight to the County Commissioners and get some of their discretionary funds to use because that type of project is very hard. There is very few storm water only grant applications. Steve thought that possibly we could go to FEMA and utilize the FEMA flood mitigation project because we have already demonstrated that we have had damage to resident's houses, the railroad crossing washed out, we have had shoulders wash out. It is becoming a habitual problem and talking with Steve, it just makes a little more sense now that we can document a pattern of damage. That is something that we may want to take a look at on the next cycle. That grant application is due at the end of May. Depending on what we find out with the conduit, we would have to make a decision as to, do we want to resubmit for the conduit or try to take care of the Amfire drain.
- B.** Council reviewed the police report for August.
- 1) The Mayor had nothing new to report on code enforcement, abandoned properties or dangerous structures.
  - 2) Officer Loiodici is to get an estimate for a gun safe to be used to store any guns that may be turned over to the police department.
  - 3) The computer updates for the police department have been completed. The Mayor gave the flash drive that Officer Loiodici gave her to Nancy Sleasman.

- C. Carl reviewed his maintenance report for the month.
- 1) Carl needs confirmation from Officer Loiodici that the Grega property at 742 Main Street was cited before he can board up the property.
  - 2) Carl is going to do the employee's six month reviews on Monday, September 23<sup>rd</sup>.
- D. Solicitor Bill Carroll discussed his items:
- 1) There was nothing new to report regarding the Capital Tax Audit.
  - 2) There was nothing new to report regarding the Milford Township Municipal Authority.
  - 3) The motion was made by Nancy Sleasman to adopt the Ordinance of the Borough of Rockwood which regulates the use and possession of fireworks and authorize the Council Officers and Mayor to sign it. Denny Weimer seconded the motion and the motion carried.
  - 4) At the August 20, 2019 meeting, Rockwood Borough Council received a petition from the Rockwood Community Bible Church, Craig Breegle Pastor, to vacate a portion of a street named Penn Alley with Hay Street on one end and White Oak Street on the other end. Council acknowledged that petition and directed the Solicitor to go ahead and do all of the paperwork with the understanding that the Church signed a conflict of interest waiver and that they will pay for Carroll Laws services in doing that, which they did. **Council President Amy Jo Stout turned the meeting over to Solicitor William Carroll at 8:00 pm** to conduct a public hearing on the petition of the Rockwood Community Bible Church to vacate a portion of Penn Alley as it exists between Hay Street and White Oak Street. Based upon that petition, a proof of publication was made and the advertisement was made in a timely fashion in the Somerset Daily American. The statute also requires that the people who are affected by the street vacation be given personal notice. The statute defines personal notice as certified mail, return receipt requested. Solicitor Carroll has to present for the Borough records the affidavit of service whereby William Carroll certifies that he provided notice to the effected people, being Matthew and Amanda Harbaugh, and Timothy and Edward DeVore in care of Shirley DeVore. Those being the other people in that block other than the Church. All of those people received a notice, being a copy of the petition and a cover letter from William Carroll explaining the whole process whereby there would be a public hearing at this time and place. The affidavit of service does indeed have the original green mailed certified card showing everybody was served. At this time and place on September 17th, no one has appeared to oppose the petition and indeed throughout the course of this advertised meeting which began at 7:00 pm there have been no other persons here to voice any interest whatsoever to the petition. Therefore Solicitor Carroll offers the advice to Council that based upon the unopposed petition of the Rockwood Community Bible Church that Council adopts the Ordinance as was proposed and advertised that vacates a certain portion of Penn Alley extending between Hay Street on one end and White Oak Street on the other end and to authorize the Officers to execute that Ordinance. The motion was made by Denny Weimer to adopt the Ordinance. Larry Mazer seconded the motion and the motion carried.
  - 5) There was discussion regarding the property at 431 Main Street. The issue is that someone seems to be ready, willing and able to get some work done to fix the problem but PennDOT is saying that you need a permit and their regulations state that only a municipality can get a permit. Looking at it as a means to protect the Borough, Bill drafted a consent and release form for the Borough. If PennDOT claims that they cannot give a permit to anyone other than the Municipality, this document is a request from the property owner requesting that the Borough apply for the permit stating the property owner acknowledges that they have to pay for all of the permitting, along with that this is done as a service to them and is not an obligation to the Borough. All costs must be paid by the property owner and they must follow all Borough ordinances and regulations along with PennDOT's ordinances and regulations. The motion was made by Denny Weimer to adopt the policy whereby anybody who is requesting the Borough to obtain a PennDOT permit for utilities for them must sign the Consent and Release and pay all fees upfront. Nancy Sleasman seconded the motion and the motion carried. Larry Mazer then made the motion that the fee for submitting the Consent and Release for a PennDOT permit to be at a cost of \$75.00. Denny Weimer seconded the motion and the motion carried.

**The meeting was then turned back over to President Amy Jo Stout at 8:30 pm.**

- E. The job description for the janitor still needs to be done.
- F. There are no updates at this time on George and Bob's Computers. The last Sarah Sleasman has heard from them, they were to be taking care of the updates. Sarah will contact them to see what the status is with completing setting up Council email addresses and the Borough's website. She will also check on the status of the Jill's battery backup.

**New Business:**

- A. The ElDorado software for the water/sewer billing is no longer compatible with Windows 10 that we are now using. Jill talked to tech support at ElDorado earlier today and they suggested we upgrade to Version 10 which would include the upgrade, installation and training. The total cost would be \$1765. The motion was made by Larry Mazer to upgrade to ElDorado 10. Denny Weimer seconded the motion and the motion carried.
- B. Kevin Yoder submitted via email an increase on his retainer for next year from \$490 to \$505 per month. This will need to be factored into the budget for next year.
- C. Jill received a check from the County of Somerset for \$480.12 for one year of broadband service for the police department. This is to cover the bill(s) that Jill received and will receive from Verizon that is \$40 per month. Nancy Sleasman said that Jill could go ahead and deposit the check to cover the bills.
- D. A written request was received from Larry and Joy Wright on August 27th. They would like to have a handicapped parking sign installed at 800 Broadway Apartment A, beside the steps entering their apartment facing apartment C & D. Solicitor Carroll will look into it and will get back to us at the next Council meeting.

**Veteran's Memorial & Community Park:**

- A. Larry Mazer gave an update on the park developments:
  - 1) There will be a pork dinner on September 22<sup>nd</sup> at the Kingwood Church of God Fellowship Center. This will be a free will offering.
  - 2) There have been approximately 250 bricks sold to date.
  - 3) Over \$60,000 has been raised so far.

**Public Comments: NONE**

**Committee Reports:**

**Water/Sewer/Flood:** Denny Weimer was contacted by JR Enos regarding his two lots that he wants to sell in Milford Township across from the development. Mr. Enos understands that Milford Township is the hold up on the issue. He has offered to write into the contract of the sale the flow meter coming out for the sewage for each one of the lots that he sells so he can prove to the Borough that he is not contributing to the problem that the development has. Solicitor Carroll stated that we as a Council are not to deal with the individual, especially when you are dealing with the Milford Township Municipal Authority.

**Finance:** The motion was made by Larry Mazer to transfer \$75,000 from the general checking account to the general savings account, \$50,000 from the water checking account to the water savings account and \$50,000 from the sewer checking account to the sewer savings account. Denny Weimer seconded the motion and the motion carried.

The motion was made by Denny Weimer to pay the bills. Nancy Sleasman seconded the motion and the motion carried.

**Police:** NONE

**Streets/Alleys/Property:** Through the Redevelopment Authority, there are two municipal requests in for grants. One for the project on West Broadway Extension and one for White Oak Street. Steve Spochart is preparing a letter which will be sent out from the Redevelopment Authority to the property owners requesting information of income levels. We will have the letter sent out and include a time frame when we will be out going door to door to get the survey filled out.

**Building Committee:** NONE

**Personnel:** NONE

**Community Development:** The Ladies Auxiliary is going to provide the refreshments for Light Up Night. The Rockwood Festival of Lights will be on December 7<sup>th</sup> from 6:00-8:00 pm.

**Council adjourned into an executive session at 9:18 for personnel reasons. Council resumed regular council meeting at 10:08 pm.**

Denny Weimer made the motion to adjourn the meeting. Nancy Sleasman seconded the motion, all were in favor, the motion carried and the September 17, 2019 meeting was adjourned at 10:08 pm

I, Jill Shultz, attest that the above public record is true and correct to the best of my knowledge.

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Jill Shultz, Secretary

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Date