



DELMONT BOROUGH COUNCIL MEETING MINUTES

August 8, 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>	Absent	<i>Chris Bigley</i>	Present

EMPLOYEES:

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

PROFESSIONAL SERVICES:

Dan Hewitt - Avolio Law Group, LLC	Present
------------------------------------	---------

ENGINEER REPORT:

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

RESIDENTS ATTENDING:

John Kaczmarkiewicz	Heath Polliard
Dennis Kaczmarkiewicz	Linda Jobe
Annamarie Stackiewicz	Brandy Walters
Jordan Kaczmarkiewicz	Heather Puzder
Bob Stackiewicz	Nicole Puzder
Lisa Bell	David Bell
Chloe Fleming	Teri Walborn
Charles Amadee	

OTHERS ATTENDING

Georgia and Wade Boring - Penn Franklin

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

STANDARD MONTHLY BUSINESS

MEETING MINUTES:

Council reviewed the July 11, 2023 Council Meeting Minutes. Dave Weber Made a Motion to Approve the July 11, 2023 Council Meeting Minutes. A Second Motion was Made by Stan Cheyne. All Approved.

TREASURER'S REPORT:

After review of the August 8, 2023 Treasurer's Report, Becky Matesevac Made the Motion to Accept the August 8, 2023 Treasurer's Report. Pam Simpson Made a Second 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. Stan Cheyne Made the Motion to Pay the Bills. Chris Bigley made a Second Motion. All Approved.

CITIZENS' COMMENTS

Teri Walborn approached Council with an ongoing issue that she has had with her neighbor's overgrown bamboo. Her claim is that the bamboo should be considered as a nuisance under the borough's Code and was asking Council to enforce it as such. She states that in addition to the bamboo, her neighbor has now also planted another invasive plant, a Rose of Sharon and has also planted Pine Trees under the utility wires. She has also had to replace her sub-pump due to the bamboo not being maintained or removed. Ms. Walborn also approached the Penn Franklin representative regarding an incorrect report in a prior issue of the Delmont Salem Newspaper that she put a fence up. It was actually her neighbor who put the fence up. She has contacted several organizations and she stated that they agree that the bamboo should not be there, and that it would be up to her local government to add bamboo to the list as an invasive "grass", as it is not specifically named within the Borough Code currently. Councilman Dave Weber, stated that he at one time, contacted a Penn State Department and they stated that it was an invasive species. Council Vice President, Stan Cheyne, stated that bamboo is not on the invasive "grass" list and that some opinions are that the bamboo is a treasure and some are that it's a nuisance. It is well within the right of the property owner to protect their property though, so it is well within her right to remove the portions of the bamboo that inhibit her property. Ms. Walborn believes that this is the responsibility of the Borough to do though. Mr. Hewitt reminded her, as in years past, that it can be taken care of as a civil matter at the District Judge Conway's office and that she has many property owner rights that the Borough does not have in this case. Mr. Hewitt responded that the Borough did a walk-through of the area back in November 2021. He asked Council for guidance in how they would like to proceed. He reported that the only action would be to file a lawsuit under the District Judge. He explained the process to Council and to Ms. Walborn in starting an Ordinance Code Violation with the District Judge. Council President, Andy Shissler would like to hear from Council. A Motion was Made by Dave Weber to Start the Code Violation Process. A Second Motion was Made by Chris Bigley. Stan Cheyne Opposed. Motion Carries.

Mr. Kaczmarkiewicz, representing his mother Dana Fisher from Crest Drive, spoke in regards to a neighbor blocking the right of way on Hot Rod Lane, slowly making the right of way smaller and smaller so that they are not able to use, as well as putting rebar in the ground there. Their main

concern is a safety concern at this point, and that emergency vehicles and the transit bus that their older mother utilizes are unable to get to thru the right of way. Mr. Hewitt stated that the way the deed reads, the neighbor owns the parcel that the right of way resides on. As it reads, there should be twenty (20) feet of access. Mr. Hewitt also states that while the issue is not a Borough issue, it's a property right issue, the Borough can certainly express concern regarding the safety issues and issue a letter to the resident. Ms. Walborn mentioned that she spoke with Chief Klobucar as well, and unfortunately because it's a civil matter and not a criminal matter, there is very little he can do. Council determined that a letter can be issued by the Borough's Solicitor in addressing the safety issue.

Chuck Amadee from the Delmont Concert Band wanted to thank the Borough for them at Delmont Daze. He also thanked Mayor Urban for the Delmont Event Fund's donation to his band, following their participation in Delmont Daze. He mentioned that the Concert Band would very much so like to be a part of more Community Events. Mayor Alyce Urban thanked him for his participation in the event as well.

Annamarie Stackiewicz spoke on behalf of the Delmont Visionary Committee. She stated that the Cycle Cross set to take place at Shields Farm in the fall had a change of date for the event. Annamarie mentioned that there will be a discount for Veterans that day, as well as red, white and blue décor in Honor of Veteran's Day. They are also looking for sponsors for the event. A Motion to Change the Date of Reservation for Shields Farm to November 11, 2023 was Made by Pam Simpson. A Second Motion was Made by Dave Weber. All Approved.

Annamarie Stackiewicz also reported that DCNR is offering a sidewalk grant. The grant requires a \$100 application fee, which the Visionary Committee would be willing to pay, however the Borough has to be the applicant. Dave Weber would also like to apply for a generator for the Borough Building, in case the electric goes out or there is a situation where Emergency Management would have to provide a cooling or warming center for the community, etc. September 30, 2023 is the deadline for that application. He would like to prioritize the grants, as to not apply for more than one at a time and diminish the chances of being awarded. The September Council Meeting should have a Motion on the Agenda for the Sidewalk Grant, in addition to the Active Transportation Grant deadline.

Annamarie Stackiewicz reported that Flat Tire Shop is donating two (2) bicycles to the Delmont Visionary Committee for raffle. One is valued at \$1300 and the other is valued at \$2000. She also would like to thank Mayor Alyce Urban and Pam Simpson for all their hard work organizing and executing Delmont Daze.

Brandy Walters submits the Shields Farm Permit for the Apple and Arts Festival for 2023.

NON-CITIZENS' COMMENTS

ENGINEERING REPORT – LSSE – Kevin Brett

Mr. Brett reported that Suncrest Drive was paved today, August 8, 2023.

Mr. Brett reported that a letter was sent out to the contractor that a storm pipe needs cleaned out in reference to Contract number 23-ST01.

Sewage repair bids are being moved from August 21, 2023 to early September.

Mr. Brett stated that the Borough's 2024 sewage tap request is due to FTMSA. He is working along side the Borough Office in keeping record of the requests. Typically, the Borough request 10 Miscellaneous taps, however, the request should include specific recipients, in addition to a few extra, or miscellaneous taps. Council, with Mr. Brett's suggestion, decided to increase the 2024 taps to 30.

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: August 8, 2023

FROM: Kevin A. Brett, P.E.
Dalton G. Mack, P.E.
Gary M. Baird

S. O. No.: 0398-01

cc: File

SUBJECT: Sewer Committee Items Update

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. July 2023 report was submitted on July 31, 2023. Next report is due January 31, 2024.*
- *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 coordinated with Solicitor to complete advertisement publication which was placed week of August 1, 2023. Council recommended LSSE table the RUS application at the March meeting until resolution of the land dispute case.***

- *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 was shipped on May 30, 2023. CWM Environmental will install once parts arrive. Parts have not yet arrived. CWM advised of ongoing supply chain delays.*

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 entity's 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.**

- 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.*
- 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

August 8, 2023

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. LSSE prepared bid package for Phase 3 CCTV work; project was advertised and bid opening held June 12, 2023. Bid was awarded at the June 13, 2023 Council meeting to Insight Pipe Contracting, LCC in the amount of \$62,560.00. **The pre-construction meeting was held on July 27, 2023. Work tentatively scheduled to begin week of August 7, 2023.**

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. LSSE prepared bid package for Phase 2 Repairs based on the CCTV Phase 2 and outstanding CCTV Phase 1 defects. Bid Opening to be held August 21, 2023 at 11 AM.

- 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. Grant award notification date is tentatively scheduled for September 2023.*
- *The H₂O 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. Grant award notification date is tentatively scheduled for September 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.
Dalton G. Mack, P.E.
Gary M. Baird
SUBJECT: Street Committee Items

DATE: August 8, 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. Borough tabled award of bids at the March meeting and will be considered at the June meeting. Bid was awarded to El Grande Industries, Inc. at the June 13, 2023 Council meeting in the amount of \$73,485.00. Pre-construction meeting was held July 24, 2023. Work was started the week of July 31, 2023; Contractor milling was completed; new pavement to be installed week of August 7, 2023.*
- **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 2nd grant cannot be utilized on project with another grant. Initial grants reimbursement has been submitted. LSSE transmitted Change Order to remove trees for Borough approval. Scope amendment approved; contract to be forwarded to Borough for signature. Walkthrough held May 5. Pavement restoration completed; LSSE reviewed in field with Borough on July 7, 2023. Contractor is working through punchlist items. LSSE issued updated punchlist letter. Awaiting additional pay request from contractor.

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 Resolution 2023-7, authorizing the private negotiation and sale of the note to S&T Bank in the amount of \$85,000 for the purchase of a new Ford F600 truck for the Public Works Department. The note will be for a term of three (3) years, tax-free at a rate of 5.81%. A Motion to Approve Resolution 2023-7 was Made by Stan Cheyne. A Second Motion was Made by Chris Bigley. All Approved.

Mr. Hewitt requested Consideration of Ordinance 2023-5, authorizing the borrowing of new monies and initiating the DCED paperwork process. A Motion was Made to Approve Ordinance 2023-5 by Stan Cheyne. A Second Motion was Made by Pam Simpson. All Approved.

Stan Cheyne asked Mr. Hewitt when we can pick up the new truck. Mr. Hewitt replied that the bank loan should go through sometime around the first week of September, then the Borough can get the truck.

COMMITTEE REPORTS

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

Mayor Alyce Urban thanked Pam Simpson for all of help with the planning and execution of Delmont Daze on August 5, 2023. She mentioned that a sign was put up at the event outlining what the funds raised from the event are used for. The proceeds are put in the Delmont Event Fund and allow the Borough to pay for the port-a-johns, the Santa parade, etc. She thanked the community for their participation. She stated that Chris Bigley would most likely take on the event next year and will most likely include a parade. She also mentioned that some residents suggested doing a Soap Box Derby.

Chief Klobucar reported that the Police Department had 124 calls for July 2023. 10 criminal arrests were made.

Chief Klobucar wanted to take a second and thank Council, the Mayor and the Community for their support during the lengthy investigation of the death of little Landon. The incident took place at an E. Pittsburgh Street residence. He also thanked District Attorney Nicole Ziccarelli. He stated that when an incident occurs like that, it's a burden on not only the Police Department, having only five (5) full-time and two (2) part-time Officers, but the Community as well. The Officers worked long hours, time away from their families, sleepless nights, etc. He noted that some residents brought food to the Police Department. The Police Department as a whole is very grateful for the support.

Chief Klobucar reported that with the \$25,000 recent grant received, they were able to purchase all new computers and software. A new computer was also purchased for the Borough Office. He also reported that new cameras were purchased using donated funds from the Community, and he thanked the Community again for their continued support. Also, a donation was made by Mayor Alyce Urban and Dennis Urban for CPR and Stop the Bleed training and equipment.

Chief Klobucar reported that Officer Keffer is now a Certified Firearms Instructor for the Delmont Borough.

Chief Klobucar, along with the Borough Office, will be working through the Civil Service process in the upcoming week.

Chief Klobucar reported on behalf of the Delmont VFD. The Delmont Fire Department had 27 calls within and outside of Borough in the month of July. They also have an upcoming Gun Bash Fundraiser on September 9th. Mayor Urban added that the VFD has been amazing with their participation to the monthly safety meetings and thanks them for their participation.

BUILDING AND RENTALS Pam Simpson and Jeff Cunningham

Nothing to Report.

STREETS/ROADS/STORM WATER Stan Cheyne and Jeff Cunningham

A Motion was by Stan Cheyne to Approve the Renewal of the MS4 Permit. A Second Motion was Made by Chris Bigley.

Suncrest Drive is done with the paving process. Bill Heaps got all of the Stormwater done there prior.

PERSONNEL/INSURANCE COMMITTEE – Becky Matesevac and Chris Bigley

Nothing to Report.

FINANCE COMMITTEE Andy Shissler, Council President, Becky Matesevac

Andy Shissler reviews the Big Picture Reports. He reported that the General Fund revenue was less than expected and the expenses were as expected. He reported that the Sewage Operating Fund revenue was as expected and the expenses were less than expected.

Mr. Shissler also mentioned that during the course of us getting the new computers, there was an issue with transferring the QuickBooks software over to the new computer so QuickBooks gave us the option to purchase 24 months of their “Support” at \$1800 for the 2018 version that we were running. It was decided it was better to purchase the newer 2023 version for the same price (\$1800), as it included the 24 months of support.

The Building Inspection Services expenses shows high on the report, however, it is a “pass-through” for Jobe Inspection Services. Residents pay the Borough and then the Borough, in turn, pays Jobe Inspection Services.

Andy Shissler will be following up on the current Sewage Loan at S&T Bank before the rate increases.

SEWAGE COMMITTEE - Stan Cheyne and David Weber

Stan Cheyne suggested having Brian Dunford, the seasonal Public Works employee, help put with the Dye Testing in order to get them all done by the September deadline. Bill Heaps will confirm Brian’s availability to work the extra hours. The funds to cover his extra time would come from the Sewage Labor transfer that is done quarterly.

SHIELDS FARM – Andrew Shissler, Council President

Mr. Shissler has received the map of the path for the Franklin Regional Cross Country event coming up on September 8, 2023 at Shields Farm. It was discussed that Bill Heaps have a four to six foot wide area mowed around the edge of the path. It will also need mowed around the perimeter of the event area.

GRANTS COMMITTEE – Dave Weber

Nothing to Report.

CONTRACTED TRASH COMMITTEE – Dave Weber

Nothing to Report.

COMPREHENSIVE PLAN COMMITTEE – Andrew Shissler and Stan Cheyne

Stan Cheyne stated that DCNR was open to Site Plan for DCNR.

OLD AND NEW BUSINESS:

Stan Cheyne reported that he received an inquiry from GAMA to have two tournaments up at Newhouse Park. They currently have no agreement and would have to communicate with FRAA re: the dates, etc. The Tournament dates would be scheduled for October 14 and 15, 2023. It was asked that if the Pavilion is requested to be reserved or is currently reserved for those dates, that the Borough Office notify them of the extra patrons in the park those days. Council agrees on initiating a \$100 fee for the Tournament.

Stan Cheyne spoke with DCNR and they suggested locations of trees to include six (6) trees off of Stotler Drive, 1 tree down by the lower field and eight (8) by the back drive of Shields Farm. The planted three (3) trees prior at the amphitheater, but they did not do well.

Mayor Alyce Urban read a letter from Patrick Varine:

“Dear Mayor and Council,

I would like to thank Mayor Urban and the borough for having my bluegrass band back again at Delmont Daze. We had not just the full band this year but also a guest fiddle player.

Between the beautiful weather and the great crowd, we had a wonderful time and just wanted to thank the borough for allowing us to entertain the community the past couple years, and to thank you for supporting live music in the region.”

ADJOURNMENT: Becky Matesevac Moves to Adjourn. Dave Weber Seconds Motion. Motion Carries.

Respectfully Submitted:

Dawn Earhart

Delmont Borough Secretary

APPROVED: 09/12/2023