

DELMONT BOROUGH COUNCIL MEETING MINUTES

July 14, 2020

77 Greensburg Street
Delmont, PA 15626



ELECTED OFFICIALS:

<i>Alyce Urban, Mayor</i>	Present	<i>Dennis Urban</i>	Present
<i>Andrew Shissler, Council President</i>	Absent	<i>Becky Matesevac</i>	Present
<i>Bill Marx, Vice President</i>	Present	<i>David Weber</i>	Present
<i>Stan Cheyne</i>	Present	<i>Pam Simpson -</i>	Present

EMPLOYEES:

Bill Heaps, Public Works Supervisor	Present
Kellie Miele, Secretary/Treasurer	Present
T.J. Klobucar, Delmont Police Chief	Present

PROFESSIONAL SERVICES:

Dan Hewitt, Esq. Solicitor, Avolio Law Group, P.C.	Present
--	---------

ENGINEER REPORT:

LSSE Representative	Kevin Brett
---------------------	-------------

RESIDENTS ATTENDING: (ORDERED BY SIGN IN LIST)

Linda Jobe – 156 Crest Drive
Elaine Mora – 150 Crest Drive

Non-Resident Citizens

Vicki Walters	Georgia Boring – Penn Franklin News
Brandy Walters	Patrick Varine – Trib/Star
Lance Holt	

CALL TO ORDER: Mr. Marx calls meeting to order and join in the Pledge.

STANDARD MONTHLY BUSINESS

MEETING MINUTES:

Council reviewed the June 9, 2020 Council Meeting Minutes. Stan Cheyne made the Motion to Approve the June 9, 2020 Council Meeting Minutes. Dennis Urban Seconded the Motion. All Approved.

TREASURER'S REPORT:

Prepared and submitted by Council President, Andrew Shissler, on display, but not read. Motion to Approve Treasurer's Report made by Becky Matesevac. Motion Seconded by Pam Simpson. Motion Passed unanimously.

BILLS:

Bills on display but not read. Stan Cheyne made the Motion to Pay the Bills. Dennis Urban Seconded Motion. Motion Passed unanimously without further discussions.

CITIZENS' COMMENTS

Vicki Walters – Delmont Historical Society

Ms. Walters provided Council an update on the items related to the Delmont Historic Society. They obtained the physical mailbox address in the mailbox cluster at the Delmont Borough Building. This is necessary for a qualifying address to apply for grants for the Delmont Historical Society.

Bill Heaps told Ms. Walters and Council that he will contact Glenn Jobe to have the electric meter hooked up at the log cabin. The unit had to be removed during construction and a new account will need to be opened.

Dan Barber requested to have approval for planting flowers in the front section of the log cabin. All of Council was happy to have that happen.

Lance Holt – Apple 'N Arts Festival

Mr. Holt explained to Council that things were not looking too promising for the Apple 'N Arts Festival this coming Fall due to the restrictions being implemented with the COVID-19 virus. The thoughts of a scaled-back version with limited vendors was an option. There would be no entertainment, no petting zoo and no onsite parking. No tables or chairs would be set up to limit gathering of crowds in one area. They would scale back the advertisement of the festival. Mr. Holt spoke of an option to have a drive through available to purchase the apples and cider from Fort Allen to help farmers offset the loss of the full-scale festival. They are looking into pre-sale options and reservations. Chief Klobucar expressed his concerns with people not being able to park at the farm with the cars parking in town and people having to walk to the farm. Weather is a concern with hot weather and/or storms possible that time of the year. Dave Weber suggested looking into any assistance that the festival can get due to the COVID-19 outbreak. Council asked if it would be possible to delay a decision till the August 11th Council Meeting since restrictions are changing almost daily.

Elaine Mora – 150 Crest Drive

Ms. Mora wanted to bring to the attention of Council the way that heavy rains flood the yards on Crest Drive. She had pictures to show how the area that gets washed out with heavy rains is growing through most of their yards. Linda Jobe reiterated the mess that heavy rains cause. Bill Heaps gave the explanation to Council that the main cause is a pipe that is broken and then the basins fill up as the water moves down the hill. Kevin Brett, LSSE, told Council that the pipe was part of the stormwater plan and he acknowledged that it does need fixed, but the plan was never funded. He thinks that a grant may be obtained to help offset the costs.

Mr. Hewitt said if broken pipe is in the right-a-way, the Bill Heaps may be able to do the project with in-house resources. Bill Heaps will look into the options.

COMMITTEE REPORTS

ENGINEERING REPORT – LSSE

STREET COMMITTEE ITEMS AND SEWER COMMITTEE ITEMS

Lennon, Smith, Souleret Engineering Inc.

4536 Route 136, Suite 1
Greensburg, Pennsylvania 15601
Ph. (724) 837-1057 • Fax (724) 838-9811

Memo

TO: Delmont Borough Council
DATE: July 14, 2020
FROM: Kevin A. Brett, P.E.
Gary Baird
S. O. No.: 0398-02-01
cc: File
SUBJECT: Sewer Committee Items update

CRAMER COA

- *DEP order to address surcharging manholes upstream of Cramer Pump Station is Executed by all parties on April 30, 2020. Public meeting held July 2, 2020 to present the Act 537 plan at 7 PM at the fire hall. Written comments will be received for 30 days from the advertisement date. Plan was submitted to County who reviewed and provided no objection to the plan. They responded in writing, no comments received. The Borough planning commission is to review and provide any comments to the plan. Council to consider adoption at the August Council meeting. Once Adopted the plan will be submitted to DEP for review.*
- *Report due to DEP in August and April each year. LSSE drafting first report for August submittal. This one will include adopted ordinance and updated mapping.*
- *Conceptual plan have been prepared and reviewed with Sewer Committee and have been utilized to finalize and have been incorporated in to the Order. LSSE beginning coordination with Utilities on Location of facilities relative to existing gas lines. LSSE preparing draft easement documents for Solicitor's use. Preliminary Plans completed and reviewed with Street Committee, and easement exhibits drafted for Borough's use in obtaining easements for new sewer construction. On-Going. Borough to move forward with acquiring properties while Act 537 Plan is being processed over the next few months.*
- *RUS grant submittal: LSSE has uploaded the Preliminary Engineering Report and other required documents. Borough has application 99% complete. A few Borough submittals remain and certifications by the Borough. Once those items are completed, LSSE will contact RUS to verify they have received the necessary items. Borough Submitted application. LSSE updated per DEP Alternative comments. LSSE is responded to RUS's comments on the Osage Nation THPO clearance. RUS sent Emily Palmer (LSSE) info Borough needs to submit. If they accept it, no further action, if they do not a Phase 2 Archaeological study will be needed. RUS provided comment to the latest submittal. LSSE responded 6-9-20 an will follow up next week to check status. Awaiting response.*
- *Service order for Phase 1 interceptor upgrade for NPDES permitting, final design, bidding, engineering related to right of way acquisition, Construction Phase Service and Project Resident Representative. This proposal is for 2019 through end of Phase 1 Construction. Awaiting*

N:\PROJ\308\ENGR RPTS\Sewer Committee\2020\July 14, 2020.doc

1



Lennon, Smith, Souleret Engineering, Inc. (Greensburg Office)
• (Main Office Address) 846 Fourth Avenue, Coraopolis, PA 15108 • (412) 264-4400
Civil Engineers • Surveyors • Est. 1985 • www.lsse.com

authorization to proceed. Salem requesting results of design calculations once completed. If COA executed, this and the Geotechnical Investigations for ACA Engineering, Inc for \$10,468.00 to be authorized to proceed. Access is needed to field for this work to be completed. No Change. ACA needs authorized to do Geotech at August meeting once Act 537 Plan has been presented to Council and the public. We would like to complete Geotech in August or September so it is completed once the Plan has been submitted.

FTMSA COA

- The Sewer Committee met and drafted adjusted budget for the FTMSA Executed COA-which has been executed by all entities dated **August 29, 2019**. No work was planned for 2019 budget as the FTMSA COA was not received until early 2019. The following milestones are required per the order. LSSE to work with Sewer committee to develop a budget for the items listed below which are each municipal entities responsibility to complete.
 - **Identification, Inspection and Mapping.**
 - a. **By January 1, 2021 the Municipal Entities shall, at a minimum, identify and inspect all accessible manholes, pump stations, siphon chambers, combined sewer regulators, diversion chambers, exposed sewer lines, exposed force mains, outfalls and all other visible appurtenances of their respective sewer systems (the FTMSA Contributor Systems and the FTMSA Sewer System). This identification and inspection shall be referred to herein as the "Visual Inspection." By January 1, 2021, each Municipal Entity shall also provide the results of the Visual Inspection to FTMSA so as to permit FTMSA to complete an accurate GIS based map ("GIS Map") that includes this information. Field work completed, public works did an excellent job finding an opening all the manholes. A report will be provide to DEP and FTMSA on the findings, once they are reviewer with Sewer committee. Report is being prepared for review with Sewer Committee over the next few months. Meeting to be scheduled with Gibson Thomas to review our mapping versus their mapping to confirm ownership of the manholes at the Borough line.**
 - b. **GIS-Mapping of Sewer System: Both this order and the Cramer order requires system to be mapped and manhole physical surveys to be completed. LSSE to provide current mapping to FTMSA for their use in its current state. LSSE to work with Public Works to locate and access all manholes which are reasonably accessible in first 90 days of orders being executed. This work to be completed in November-January 2020. Locations are complete. LSSE 99% complete with map—to be reviewed with Sewer committee and then transmitted with MPS to FTMSA and DEP. Public works did an excellent job assisting with the locations. A list of manholes which were un able to locate or manholes which are in need of repair is being prepared for public works to address over the next five years. This plan will need reviewed with Public Works in the August or September Sewer Committee meeting.**

- Ordinances: Due date August 29, 2020.
 - Within 12 months of the execution of this Consent Order and Agreement, each enact an ordinance prohibiting the connection of any stormwater conveyance into the portions of their SSS that are referenced in this Consent Order and Agreement.
 - Within 12 months of the execution of this Consent Order and Agreement, each develop and enact an ordinance (“Lateral Resale Ordinance”) requiring the inspection of the integrity of each private sewer lateral tributary to the portions of their SSS that are referenced in this Consent Order and Agreement upon the sale, transfer, assignment (as in the event of a mortgage), pledge or hypothecation of any interest in real property on which those private laterals are located, provided, however, that no such inspection shall be required for (1) transfers between husband and wife incidental to a divorce; (2) transfers through a Decree of Distribution incidental to the administration of an Estate; and (3) a refinancing of an existing mortgage by a mortgagor who has had a visual inspection of the lateral and had action taken to correct any failure within 5 years of the refinancing. The inspection shall be accomplished by televising the laterals according to procedures adopted by each Municipal Entity designed to detect a “structurally defective” lateral as defined below. Upon receipt of inspection results that demonstrate the lateral is “structurally defective,” which shall constitute a failed test (“Failure” or “Failed”), such private laterals must be repaired or replaced by the property owner prior to the issuance of a certificate indicating the absence of liens on the real property in question. The Municipal Entities shall diligently enforce the Lateral Resale Ordinance. A “structurally defective” lateral shall be defined as a sewer lateral that exhibits root intrusion, separated joint(s), broken pipe(s), cracks, inflow and/or infiltration of storm, spring and/or ground water, or any other condition which lends itself to inflow and/or infiltration of water into the sewer lateral other than sanitary and/or gray water. Cramer will follow same language as FTMSA Order. Ordinance is drafted and will be presented to council at the July meeting for August adoption.
- Smoke and/or Dye Testing Due August 29, 2023(Testing), Final illegal connection removal- by end February 2025.
 - Within four years of the execution of this Consent Order and Agreement, conduct smoke and/or dye testing of the portions of their SSS that are referenced in this Consent Order and Agreement in order to identify illegal connections associated with properties and structures; all illegal connections shall be removed within 18 months of identification. To the extent that any Municipal Entity has conducted such smoke and/or dye testing within three years of the date of this Consent Order and Agreement, said Municipal Entity may rely on those results in lieu of additional testing, provided, however, that illegal connections detected during that time period must be removed in accordance within the timeframe referred to above in this subparagraph.

- CCTV and Clean—August 29, 2024 for FTMSA, Cramer is 365 days from when order is signed for CRAMER.
 - Within five years of the execution of this Consent Order and Agreement, televise the portions of their SSS that are referenced in this Consent Order and Agreement and clean all segments necessary to restore full hydraulic capacity; excepting however that FTMSA shall on or before March 1, 2021 televise and clean the FTMSA Interceptor System. To the extent that any Municipal Entity has conducted such televising and cleaning within 5 years of this Consent Order and Agreement, said Municipal Entity may rely on those results in lieu of additional testing and cleaning.
 - Within six years of the execution of this Consent Order and Agreement, identify and repair all Grade 4 and 5 defects (“Grade 4 and 5 defects”) observed in the portions of their SSS that are referenced in this Consent Order and Agreement. Grade 4 and 5 defects refer to the most significant defects in a sewer system indicating imminent or near imminent pipe failure for pipes that need to be repaired as soon as possible to prevent illegal discharges of sewage and to assure that sewage flows are properly conveyed to a treatment plant. Grade 4 and 5 defects are determined using industry criteria created by the National Association of Sewer Service Companies (“NASSCO”) under its Pipe Assessment and Certification Program (“PACP”). NASSCO is a nationally recognized organization of sewer system professionals such as professional engineers. (August 29, 2025 work completed)
For Cramer: (4 and 5 Defects identified-730 days, with in 60 days following ID need schedule for repair for Cramer)
- Flow Monitoring(BY FTMSA). No later than March 1, 2020, FTMSA shall commence and complete by November 30, 2020, a flow monitoring program to determine the magnitude, frequency, duration, source(s) and cause(s) of all SSOs and the hydraulic overload in the FTMSA Sewer System. All flow monitoring shall be performed in accordance with the requirements and protocols listed herein. FTMSA shall be entitled to use flow monitoring data provided to FTMSA by the Municipal Entities, provided that the flow monitoring data is obtained in conformity with all flow monitoring requirements and protocols discussed herein. Within three months of the execution of this Consent Order and Agreement, FTMSA shall develop and distribute to each Municipal Entity performing flow monitoring on which FTMSA will rely, an additional protocol to facilitate the cooperation and coordination necessary for FTMSA to receive accurate flow monitoring results. This additional protocol shall be consistent with all flow monitoring protocols and requirements in this Consent Order and Agreement and shall be adhered to by the Municipal Entities. A copy of the additional protocol shall be submitted to the Department at the time it is submitted to the Municipal Entities.
- Flow meters shall be installed in order to obtain accurate data demonstrating capacity above connection points, flow entering from tributary connection points, and capacity downstream from connection points, and shall, at a minimum, be placed at the following locations (the “Monitoring Locations”):

Meters have been installed and are read every other week. After November, our data will be put through QA/QC and a model will be developed. These flows will be provided to FTMSA for our points of connection.

o SSO Elimination Plan(BY FTMSA).

- a. By March 1, 2022, FTMSA shall develop a hydraulic model of the FTMSA Sewer System.
- b. By September 1, 2022, FTMSA, on behalf of the Municipal Entities, shall submit to the Department for its review and approval, or modification and approval, a joint plan and schedule to eliminate the hydraulic overload and all SSOs in the FTMSA Sewer System (“SSO Elimination Plan”).

o ACT 537 Plan (BY FTMSA)

- Within 270 days of the Department’s approval of the SSO Elimination Plan, FTMSA, on behalf of the Municipal Entities, shall submit to the Department a joint amended Act 537 Plan (“Act 537 Plan”) for the construction of the projects elected in the SSO Elimination Plan.

For Cramer following:

Within 180 days submit Act 537 plan for Gravity Sewer and Force main from January 14, 2020? This is ready to submit. This is ready once Order is executed.

Within 60 days of Cramer 537 plan approval submit Part 2 for Gravity Sewer and Force main. To be drafted while Act 537 is being reviewed by DEP.

Within 730 days of Part 2 approval construct Gravity Line and Force main—preliminary plans prepared.

Within 270 Days of Gravity line and Force main to Cramer-submit revised Act 537 plan to include the tank following post flow monitoring (to be scheduled once interceptor is completed)

Within 60 days of Planning approval submit a Part 2 permit

Within 545 Days complete construction of EQ tank

o Construction of Improvements

- On or before 41 months after DEP’s approval of the Act 537 Plan, FTMSA shall complete construction and operate the new or modified sewerage facilities in the approved SSO Elimination Plan.

- o Progress Reports. The Municipal Entities shall each submit semiannual progress reports to the Department documenting their efforts to comply with their obligations described in Paragraphs 3, 4, 5, 6, 7, 8, 10, 11 and 12 of this Consent Order and Agreement (“Progress Report”). The first Progress Report shall be submitted seven full months after the execution of this Consent Order and Agreement and every six months thereafter for the duration of this Consent Order and Agreement. The Progress Reports shall be submitted in both printed and

electronic form. The Progress Report shall be sent to the address in Paragraph 20 below, and include, but not be limited to:

- a. A description of the actions taken in the previous six months to comply with the obligations in Paragraphs 3, 4, 5, 6, 7, 8, 10, 11 and 12 of this Consent Order and Agreement;
 - b. A description of all activities scheduled for the next six months to comply with the obligations in Paragraphs 3, 4, 5, 6, 7, 8, 10, 11 and 12 of Consent Order and Agreement; and
 - c. A description of any problems or delays encountered or anticipated regarding the performance of the activities required by this Consent Order and Agreement.
- Bioxide pump has been replaced. We are researching different chemical to be added.

SOLICITOR'S REPORT Dan Hewitt, Esq., Avolio Law Group, P.C.

Resolution 2020-8 - Winter Traffic Services Agreement – PennDot agreement – Winter 2020-2025 municipal snow agreement in which the Borough will plow portions of the PA State roads and be compensated for doing so. It is a standard form that PennDot uses with every municipality. Stan Cheyne made the Motion to Approve Resolution 2020-8. Dennis Urban Seconded the Motion. All Approved - Motion Passed.

Resolution 2020-9 – Borough of Delmont request for a Watershed Restoration and Protection Program (WRPP) for \$255,000.00 grant from the Commonwealth Financing Authority to be used for the Delmont Borough Pollutant Reduction Plan Implementation. Designate Stanley Cheyne, Council Member and Kellie E. Miele, Borough Secretary, as the officials to execute all documents and agreements between Borough of Delmont and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

Stan Cheyne made the Motion to Pass Resolution 2020-9. Dennis Urban Seconded the Motion – All Agreed – Motion Passed.

Resolution 2020-10 – A Resolution of the Delmont Borough Council Authorizing the Destruction of Certain Records in Accordance with the Pennsylvania Municipal Records Manual. This is for the Delmont Borough's Tax Collector's Office – Marybelle Weber. David Weber made the Motion to Pass Resolution 2020-10. Stan Cheyne Seconded the Motion – All Agreed – Motion Passed.

Mr. Hewitt asked Council for approval to write a draft ordinance to bring the standard for testing of sewer lateral inspections up to date. Stan Cheyne made the Motion to allow the draft ordinance to be written by Mr. Hewitt. David Weber Seconded the Motion – All Agreed – Motion Passed.

Mr. Hewitt said he circulated to Council, within the last week, various documents regarding the sewage testing and lateral inspection program that under both FTMSA and Delmont/Salem Consent Order and Agreement, the Borough is required to up the standards for testing rather than the dye testing of downspouts which the Borough has been doing. This will now require testing of the sanitary lateral itself. This would be testing either under pressure, or by video while flooding the trench, to identify any inflow. What Mr. Hewitt would like to send to the general council at the DEP is the draft ordinance amendment that was circulated to Council and the draft regulations that will follow that. He requested a Motion to authorize this to be submitted to DEP which will hopefully have back to Mr. Hewitt and he can bring before Council at the next meeting on August 11, 2020 and have it advertised for consideration. Stan Cheyne made the Motion to Authorize sending the DRAFT submittal to DEP. Dennis Urban Seconded the Motion. All Approved.

Mr. Hewitt told Council that there will be a Planning Commission meeting on Wednesday, July 22, 2020 at 6:30 p.m. at the Delmont Borough Office. It has been posted and advertised as required.

PUBLIC SAFETY/POLICE AND FIRE DEPARTMENT REPORT – Mayor, Alyce Urban

Mayor Alyce Urban spoke on the Delmont Farmer's Market's success. The Saturday events are going very well. Following CDC guidelines.

The Mayor informed Council that the Police Department was flooded during the recent heavy rains. Bill Heaps was able to clean up the flooring, but she suggested that Council considers moving the police to the library area once the new library is completed. Bill Heaps reminded all that they will always need access to the area in the Police office for the electrical system. The Mayor wanted to thank the Police Department and Public Works for all they do.

Chief Klobucar told Council they were able to update the camera system in the Borough Building and Bill Heaps installed a light in the holding cell at the station.

Chief Klobucar provided the Delmont Borough Police Department June Report. Copies were made available for the attendees. 117 Total calls for service in June – no major events. 38 traffic citations and 4 criminal arrest. 1 non-traffic citations were issued.

BUILDING AND RENTALS Bill Marx, Council Vice President and Pam Simpson

Pam Simpson told Council they purchased four (4) new A/C units for the Salem Crossroads Daycare area. Bill Heaps and Dave Martin will install them once they come in.

STREETS/ROADS/STORM WATER Stan Cheyne and Dennis Urban

Stan Cheyne told Council they are waiting to get bids for the sectional paving. Stan and Dennis Urban met with three (3) contractors. One company decided to no bid. The other two bids they had received were not quoting the same procedures and they need to be comparable. One bid was for \$13,200. The other bid was for \$19,800 (Daniels Excavating). The thought is to go with J.M. Paving for \$13,200. This would be for sectional paving for the area on Lou Anne Lane and White Oak Drive. They will notify the bidders to resubmit their quotes with certain items to be easier to compare apples to apples. No decision was made at this time.

PERSONNEL/INSURANCE COMMITTEE – Becky Matesevac and Pam Simpson
Nothing new to report.

FINANCE COMMITTEE Andy Shissler, Council President, Becky Matesevac

Mr. Shissler was not in attendance. He did prepare the Big Picture Report before he left on vacation. All is on track with the General Funds and Sewage Funds. Mr. Hewitt said he got a report from Berkheimer Taxes showing that Delmont Borough is one of the better local municipalities for receiving their earned taxes on close to the expected amount.

SEWAGE COMMITTEE - Stan Cheyne and David Weber
Nothing new to report.

SHIELDS FARM – Andrew Shissler, Council President
Nothing new to report.

GRANTS COMMITTEE – Bill Marx and David Weber.

Mr. Weber said they did receive the grant from RK Mellon for \$10,000 for face masks.

Stan Cheyne told Council the Delmont Borough Recreation Fund received a check from Walmart for \$500.

CONTRACTED TRASH COMMITTEE – Dennis Urban

Mr. Urban said Republic is only charging \$20 for an extra recycle bin. All residents need to do is contact Republic to request one and they will charge their account.

COMPREHENSIVE PLAN COMMITTEE – Andrew Shissler, Stan Cheyne and Bill Marx
Nothing new to report.

OLD AND NEW BUSINESS:

Mr. Hewitt asked Council to stay after the adjournment of the Council Meeting for an Executive Session regarding real estate. No action will be taken that the meeting.

ADJOURNMENT: Becky Matesevac Moves to Adjourn to executive session. Dennis Urban Seconds. Motion Carries. Regular meeting Adjourned to executive session.

Respectfully Submitted,

Kellie E. Miele - Secretary