

DELMONT BOROUGH COUNCIL MEETING MINUTES

January 11, 2022

77 Greensburg Street
Delmont, PA 15626



ELECTED OFFICIALS:

<i>Alyce Urban, Mayor</i>	Absent	<i>Dennis Urban</i>	Absent
<i>Andrew Shissler, Council President</i>	Present	<i>Becky Matesevac</i>	Present
<i>Stan Cheyne, Vice President</i>	Present	<i>David Weber</i>	Present
<i>Jeffrey Cunningham</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:

Daniel Hewitt - Avolio Law Group, LLC	Present
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ENGINEER REPORT:

LSSE Representative	Absent
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RESIDENTS ATTENDING:

Jane and Joe Kelley	Jean Tomkovicz
Bob and Kerri Cole	AnnaMarie Stackiewicz
Maureen Rossi	Jean Ditonto

OTHERS ATTENDING

Brandy Walters		
Penn Franklin News	Present	Patrick Varine – Trib Review

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

Mr. Shissler announced that there was an Executive Session after the January 3, 2022 Reorganization Meeting regarding personnel issues. No decisions were made.

STANDARD MONTHLY BUSINESS

MEETING MINUTES:

Council reviewed the December 14, 2021 Council Meeting Minutes. Stan Cheyne Made the Motion to Approve the December 14, 2021 Council Meeting. Jeff Cunningham Seconded the Motion. All Approved.

TREASURER'S REPORT:

After review of the December 14, 2021 Treasurer's Report, Stan Cheyne Made the Motion to Accept the December 14, 2021 Treasurer's Report. Becky Matesevac Seconded that Motion. All Approved.

BILLS:

Bills on display but not read. The report of the bill dates reflect the day after the previous Council Meeting till the day of the new Council Meeting. Stan Cheyne Made the Motion to Pay the Bills. Pam Simpson Seconded the Motion. Motion Passed unanimously without further discussions.

The resignation letter from Dennis Urban was brought before Council. Jeff Cunningham Made the Motion to Accept the Resignation of Dennis Urban from Delmont Borough Council. Stan Cheyne Seconded that Motion. All Approved. Council will have 45 days to name a replacement.

CITIZENS' COMMENTS

Mr. and Mrs. Joe Kelley – 12 & 14 Greensburg Street

Mr. and Mrs. Kelley wanted to bring to the attention of Council the condition of Mitchell Alley. There is a patch of the road that does not have asphalt. The gravel and dirt from that area keeps washing down into their property. Bill Heaps told Council that it needs attention and by grading it the proper direction and then doing the asphalt – it would eliminate that issue. There is already a catch basin in the middle of the alley. It would be less than 400 feet of asphalt needed. The Street Committee will look into it.

Annamarie Stackiewicz – Visionary Committee

The Visionary Committee got a \$5,000 anonymous donation to put towards the bike repair station with bike tools. .

AnnaMarie told Council that the Visionary Committee spoke with DAAA for their approved of using the bathrooms and parking for the bike race at Shields Farm in the Fall of 2022. She said that their insurance will add Delmont Borough for coverage during this event. Chief Klobucar told AnnaMarie that she will have to keep the Borough in the loop of preparing for this event. They will need a permit for Shields Farm and depending on the size of the crowd if there will be a need for a police presence and Mutual Aid to be on site.

The Visionary Committee is looking forward to helping again with the Litter/Spring Cleanup

COMMITTEE REPORTS

ENGINEERING REPORT – LSSE

There was not a representative from LSSE

LSSE Civil Engineers and Surveyors

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

Memo

TO: Delmont Borough Council

DATE: January 11, 2022

FROM: Kevin A. Brett, P.E.
Donald R. Hixson Jr., P.E., PLS,
Gary M. Baird

S. O. No.: 0398-02-01

cc: File

SUBJECT: Street Committee Items

- **MS4 Permit:** LSSE provided Council budget number for 2021 and 2022 for the PRP plan implementation. Bid opening scheduled for November 9, 2020 at 12 PM virtually for the DEP grant award project which is Cherry Blossom and the non-grant applicable on Lindsay Lane.

Borough's PRP plan is for removal of 36,000 lbs of sediment per year.

The Borough's PRP plan for the following locations: Estimated cost to address is \$455,000.00.

- Cherry Blossom Court: Bids open on November 9, 2020 at 12 PM.
- Stotler Drive: Survey completed. Preliminary Design 60% complete. Geotechnical Investigation will be required as this is in a mined area and stability of embankment must be addressed. LSSE will request proposals on Geotechnical Engineer once Preliminary Design is reviewed with Street Committee. This is a 2021 project design and permitting and 2022 construction.
- Lindsay Lane and Hart Alley: This pond is in the November 9, 2020 bid opening as an add alternate. The pond only is part of the project and Public Works is required to build a storm sewer to the pond connecting the various system to one outfall into the pond.
- The other Apple Hill pond may not be a good candidate for PRP as it cannot be enlarged to do extended detention. We are looking at it for using a focal point.
- Additional locations for new pond facilities are needed as the Borough has very few existing facilities as the Borough was constructed prior to stormwater regulations requirements being adopted by the DEP and EPA. A Street Committee meeting will be scheduled.

LSSE submitted the Borough's MS4 Annual Report on September 22, 2021.

DEP held virtual MS4 Inspection. LSSE provided response on October 1, 2021. No violations were noted.

LSSE submitted the reimbursement request for submittal to Mariner II DEP Grant for the 20% permitted. This is prepayment to the Borough for Construction work on the project. LSSE prepared a quarterly report and submitted in October 2021. PADEP current reimbursement request of \$67,090.50 has been received.

Bids were received and recommended for award at the November meeting. Council awarded the Base Bid to Salandro Excavating LLC in the amount of \$75,487.50. Pre-Construction held and work has

started. Work is substantially complete. LSSE performed field work for record survey yesterday (May 10, 2021). Walk-through with Contractor completed on May 18. LSSE to perform another field check to see if items are complete. Periodical Estimate No.1, for \$ 67,090.50 with 10% retention for work remaining. Change order Number 1 for increase for rock drain installation in embankment and decrease for as-built quantities for a total increase of \$ 2,557.50. Punch list is complete awaiting for grass to grow. Property pins were reset that were disturbed. Partial Payment No. 2 – Final for the final 10% retainage in the amount of \$10,954.50 awarded September 2021 meeting.

Phase 2 Bid to be placed for remainder of funding for Stotler Drive PRP Facility. LSSE provided Advertisement for storm sewer installation for a section of the pipe required to exhaust the funding in 2021. Remainder of facility will be completed in 2022. Apparent low bidder is Butz Excavating. LSSE recommends award to apparent low bidder for \$ 61,800.00, pending confirmation of Contractor references and bonds. LSSE estimates \$40,000 remains in Mariner II Grant, this can be applied toward future PRP basin near storm structure OS-1; LSSE contacted references for Butz and no negative comments and both recommended his work. Pre-Construction Meeting held on August 31, 2021. Contractor mobilized equipment and most materials. Starting next week. Should take 2-3 weeks to complete. Partial Payment No. 1 to Butz Excavating for the amount of \$33,201.00 approved at December 2021 meeting. Work is complete. Walkthrough to be scheduled for closeout

Additional PRP basin to be bid and built next year. LSSE finalizing bid documents. A portion of the CFA Watershed Restoration grant just received for \$255,000.00 will also help fund the remainder of the Stotler Drive PRP basin. Match is \$38,250.00. Site plan has been prepared for the Stotler Drive Basin. Geotechnical Investigations to be requested due to mine being found during Butz Construction. Anticipate March 2022 bid.

Growing Greener grant notices are being issued.

LSSE Civil Engineers and Surveyors

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DATE: January 11, 2022

FROM: Kevin A. Brett, P.E.
Donald R. Hixson Jr., P.E, PLS
Gary M. Baird

S. O. No.: 0398-01

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 adopted at the August Council meeting. Salem Planning Commission adopted week of August 31, 2020 and Salem Council to adopt week of September 7, 2020. Once Adopted by both, the Plan will be submitted to DEP for review. All comments have been addressed from the public in the Plan. Act 537 transmitted to DEP in early October and additional copies transmitted in late October per DEP's request. Comments received Dec 18, 2020 from DEP. A portion of the comments are to be replied to by Salem Township. LSSE requested and received a 60-day time extension on response as the letter was Dated Nov 17, 2020. Responses will be due to DEP by February 17, 2021. Response submitted to DEP. DEP awaiting one additional third-party response prior to approving ACT 537. Once approved Part 2 Permit and NPDES permit to be submitted for DEP and Conservation district approval. Act 537 approval received May 3, 2021. LSSE proceeding on finalizing the Part II is 75% complete, will be ready for internal review Friday and submittal next week and NPDES permit has been drafted and is under internal review for submittal next week as well. We will need applications executed and checks for submittals, amounts and applications to be provided before weeks end. The Part II permit and NPDES permit was submitted on July 2 for review as requested by COA, with in 60 days of Act 537 approval. PaDEP noted that Part 2 permit package was reassigned due to work backlog and staff shortages, review commenced in October. Comments received October 27, 2021. LSSE issued email response on November 9, 2021. PaDEP Part II Permit issued January 5, 2022. Addressing PADEP and WCD NPDES Permit comments.*
- *Report due to DEP in July and January each year. LSSE drafting first report for August submittal. This one will include adopted ordinance and updated mapping. First Cramer Update sent. Second Report of activities in 2020 provided to DEP in January 2021. July 2021 report submitted. Second Report of activities in 2021 provided to DEP on January 5, 2022.*
- *Conceptual Plan have been prepared and reviewed with Sewer Committee and have been utilized to finalize and have been incorporated into 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 Sewer Committee, and easement exhibits drafted for Borough's use in obtaining easements for new sewer construction. On-Going. Borough is moving forward with acquiring properties while Act 537 Plan is being processed over the next few months. Ongoing. Solicitor finalized and mailed out Eminent Domain paperwork.

- **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 and will follow up next week to check status. Borough received comments from RUS requesting a number of documents the Solicitor and LSSE will be reviewing with Sewer Committee for submittal. Solicitor and LSSE provided agreement documents request by RUS which were submitted to RUS for approval. LSSE received comments from RUS regarding proposed EQ Tank drawings, LSSE responded September 27, 2021. RUS advised they were requesting update on status of review of Environmental Assessment from their state environmental coordinator on January 5, 2022.*
- *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 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 Engineering, Inc. completed geotechnical field work and are preparing report for the sewer construction. Surveys have been updated. Report to be reviewed with Sewer Committee once received. No Change, awaiting Act 537 approval. Act 537 plan approval received May 3, 2021. LSSE proceeding on finalizing the Part II is 75% complete, will be ready for internal review Friday and submittal next week and NPDES permit has been drafted and is under internal review for submittal next week as well. We will need applications executed and checks for submittals, amounts and applications to be provided before weeks end. The Part II permit and NPDES permit was submitted on July 2 for review as requested by the COA, within 60 days of Act 537 Plan approval. PaDEP has reassigned the permit package review due to work backlog and staff shortages; review commenced in October. Comments received October 27, 2021. LSSE issued email response on November 9, 2021. PaDEP Part II Permit issued January 5, 2022. Addressing PADEP and WCD NPDES Permit comments.*

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 provided to DEP and FTMSA on the findings, once they are reviewed 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. Goal is to have completed by year end. Map updated and transmitted to DEP, FTMSA and Gibson Thomas December 30, 2020. Meeting held with FTMSA to review points of connection and ownership of those sections. Map updated following this meeting.*
 - 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 unable to locate or manholes which are in need of repair is being prepared for Public Works to address over the next five years. Ongoing – 5-year plan being developed with Public Works. Results provided to DEP, FTMSA and GTE with December update.*
- **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. Ordinance approved and implemented. First three months results provided to DEP, FTMSA and GTE. Submitted to DEP and enacted by Borough and implemented. Results will be submitted to DEP with Progress Reports.*
- *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 groundwater, 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 was adopted at the August meeting. Ordinance approved and implemented.

o 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. LSSE preparing smoke testing specification for bids to be received in May for June award. Testing to be completed in August or September-Driest part of the year. We received two bids, one for \$.75/LF or \$32,105.25 and one for \$.88/LF or \$37,670.16. We recommend award of Smoke Testing for remainder of System 42,807 feet for \$.75 per foot or \$32,105.25 to Standard Pipe Services contingent on them providing insurance certificate. Pre-Construction meeting held with Standard Pipe Services July 22, 2021. Invoice No. 2911 in the amount of \$28,500.00 to Standard Pipe Services, LLC approved. Project is currently ongoing. Contractor completed the field work on October 4, 2021. All reports finalized and submitted to LSSE. LSSE to prepared violations summary map and report to be reviewed with Sewer Committee, date TBD.*

o CCTV and Clean – August 29, 2024 for FTMSA, Cramer is 365 days from when Order is signed for CRAMER

LSSE has reviewed and recommends the awarding of Contract No. 21-S1 for Sanitary Sewer Cleaning and Television Inspection to Robinson Pipe Cleaning Company in the amount of \$71,016.95. Pre-Construction meeting held on September 8, 2021. Contractor began work the week of September 20, 2021. Contractor completed work the week of December 6, 2021. Change Order No. 1 (Final) to decrease cost by \$17,502.64 and Partial Payment No. 1 (Final) in the amount of \$53,514.31 were approved and issued at December 2021 meeting. LSSE is preparing figure of defects for Sewer Committee review, date TBD.

- *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 Grades 4 and 5 defects ("Grades 4 and 5 defects") observed in the portions of their SSS that are referenced in this Consent Order and Agreement. Grades 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. Grades 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, within 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 were removed in December 2020. LSSE to complete QA/QC and a model will be developed and transmitted to FTMSA for their use by end of March 2021. These flows will be provided to FTMSA for our points of connection. SOA will be providing for all 2021 items as incorporated in budget review at the January Sewer Committee meeting. QA/QC report and existing conditions model being prepared for submittal to FTMSA for their use. Model transmitted to FTMSA and DEP, no work proposed on the Delmont system based on model. LSSE to review model results with Sewer Committee, date TBD.

- 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 forcemain 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 forcemain. To be drafted while Act 537 is being reviewed by DEP.*
 - Within 730 days of Part 2 approval construct gravity line and forcemain – preliminary plans prepared.*
 - Within 270 Days of gravity line and forcemain 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 II 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. Signed August 29, 2019:** The Municipal Entities shall each submit semi-annual 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 of the Agreement, 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.

Progress report submitted December 30, 2020 to DEP, GTE and FTMSA. Next Progress Report due March 29, 2021 and last day of September 2021. LSSE transmitted last round of reports to DEP via email on March 9, 2021 per DEP's request. Hard copies were transmitted in December, but DEP requested email copy of each. LSSE transmitted update. Next update due in September. September 2021 progress report issued to PADEP. Next report due March 29, 2022.

SOLICITOR’S REPORT Daniel Hewitt., Avolio Law Group, P.C.

Consideration of Ordinance No. 2022-1 Police Pension Update – Remains at 0% Individual Contribution Rate. Becky Matesevac Made the Motion of Approve Ordinance 2022-1. Pam Simpson Seconded the Motion. All Approved.

Resolution No. 2022-1 – County Allocations of ARP Funds – Stan Cheyne Made the Motion to Approve Resolution 2022-1. Becky Matesevac Seconded the Motion – All Approved.

Resolution No. 2022-2 – Approve Destruction of Documents – Stan Cheyne Made the Motion to Approve Resolution 2022-2. Jeff Cunningham Seconded the Motion. All Approved.

Mr. Hewitt told Council our District Court – Charlie Conway - will not be effected by any redistricting. Mr. Hewitt went on to say that the American Recovery Plan will be able to be used for sewage projects. The property that was on fire at East White Oak a probate estate is now open and the Borough has placed a written claim to recoup the cost they incurred and a Municipal claim will be filed if needed that would include legal fees and court costs. The estate has till early February 2022 to act.

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

The Police reported 92 total calls for service for December 2021. 12 traffic citations and 1 criminal arrest. 1 arrested simple assault, harassment and disorderly conduct.

Becky Matesevac Made the Motion to Accept the Resignation Letter of Officer Jacob Fello, part-time Delmont Police Officer. Pam Simpson Seconded the Motion. All Approved. The Police Department will be looking to replace him with another part-time officer.

Chief Klobucar told Council and the audience of the generous donation they received for \$30,000 to be used for a new marked police car. The Chief asked Council for permission to look into the various options of obtaining a new car and selling the 2015 Ford Explorer on Muncibid. There were only a few cars available at the dealers. If they did not act soon, they would be sold and the wait time for a new car would be late Fall 2022 at the earliest.

Becky Matesevac Made the Motion to give Chief Klobucar the authority and discretion to choose which option or vehicle would best suit the Delmont Police Departments’ use. Pam Simpson Seconded that Motion. All Approved.

Becky Matesevac Made the Motion to list the 2015 Ford Explorer on Muncibid once the vehicle is ready. Jeff Cunningham Seconded that Motion – All Approved.

BUILDING AND RENTALS Pam Simpson

They ordered Anderson Replacement Windows for the new rental area. The office will be getting painted and a drop ceiling installed before it is advertised to rent.

STREETS/ROADS/STORM WATER Stan Cheyne

Stan Cheyne told Council he will be having a meeting at the site with the residents of Stotler Drive and Apple Hill on Saturday, January 15th at 9:30 am. Sunday, January 23rd at 6:00 pm will be an informal meeting at the Borough Office to go over the plans for Phase 2.

Mr. Cheyne said he completed the traffic study that was required as part of the Conservation Districts’ requirement for Newhouse grant. The paperwork is signed. There should be half of the grant money upfront - \$50,000. The work needs to be done this year (2022). The license for permission to access the drain from the Mutual Aid property needs to be in place before bids are accepted. Morris Knowles will be taking on the new stormwater projects and they submitted a Request for the Newhouse Park Road Drainage Project with an estimate of \$8,700 for base engineering services that will also deal with the bidding process. Stan Cheyne Made the Motion

to Accept the Base Engineering Services from Morris Knowles for \$8,700. Dave Weber Seconded the Motion. All Approved.

PERSONNEL/INSURANCE COMMITTEE – Becky Matesevac and Pam Simpson

Becky Matesevac had nothing new to report. Pam Simpson said she will be meeting with Bill Heaps and Dave Martin for their employee reviews.

FINANCE COMMITTEE Andy Shissler, Council President, Becky Matesevac

The Big Picture Financial Report is on track with the end of the year estimates. Sewage revenue has been coming and the expenses have been what were expected.

SEWAGE COMMITTEE - Stan Cheyne and David Weber

Thursday, January 27th 7:00 pm will be a Sewage Committee Meeting to discuss CCTV – Sewer Lateral Tests.

SHIELDS FARM – Andrew Shissler, Council President

Mr. Shissler brought up the option of using the building at the back of the amphitheater for the Apple 'N Arts Festival storage. It may be a little soggy back there. They will look further into the options available.

GRANTS COMMITTEE - David Weber.

Mr. Weber said there was nothing new to report at this time.

CONTRACTED TRASH COMMITTEE – Dave Weber

Republic Services are back on track for drivers and service.

COMPREHENSIVE PLAN COMMITTEE – Andrew Shissler and Stan Cheyne

Nothing new to report.

OLD AND NEW BUSINESS:

Stan Cheyne brought up the request to waive the rental fees for the Recreation Committee hosted events at Borough Parks. Stan Cheyne Made the Motion to Waive the Fees for the Recreation Committee at the Borough Parks. Pam Simpson Seconded the Motion – All Approved

Mr. Cheyne provided information on the open Borough Committee Positions:
Planning Commission – Paul Samios and Tim Schmida would like to remain on the committee
Zoning Hearing Board – Julie Walczner would like to remain on the committee
Recreation Board – Dan McCool will take Emily Sybesma's position and Pam Simpson will be a new member.

ADJOURNMENT: Becky Matesevac Moves to Adjourn. Pam Simpson Seconds. Motion Carries. Meeting Adjourned.

Respectfully Submitted

Kellie E. Miele
Delmont Borough Secretary