

## DELMONT BOROUGH COUNCIL MEETING MINUTES

March 14, 2023

77 Greensburg Street  
Delmont, PA 15626



### **ELECTED OFFICIALS:**

<i>Alyce Urban, Mayor</i>	Present	<i>Pam Simpson</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>	Absent
<i>Jeffrey Cunningham</i>	Present	<i>Chris Bigley</i>	Present

### **EMPLOYEES:**

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

### **PROFESSIONAL SERVICES:**

Dan Hewitt - Avolio Law Group, LLC	Present
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### **ENGINEER REPORT:**

LSSE Representative	Kevin Brett
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### **RESIDENTS ATTENDING:**

Linda Krill	Melissa Merriman / Kyle Noel
Donald Cline	Judi Petrush
George Visnick	George Caldwell

### **OTHERS ATTENDING**

Georgia Boring – Penn Franklin	Patrick Varine – Trib / Star
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**CALL TO ORDER:** Mr. Shissler calls meeting to order and join in the Pledge.

Council held an Executive Session prior to Council Meeting regarding Sewage Litigation. No decisions were made.

## ***STANDARD MONTHLY BUSINESS***

### **MEETING MINUTES:**

Council reviewed the February 14, 2023 Council Meeting Minutes. Stan Cheyne Made the Motion to Approve the February 14, 2023 Council Meeting Minutes. A Second Motion was Made by Jeff Cunningham. All Approved.

### **TREASURER'S REPORT:**

After review of the March 14, 2023 Treasurer's Report, Becky Matesevac Made the Motion to Accept the March 14, 2023 Treasurer's Report. Chris Bigley 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. Jeff Cunningham Seconded the Motion. Motion Passed.

## ***CITIZENS' COMMENTS***

Melissa Merriman purchased the multi-unit property at 110 Abbe Place in December 2022. She explained that she is being charged a sewage bill from FTMSA for all four units of said property, even though only two of the units are being rented, one is empty and the other is inhabitable. She stated that the property is actually zoned commercially, with only one sewage line, so she believes that she should not be being charged for the two empty units based on its current zoning. Mr. Hewitt explained that FTMSA bills for all vacant properties and they charge the minimum to cover basic expenses of each unit having the ability to obtain service with FTMSA and since the property is currently being utilized as residential, FTMSA has record of there being four units. He stated that the Borough has no legal control of how FTMSA does their billing. Council acknowledged that based on Mr. Hewitt's explanation of the matter, the Borough is unable to take any action at this time.

Linda Kyle, a resident of Apple Hill, stated that during the project that was being done on her street by Eastern Gas and Transmission Storage, Inc., there was damage done to her asphalt driveway. She approached Eastern Gas with the damage and initially they agreed to pay her for damages. She obtained some estimates on the work and reached back out to Eastern Gas with it. They then told her that there was an easement on her property. She approached Council with how she would go about finding out whether or not there is, in fact, an easement on her property. Mr. Hewitt advised her to reach out to the Westmoreland County Recorder of Deeds and that they would be able to provide her with this information.

Judi Petrush, a candidate currently running for Magistrate, appeared at the Meeting to introduce herself to Council and residents. Magistrate Charles Conway of District 10-3-02 is retiring. She is a University of Pittsburgh graduate and a graduate of the University of Pittsburgh, School of Law. She is also a past President of the Westmoreland Bar Association and has been the Assistant District Attorney since 1995. She looks forward to working for the Community.

Andy Shissler shared that he received an email from a resident on Apple Hill Drive regarding a tree he would like the Borough to remove, as it is on Borough property and just recently a portion of the tree fell on his property. Stan Cheyne reported that the Borough had removed trees on the property about 3 years ago, and they were not concerned about that tree. Additionally, the Borough had contacted a forester to review the trees and they were not concerned with that tree

either. Council discussed and decided to table the issue until the weather breaks and they see if the tree is actually dead, or if it is still alive before they decide whether to remove the tree.

### ***NON-CITIZENS' COMMENTS***

#### ***COMMITTEE REPORTS***

##### **ENGINEERING REPORT – LSSE – Kevin Brett**

Kevin Brett reported that a total of \$463,206.70 will be paid for Contract No. 22-ST01

Mr. Brett also reported that they are sending the Chapter 94 Report out to FTMSA.

A Motion to Pay Partial Payment #4, Contract No. 22-ST01 for 2022 Stormwater Improvements (Phase II) in the amount of \$88,691.50 Made by Stan Cheyne. A Second Motion was made by Jeff Cunningham. All Approved.

A Motion to Approve change Order #2 in the amount of \$6,716. for Contract No. 22-ST01 was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

A Motion to Table Consideration to Award 2023 Roadway Improvement Program (Liquid Fuels), Contract No. 23-R01 was Made by Stan Cheyne. A Second Motion was Made by Becky Mateševac. All Approved.

A Motion to Amend the March 14<sup>th</sup> Agenda with Considerations for the Pumpman Upper Pump Quote, the Robinson Proposal for Repairs and the Pumpman Lower Pump Repair, and Consideration of WC Weil (Pumpman) Quote for \$4,946 Made by Stan Cheyne. A Second Motion Made by Jeff Cunningham. All Approved.

A Motion to Approve Quote for WC Weil (Pumpman) in the Amount of \$4,946 was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

Kevin Brett is recommending that the Borough send Bill Heaps to the PA One Call Training when we receive the registration information for that.

**LSSE Civil Engineers and Surveyors**

4534 Route 136, Suite 9

Greensburg, Pennsylvania 15601

Ph. (724) 837-1057 • Fax (724) 838-9811

# Memo

TO: Delmont Borough Council

DATE: March 14, 2023

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**

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## **CRAMER COA**

- *Phase 1 Interceptor and Forcemain upgrades ready to bid once Property Acquisition completed.*
- *Report due to DEP in July and January each year. July 2022 report was submitted on July 29, 2022. January 2023 Report was submitted on January 31, 2023. **A revision to the January 31, 2023 submittal was submitted on February 14, 2023. Next report is due July 31, 2023.***
- *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. RUS review ongoing, requested additional information March 3, 2022, response provided same day. RUS issued comments on April 25, 2022. LSSE provided response June 15, 2022. RUS issued further comments June 21, 2022, LSSE received comments from third parties prior to responding to RUS. LSSE response issued November 17, 2022. RUS indicated they received the report. RUS requested additional clarification on January 6, 2023; LSSE responded via telephone call. RUS requested addition information related to the floodplain. LSSE provided response on February 2, 2023. **RUS requested additional information for the Preliminary Engineer's Report (first round of additional information requests for this report), request is extensive. LSSE requests Board guidance on whether to continue pursuing the RUS funding submittal.***

- Cramer Lift Station replacement modem is scheduled for delivery and installation by Cambria Systems the week of October 17. Modem was delivered but the Lift Station no longer has a Verizon Account. Cambria Systems was provided the Borough's AT&T account number on November 30, 2022. Cambria Systems ordered new modem and are awaiting delivery. Modem and AT&T SIM card received. Cambria Systems waiting for third party to complete programming for replacement modem. Cambria expects to receive modem from third party week of January 9. Cambria to coordinate with LSSE/Borough on site visit to install. Replacement modem installed by Cambria Systems on January 12, 2023. Invoice from Cambria System submitted to Borough for review and payment.
- Temporary Bar Screen installed by CWM Environmental on January 31, 2023.
- Cramer Lift Station Pump Set No. 2 soft start stopped functioning on January 11, 2023. CWM Environmental provided quote (Estimate #267) to replace soft start on January 20, 2023 in the amount of \$5,720.00 with a 12-16 week lead time. Quote executed by Delmont and issued to CWM Environmental on January 31, 2023. **Replacement soft start to be installed by CWM Environmental once part is received.**
- Pump Set No. 1 stopped functioning on January 31, 2023. CWM Environmental transported pump to Pumpman for review. Soft start for Pump Set No. 1 installed on Pump Set No. 2 until replacement is received. **Pumpman provided quotes to repair the pump set in the amounts of \$4,141.00 and \$4,946.00 for each pump in the set. Proposals are attached to this report as Attachments A and B for Board action.**

## **FTMSA COA**

- The Sewer Committee met and drafted adjusted budget for the FTMSA Executed COA-which was 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. *LSSE and Borough met with FTMSA on May 19, 2022 to review COA progress and LSSE met with FTMSA and GTE on June 2, 2022 to review connections and mapping. LSSE met with FTMSA and GTE on June 21, 2022 to review connections and metering data for each connection. Next virtual meeting is scheduled for July 26 at 9:00 AM. Salem's Engineer will be joining group to discuss flows from Salem and connectivity.*
  - **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 years 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. Mapping data in GIS reviewed, LSSE provided our output that is in GIS, GTE reviewed and requested additional data which was provided.
- **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.

○ **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 prepared violations summary map and report. Report was reviewed with Sewer Committee January 13, 2022. Violation letters to residents were prepared by LSSE for Delmont transmittal. Violation compliance dates in letters were updated per Borough directive and resent to the Borough for transmittal. Resident violation letters were provided with deadline of September 30, 2022 to address the repairs. Borough is in progress of installing manpans, approximately 50 installed to date, 40 more manpans are on order. One resident repair remains outstanding, Borough scheduling inspection to locate inspection stack. Borough to follow-up with Salem's repairs for the Cramer Lift Station Smoke Testing. Borough has initiated dye testing, first batch of violation letters were transmitted. Dye testing status was included in COA report for January 2023. **Dye testing is ongoing.***

○ **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 for \$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 has prepared figure of defects for review by Sewer Committee, date TBD. LSSE prepared bid package for Phase 2 CCTV work for Turtle Creek sewershed; project was advertised and a bid opening held September 12, 2022. LSSE recommends award to Insight Pipe Contracting, LLC in the amount of \$87,422.50. Bid was awarded to Insight Pipe Contracting, LLC. Pre-Construction Meeting was held October 12, 2022. CCTV work completed November 3, 2022. This completes 60% of the system and Borough is on schedule per the order. LSSE transmitted Change Order No. 1 (Final) for contract reduction of \$4,569.80 and Pay Request No. 1 (Final) in the amount of \$82,852.70.*



*Request for Proposal was transmitted to Insight Pipe Contracting, LLC on September 23, 2022 to perform repairs of defects identified in the CCTV Phase 1 project. Insight Pipe advised they were not able to perform the work within the CoStars program. **LSSE coordinated with other contractors to set up scope of work within CoStars programs for Phase 1 and Phase 2 repairs. Phase 1 repairs are mostly within CoStars parameters; proposal from Robinson Pipe Cleaning Company is attached to this report as Attachment C for Board consideration. Robinson Pipe Cleaning Company proposal is based on Time and Materials for work; LSSE calculated approximately \$40,000.00 total CoStars cost once all work completed. Two (2) dig repairs from Phase 1 are ineligible for CoStars. Tollgate Lane line replacement to be separate project with cost estimate of \$400,000.00. Phase 2 repairs will not be eligible for the CoStars program; estimated cost to perform outstanding Phase 1 dig repairs and Phase 2 repairs is \$350,000.00.***

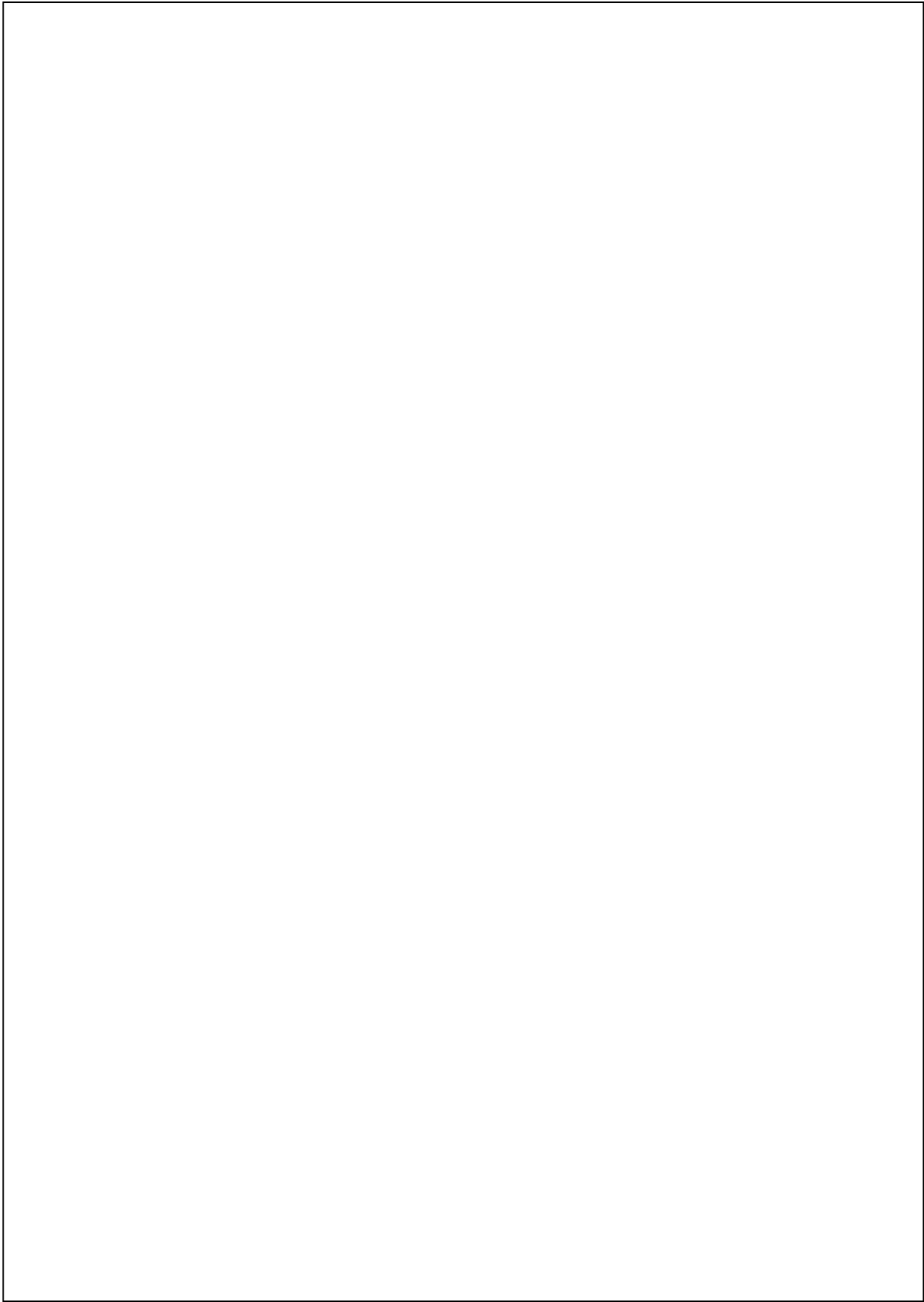
- Within **five years** of the execution of this Consent Order and Agreement, televise the portions of their SSS that are referenced in this Consent Order and Agreement and clean all segments necessary to restore full hydraulic capacity; excepting however that FTMSA shall on or before March 1, 2021 televise 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). LSSE prepared Request for Proposal and transmitted to Insight Pipe Contracting, LLC on September 23, 2022 to perform repairs of defects identified in Phase 1 of the CCTV project. Insight Pipe advised they were not able to perform the work within the CoStars program. **LSSE coordinated with other Contractors to review scope of work under CoStars, as described above.***

*The sewers on Tollgate need replaced, Service Order to be provided for Surveys and Bidding for this section. LSSE is preparing a PA Small Water Grant Application to perform this work. Anticipated cost is \$ 400,000. Borough match \$60,000.00 and \$340,000.00 Grant.*

- **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, Salem and FTMSA Engineers have been meeting to review meter data and develop a standard reporting format for the Delmont connection point which has Salem, Delmont and Murrysville flow. GIS mapping comments to date have been addressed.

- **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"). **Have not received the draft plan as of this date.**

- **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.*

○ **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.

○ **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.
- 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. March 2022 report was submitted to PaDEP on March 25, 2022. September 2022 report was submitted to PaDEP on September 26, 2022. **Next report is due on March 25, 2023.***

## **Grants**

- *CFA Local Share Account (LSA) grant application period opened and applications are due March 15. Construction and Infrastructure projects are eligible for funding. No municipal match is required for grant. Municipal Resolutions are required. Grant funding range is \$25,000 to \$1,000,000. LSSE prepared application for \$1,000,000.00 in funding for the Christy Road Equalization Tank construction project. Application was submitted on March 14, 2022 for funding consideration. LSA has advised that funding awards are tentatively scheduled for the Fall of 2022. Upon award of funds, standard deadline for use of funds is 36 months following agreement execution (i.e. Fall 2025 deadline to use funds). **No Change.***



- *The PA Small Water and Sewer Grant is available for projects with a cost between \$30,000.00 and \$500,000.00 involving construction, improvement, expansion, repair, or rehabilitation of sanitary sewer, storm sewer, or water systems. The required match is 15% with a \$100.00 application fee due digitally at time of application. LSSE submitted application for Tollgate Lane Sewer Replacement with approximate cost of \$400,000.00, and application for Phase 3 and 4 CCTV and Sewer Repairs with approximate cost of \$400,000.00.*
- *The H<sub>2</sub>O PA Water and Sewer Grant is available for projects with a cost between \$500,000.00 and \$20 million involving construction, improvement, expansion, repair, or rehabilitation of sanitary sewer, storm sewer, or water systems. The required match is 50% with a \$100.00 application fee due digitally at time of application. LSSE submitted application for the Cramer Lift Station Equalization Tank project for \$3,500,000.00.*

### **Chapter 94 Report**

*Next one due in March 2023. LSSE submitted Chapter 94 Response on March 8, 2023.*

**LSSE Civil Engineers and Surveyors**

4534 Route 136, Suite 9  
Greensburg, Pennsylvania 15601  
Ph. (724) 837-1057 • Fax (724) 838-9811

# Memo

TO: Delmont Borough Council  
FROM: Kevin A. Brett, P.E.  
Donald R. Hixson Jr., P.E., PLS  
Gary M. Baird  
SUBJECT: **Street Committee Items**

DATE: March 14, 2023  
S. O. No.: 0398-02-01  
cc: File

- **2023 Roads:** *If a road program is planned in 2023, bid documents will need prepared and bid by February for a March 2023 opening and award in April to receive competitive bids. LSSE transmitted list of roadways for Borough consideration. 2023 Road Program bid opening was held March 9, 2023. Bid Report was transmitted for Borough review.*
- **MS4 Permit:** *Borough's PRP Plan is for removal of 36,000 lbs of sediment per year. Annual Progress Report has been submitted on September 30.*

*Geotechnical investigation field work completed. LSSE transmitted easements necessary for work to be completed. CCTV completed on Dogwood; pipe is in poor condition and needs repaired; to be included in scope. Meeting held with residents on July 1, 2022; updated easements sent to Borough on July 7 from discussion with residents. Bid opening was held on September 8, 2022. LSSE reviewed results with Council September 9, 2022. LSSE provided Bid Report. Work awarded to JS Paris Excavating, Inc.; the Contract Documents and Change Order No. 1 issued to the Borough. Pre-Construction Meeting was held October 12, 2022. Work began the week of October 24, 2022. LSSE transmitted Pay Request No. 1 in the amount of \$49,950.00. LSSE transmitted Pay Request No. 2 on December 8, 2022 for \$94,606.87. DCED noted both grant reimbursement requests have been approved. LSSE to transmit Pay Request No. 3. **LSSE transmitted reimbursement request. LSSE transmitted Partial Payment No. 4. LSSE requested schedule for restoration work. CFA responded 2<sup>nd</sup> grant cannot be utilized on project with another grant. Initial grants reimbursement has been submitted.***

*LSSE provided MS4 files to Borough for their use.*

As part of the Borough MS4 Permit and PRP Plan, LSSE has prepared the following to summarize the current status of the Borough's implementation of its Pollutant Reduction Plan as well as the next projects to be completed.

The Borough must reduce the sediment loading in two watersheds, the Haymakers Run – Turtle Creek and the Beaver Run – Beaver Run Reservoir Watersheds. The following tables indicate the projects that have been completed to address the requirements of the PRP for each watershed.

Haymakers Run – Turtle Creek Watershed				
Project	Status	lbs Sediment Removed	Project Cost	
Cherry Blossom	Completed	5,295	\$78,045.00	As-built
Newhouse Park	To be constructed Fall 2022	6,544	\$512,000	Bids received 9-8-2022.
Apple Hill Retrofit	Needs Designed	5,467	To be determined after designed-to be constructed by Spring 2023	
Required Sediment Reduction (lbs)		16,553(11,839 LB to be completed by end of 2022)		
Anticipated Sediment Reduction (lbs)		17,306		

Beaver Run – Beaver Run Reservoir Watershed				
Project	Status	lbs Sediment Removed	Project Cost	
Lindsay Lane	To be constructed 2022	2,710	\$125,000.00 (OPC)	Pricing updated 4-12-2022
Barrington Ridge	Needs Designed	3,023	To be determined after design-to be constructed by Spring 2023	
Stream Restoration (325 LF)	Needs Designed	14,586	To be determined after design-to be constructed by Spring 2023	
Required Sediment Reduction (lbs)		(2710 LBs to be completed by end 2022)		
Anticipated Sediment Reduction (lbs)		20,319 if all three projects completed		

*Per the above tables, with the noted projects, the Borough would address the requirements of the PRP.*

*In accordance with Permit requirements, all work must be completed by April 2024.*



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

Mr. Hewitt requested Consideration of Ordinance 2023-01: PMRS Amendment. A Motion to Approve Ordinance 2023-01 was Made by Becky Matesevac. A Second Motion was Made by Stan Cheyne. All Approved.

Mr Hewitt requested Consideration of Ordinance 2023-02: Stormwater Authority. A Motion was Made to Approve The Delmont Borough Stormwater Authority by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved. In creating this Authority, there will need to be five initial members identified in the filing with the PA Department of State. There will need to be an Engineering Study as well. There can also only be one Council Member on the Authority.

A Motion was Made by Stan Cheyne to Approve the Visnick Subdivision. A Second Motion was Made by Becky Matesevac. All Approved.

Mr. Hewitt reported that A Civil Service Commission Meeting has been set for Monday, April 3, 2023 at 6:00 PM. The Commission will be reviewing the results of recent testing for a promotion, discussing additional general testing to create a list of candidates and reviewing possible updates to the Rules and Regulations.

Mr. Hewitt stated that he and Attorney Ross Bash will soon meet to discuss the issues and confusion between Concerned Citizens and the Salvation Army efforts. He stated that Bill Heaps may need to be a part of that meeting to review and discuss the building involved.

Mr. Hewitt reported that the Engineers have indicated that Peoples Gas Company should be repaving the affected portion of West Pittsburgh Street before the end of April.

Mr.. Hewitt requested that Council agree to forgo a Planning Commission review of White Oak Court and Stefano Drive. He will present Council at next Meeting, per his email.

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

Chief Klobucar said the Delmont Borough Police reported 103 total calls for service in February 2023. 15 traffic citations, and 2 criminal arrests.

Mayor Urban discussed Delmont Daze and Greensburg Street being shut down for the event from First Commonwealth Bank to the intersection.

Chief Klobucar reported that the Drones that the Police Department purchased with the \$25,000. Police Grant have been received and that the Officers need certified and will attend online training. Then Police Department is also waiting for new tasers that were purchased with the remaining grant funds.

Chief Klobucar mentioned that the Department's current software is only good until 2024. He will be exploring different avenues of obtaining new software.

**BUILDING AND RENTALS** Pam Simpson and Jeff Cunningham

Jeff Cunningham reported that the new room has been finished and the Daycare has officially moved in and added the rent increase to their current lease.

**STREETS/ROADS/STORM WATER** Stan Cheyne and Jeff Cunningham

A Motion was Made by Stan Cheyne to Request a Speed Study from PennDOT for Manor Road. A Second Motion was Made by Jeff Cunningham. All Approved.

Stan Cheyne reported that PennDOT came out and did a Jake Brake Study on Manor Road, Athena Drive and Route 66. A Motion was Made by Stan Cheyne to Enact a Jake Brake Ordinance from YES Industrial on Route 66 to the Delmont VFD Parking Lot along Route 66. A Second Motion was Made by Jeff Cunningham. Becky Matesevac Opposed. Andy Shissler Voted Aye.. Motion Passes.

Bill Heaps reported that there are no manhole risers needed on Route 66 for the Paving Project but he will confirm with Tresco Paving.

**PERSONNEL/INSURANCE COMMITTEE** – Becky Matesevac and Chris Bigley

Nothing to report.

**FINANCE COMMITTEE** Andy Shissler, Council President, Becky Matesevac

Nothing to report.

**SEWAGE COMMITTEE** - Stan Cheyne and David Weber

Stan Cheyne reported that a second round of letter went out regarding dye testing in the Borough. There have been a lot of failed tests in the older areas. Bill Heaps and Dave Martin have been very busy. Bill Heaps reported that they are trying to have them all completed by September.

**SHIELDS FARM** – Andrew Shissler, Council President

Andy Shissler followed up with plans for expanding the trail up at Shields Farm. He stated that the two local Boy Scout Troops would be willing to help out. He mentioned marking the trail with ribbon and having residents and Council walk through and give their opinions.

George Caldwell asked Council if there are any plans to put a bathroom up at Shields Farm. He and the Boy Scouts are up there quite a bit and see other residents up there as well. Council replied that any request for a bathroom would have to go in front of DCNR. Mr. Caldwell proposed that he would be willing to purchase or lease a Port-a-Jon if Council would be willing to have the Borough maintain. Council will consider.

Mr. Caldwell also inquired about the new trees up at Shields and wondered if they are staying in the location that they are now. Mayor Urban's opinion was that the trees stay and expressed concerned whether having to move the trees multiple times could possibly inhibit the growth of the trees. Stan Cheyne's stated that he was fine to move them or not move them. Mr. Hewitt stated that any concerns on whether to move the trees or keep the trees where they are at, needs to be in writing.

George Caldwell asked to confirm whether overnight stays are allowed at Newhouse Park. Mr. Hewitt stated that a recent Ordinance was passed by Council to limit overnight stays to Shields Farm.

The CycleCross Event at Shields Farm has been moved to October 21<sup>st</sup>. A Motion was Made by Jeff Cunningham to Use Shields Farm on October 21<sup>st</sup> for the Cycle Cross Event. A Second Motion was Made by Stan Cheyne. All Approved.

**GRANTS COMMITTEE** – Dave Weber

Nothing to Report.

**CONTRACTED TRASH COMMITTEE – Dave Weber**

Nothing to report.

**COMPREHENSIVE PLAN COMMITTEE – Andrew Shissler and Stan Cheyne**

Nothing to report.

**OLD AND NEW BUSINESS:**

Delmont VFD Chief Donald Cline stated that the VFD had a Board Meeting and discussed the fundraising ideas submitted to them by Delmont Borough. They loved the ideas and will be in touch with the Borough. He also reported that the Super Bingo that they had on Saturday went well. He said some upcoming events that they have planned include, an Airplane Auction, a Live Band, a Gun Bash and another Super Bingo. They are planning on doing a Hoagie Sale in April, possibly the 15<sup>th</sup>.

Stan Cheyne discussed the replacement of the swing set at Newhouse Park. He stated that they had to remove the swings due to safety concerns. He received a quote for a twelve foot, tri-pod, two bay, four seat swing set for \$4,800. The Delmont Recreation Committee will contribute to the cost. A Motion to Replace the Swing Set was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

Stan Cheyne discussed putting up advertising banners at Newhouse Park this season. A Motion was Made by Jeff Cunningham to Put Up Advertising Banners at Newhouse Park. Becky Mateševac Seconded the Motion. All Approved.

**ADJOURNMENT:** Becky Mateševac Moves to Adjourn. Jeff Cunningham Seconds Motion. Motion Carries.

Submitted:

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Dawn Earhart  
Delmont Borough Secretary / Treasurer