

# DELMONT BOROUGH COUNCIL MEETING MINUTES

May 9,, 2023

77 Greensburg Street  
Delmont, PA 15626



## **ELECTED OFFICIALS:**

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

## **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:**

Enid McClang	Brandy Walters
Marci Chicka	Lenny Wittman
Julie Walczar	Allison Stull
Jordan Stull	Rebecca Stull

## **OTHERS ATTENDING**

Representative - 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 pending litigation. No decisions were made.

**Swearing in of Officer Gregory Stull as Corporal.**

## ***STANDARD MONTHLY BUSINESS***

### **MEETING MINUTES:**

Council reviewed the April 11, 2023 Council Meeting Minutes. Dave Weber Made the Motion to Approve the April 11, 2023 Council Meeting Minutes. A Second Motion was Made by Pam Simpson. All Approved.

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

After review of the May 9, 2023 Treasurer's Report, Becky Mateševac Made the Motion to Accept the May 9, 2023 Treasurer's Report. Jeff Cunningham 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 until the day of the new Council Meeting. Dave Weber Made the Motion to Pay the Bills. Becky Mateševac Seconded the Motion. Motion Passed.

## ***CITIZENS' COMMENTS***

Julie Walczar approached Council with information about available community grants. She mentioned that Export has received grant funding and has done a lot of work there. She inquired whether Delmont takes advantage of the grant opportunities. She mentioned that Delmont has not raised the millage in decades and stated that, in her opinion, it wouldn't hurt residents to raise the millage a little bit to help the Borough with funding projects. Ms. Walczar also inquired about purchasing a Veteran's Flag. An order just went in for the minimum amount of flags but office will reach out to Design Company to see if they will take an additional order.

Larry Wittman, speaking on behalf of the Delmont Visionary Committee, reported that they had a successful Litter Clean-Up Day. They collected 19 bags of trash. In 2021, they collected 45 bags of trash and in 2022 they collected 35 bags of trash. Also reported, was that the Steering Committee meetings for the Active Transportation Plan are ongoing and are making progress. The survey is still open and the Visionary Committee is encouraging residents to participate in it and comment. Stan Cheyne said that the survey is still posted on the [delmontboro.com](http://delmontboro.com) website for residents to complete. The Westmoreland Heritage Trail is having a Poker Run and a community festival fundraiser on June 3<sup>rd</sup> at B-Y Park in Trafford from 9:00 AM to 2:00 PM. To register for the Poker Run and additional details, residents are asked to visit [westmorelandheritagetrail.com](http://westmorelandheritagetrail.com). The final plans for the Chalk Art Event held by the Visionary Committee and the Delmont Public Library have been made. The event will take place on Sunday, June 4<sup>th</sup> at the library parking lot from 12:30 PM to 4:30 PM. Admission is free. There will be games, prizes, a magician, live music, food, the Kona Ice truck, face painting and professional chalk artist, Erik Greenawalt, also known as "the Chalking Dad". Registration is available at [www.delmontlibrary.com](http://www.delmontlibrary.com) Sponsors include, in addition to the Delmont Library, Burd Financial Group, Teri's Place, Community Foundation of Westmoreland County, Kevin Bortz and Lilja's Premiere Pizza.

Brandy Walters reported only that they will need a permit for the 2023 Apple & Arts Festival.

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

**ENGINEERING REPORT – LSSE – Kevin Brett**

A Motion was Made by Stan Cheyne to Approve the Change Order No. 3 for the Contract No. 2022-ST01: 2022 Stormwater Improvements (Phase III) Project for a Decrease in the Amount of \$18,000 to Remove Landscaping Items. A Second Motion was Made by Jeff Cunningham. All Approved.

A Motion was Made by Jeff Cunningham to Table the Award of Contract No. 23-R01 (Liquid Fuels): 2023 Road Improvement Program. A Second Motion was Made by Stan Cheyne. All Approved.

A Motion was Made by Stan Cheyne to Approve the Preparation of COA CCTV Phase II Dig Prepares Bid Package. A Second Motion was Made by Dave Weber. All Approved.

A Motion was Made by Stan Cheyne to Approve Advertising the Phase III CCTV Project. A Second Motion was Made by Dave Weber. All Approved.

Kevin Brett reiterated that the Borough has applied and received several grants, and as soon as he becomes aware of available grant money available to the Borough, he presents it. He stated there are Community grants out there for parks, etc.

**LSSE Civil Engineers and Surveyors**

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# Memo

TO: Delmont Borough Council  
FROM: Kevin A. Brett, P.E.  
Donald R. Hixson Jr., P.E, PLS  
Gary M. Baird  
DATE: May 8, 2023  
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. **Board recommended LSSE table the RUS application at the March meeting until resolution of the land dispute case.***

- 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. **Board approved work at March meeting; Pumpman to perform the work, schedule will be provided.**
- Cramer Lift Station Auto-Dialer changes were requested by CWM to include new order of phone calls and new contacts. LSSE obtained proposal from Cambria Systems in the amount of \$250.00 to re-set the Auto-Dialer contacts. **The proposal was approved at the April 2023 meeting; Cambria Systems completed the work on May 5, 2023.**

## **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 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. 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, and 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. Two 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. Robinson Pipe Cleaning Company provided proposal based on Time and Materials for work; would not provide proposal outside of this basis. State Pipe Services, LLC did not have CoStars prices for most repairs. **Insight Pipe provided proposal for repairs; proposal to be reviewed at Sewer Committee Meeting.***

- 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. No Change.**

- **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. **March report was submitted on March 31, 2023. Next report is due September 25, 2023.***

**Grants**

- *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.*

**LSSE Civil Engineers and Surveyors**

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# Memo

TO: Delmont Borough Council  
DATE: May 8, 2023  
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**

- **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. **Borough tabled award of bids at the March meeting and will be considered at the May or at latest the June meeting.***
- **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. CFA responded 2<sup>nd</sup> grant cannot be utilized on project with another grant. Initial grants reimbursement has been submitted. **CFA to review scope amendment at May meeting. Walkthrough held May 5. LSSE transmitted Change Order to remove trees for Borough approval.***

*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 reported that Ordinance 2023-3 has been properly advertised and reads restricted areas for using jake brakes. A Motion to Approve Ordinance 2023-3 was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

Mr. Hewitt reported that a Volunteer Fireman has submitted paperwork taking advantage of the VFD Tax Credit. A Motion to Confirm Payment of \$58.24 in Earned Income Tax Paid in 2022 by Mr. Liprando was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

Mr. Hewitt presented Council with the volunteering residents to serve as the five (5) members of the Stormwater Authority. The list includes: Derrick Bauer, Robert Stackiewicz, Bob Burton, Kevin Bortz and Stanley Cheyne. A Motion to Approve Residents as Members of the Stormwater Authority was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

Mr. Hewitt updated Council that he is still working on scheduling a meeting with Attorney Bash and Bill Heaps regarding the Concerned Citizens Lease.

Mr Hewitt updated Council on the status of the FOG Program. He is waiting on the FOG program from the FTMSA Solicitor. No action is needed at this time.

Mr. Hewitt excused himself for the remainder of the Council Meeting, due to personal reasons.

**COMMITTEE REPORTS**

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

Chief Klobucar reported the Delmont Fire Hall Statistics for April on their behalf. The Delmont Volunteer Fire Department responded to twenty-one (21) calls in April 2023. They had one (1) drill. They had two (2) events, which included their Hoagie Sale and a live band.

Chief Klobucar said the Delmont Borough Police reported 113 total calls for service in April 2023, 26 traffic citations and 3 criminal arrests.

Chief Klobucar reported that the Police Department recently closed out the \$25,000 grant they received. The grant was used for new tasers, equipment and training. He is also in the process of applying for a COPS grant, which will help fund an additional full time officer and also looking to apply for a grant to obtain additional cameras on the Borough Building. Chief Klobucar expressed to Council that he likes to listen to what the Community wants and utilize the donation fund for things like a speed trailer, etc.

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

Pam Simpson reported that the Public Works Department having being doing upgrades and repairs to the Borough Building, mainly upstairs in the Salem Crossroads Daycare. This includes, but not limited to, new drop ceilings, took out the old radiators and repaired the wall, new wiring, etc. They are well within budget as of today.

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

Stan Cheyne read the results the recently requested PennDOT Speed Study on Manor Road after residents expressed concerned. PennDOT has determined that the current speed limit of 35 MPH is how is should be.

Stan Cheyne reported that as part of the Stormwater Improvement, they removed trees. He will be applying in the fall for the "free trees" that the Borough received before through the same process, versus paying \$18,000 for them. Andy Shissler inquired whether they would be planting grass. Mr. Cheyne stated that they reseed the grass and pave. He said the project is working as it was designed to do, as he walked thru and it was not as wet.

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

Becky Matesevac reported that our Commercial Insurance Package is set to renew on June 10, 2023. The Premium has a slight increase of \$380 from \$17,767. To \$18,147. Some of the statistics surrounding the policy's increase include, an increase in property value (\$5,392,000 to \$5,554.000), an increase in the Police Premium (\$4,540 to \$4,544), Public Official Premium had a 4.7% increase and the Volunteer Fire Department had an increase as well (\$10,311 to \$11,255). A Motion to Approve the First National Insurance Policy Renewal was Made by Becky Matesevac. A Second Motion was Made by Jeff Cunningham. All Approved.

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

Mr. Shissler went over the Big Picture Reports. As the Borough is 1/3 of the way through the year, the General Fund Expenditures/Income is at 34%, as expected. The Sewage Account revenue is as expected and the expenditures are slightly less than expected as of today.

Mr. Shissler informed Council that they were each given a copy of the 2022 Finalized Audit for their review. He requested that a Motion to Approve the 2022 Audit be added to the June Agenda.

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

Dave Weber reported that a pipe from the tank was compromised, cracking and leaking. It had to be sealed and repaired. A replacement pump/pipe was needed into and out of the tank. He also reported that he has heard of no complaints thus far with using the new chemicals.

Stan Cheyne reported that the dye test are going well. They have found some broken stacks and are being or have been repaired. He stated that we are on schedule to have all of them completed by the September deadline.

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

Andy Shissler followed up with the tentative Music Festival that was to be held up at Shields Farm. Music Festival organizers determined that they will not be having one this year, but will be in 2024. In light of them not utilizing Shields Farm this year, Franklin Regional had inquired about using that date for the FR Cross Country Team. Council is requesting that they sign an agreement and submit Certificate of Insurance. They will waive the fee for Franklin Regional Cross Country.

Andrew Shissler stated that if Council decided to accept the donation from George Caldwell for getting a port-a-jon up at Shields Farm, the Borough would be agreeing to maintain the port-a-jon, with an estimated cost of \$130/month. The office and public works are still looking into other options and estimates. Council agrees to consider at next Council Meeting.

**GRANTS COMMITTEE – Dave Weber**

Dave Weber reported that he, Chief Klobucar and Dawn Earhart attended the Grants 101 Seminar organized by Representative Jill Cooper's office and hosted at the Delmont VFD.

Kevin Brett added that Grants are opening in June and July and advised Council to watch for them.

**CONTRACTED TRASH COMMITTEE – Dave Weber**

Mr. Weber reported that Clean-Up Days filled five (5) dumpsters.

Mr. Weber stated he will reach out to Republic Services regarding the two (2) overage charges that were charged to the Borough in error.

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

Stan Cheyne reported that DCNR needs updates and that he is meeting with them weekly to finalize that plan.

The Steering Committee is still meeting regularly. They are still taking Active Transportation comments. Mr. Cheyne is encouraging resident to go to [www.delmontboro.com](http://www.delmontboro.com) and participate in the Active Transportation Survey on the home page.

**OLD AND NEW BUSINESS:**

A Motion to Accept Field Rental Agreement from the Westmoreland Sports League for use of Newhouse Park Field #1 was Made by Stan Cheyne. A Second Motion was Made by Pam Simpson. All Approved.

The Newhouse Park advertising banners have started going up for the season. So far, Ace Hardware, Dairy Queen and Delmont Agway have agreed to have theirs hung again this year.

The Delmont Rotary's water fountain is fully installed up at Newhouse Park. It was mentioned that the garage needs painted. Bill Heaps will get that on his schedule or possibly reach out to the Boy Scouts to see if they need hours to help out with that project.

Stan Cheyne discussed reimbursing a Permittee for their Pavilion Rental fee, as they were not able to utilize the pavilion on their scheduled date due to a larger than anticipated crowd for the Ball Tournament taking place at Newhouse over the weekend of April 29, 2023. Parks and Recreation Committee will work with Bill Heaps on a parking solution. It was discussed possibly blacking out the date for pavilion rental on the Tournament dates moving forward. No decisions were made though.

Stan Cheyne reported that the Delmont Recreation Committee will be introducing Music Nights at Newhouse Park the last Thursday of June and July. The event will have live music and food trucks. They discontinued Movie Nights for lack of interest.

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

Respectfully Submitted:

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Dawn Earhart  
Delmont Borough Secretary / Treasurer