



DELMONT BOROUGH COUNCIL MEETING MINUTES

October 10, 2023

77 Greensburg Street
Delmont, PA 15626

ELECTED OFFICIALS:

Alyce Urban, Mayor	Present	Pam Simpson	Present
Andrew Shissler, Council President	Present	Becky Matesevac	Present
Stan Cheyne, Vice President	Present	David Weber	Present
Jeffrey Cunningham	Absent	Chris Bigley	Present

EMPLOYEES:

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

PROFESSIONAL SERVICES:

Amber Leechalk - Avolio Law Group, LLC	Present
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ENGINEER REPORT:

LSSE Representative	Dalton Mack
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RESIDENTS ATTENDING:

Kelly Mazon	Dana Soltesz
Ryan Jones	Annamarie Stackiewicz

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 September 12, 2023 Council Meeting Minutes. Dave Weber Made a Motion to Approve the September 12, 2023 Council Meeting Minutes as Amended. A Second Motion was Made by Pam Simpson. All Approved.

TREASURER'S REPORT:

After review of the October 10, 2023 Treasurer's Report, Becky Matesevac Made the Motion to Accept the October 10, 2023 Treasurer's Report. Chris Bigley 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. Dave Weber Made the Motion to Pay the Bills. Chris Bigley Made a Second Motion. All Approved.

CITIZENS' COMMENTS

Kelly Mazon and Dana Soltez, residents of Monticello, represented the Monticello Neighborhood in reporting about the Monticello Lights Event. The event will take place this year on December 9th and 10th from 6:00 PM to 10:00 PM. Lights will be on all of December. Spectators can vote by donations. There will be donation boxes out and there is also a Venmo account set up for the event. In the three (3) years that event has been going on, they have been able to raise over \$56,000. They always have two donation recipients, one being a Delmont Borough Entity. Last year, they donated approximately \$10,000. To the Delmont Police Department. For 2023, the two donation recipients are WTAE's Project Bundle Up and the Delmont Borough Parks and Recreation. The asked Council for Consideration to close Monticello Street off on Friday, December 8th to non-residential traffic from 7:00 PM to 8:00 PM so that the Monticello neighborhood residents can enjoy a walk through with their families without traffic for safety reasons. Chief Klobucar agreed that this would be best, as the traffic has grown since the event has grown and it has become a safety issue for those walking through the displayed neighborhood. A Motion to Approve the Road Closure of Monticello Drive on Friday, December 8th from 7:00 PM to 8:00 PM was Made by Stan Cheyne. A Second Motion was Made by Becky Matesevac. All Approved.

Ryan Jones, a business owner and property owner in Delmont, approached Council with rezoning his 68 Greensburg Street property from residential to commercial. He asked for guidance from Council before he moves forward with any plans and is looking for feedback on draining stormwater from the property. Currently, there is a 12 ft. alley between the property and Fox's Pizza at 76 Greensburg Street. He inquired whether he can tie into the alley, making it also accessible to Fox's Pizza. Amber Leechalk advised Mr. Jones to follow up with the Delmont Planning Commission to address the stormwater issue, as recommended in a prior letter to Mr. Jones from the Planning Commission. As for the alley, the Borough does not maintain the alley. If the alley is a "paper alley", it is distributed 50/50 by the bordering property owners.

Annamarie Stackiewicz, representing the Delmont Visionary Committee, reported that they are currently working on the Cycle Cross Event to take place at Shields Farm on Saturday, November 11th. There are fifteen raffle tickets left for the event at \$10 each.

NON-CITIZENS' COMMENTS

ENGINEERING REPORT – LSSE – Dalton Mack

Mr. Brett presented Council with the following Considerations and Council presented Action:

A Motion was Made by Stan Cheyne to Table Issuing Partial Payment No. 5 (Final) for J.S. Paris Excavating for Contract No. 22-ST01 in the Amount of \$68,753.70. A Second Motion was Made by Dave Weber. All Approved.

A Motion was Made by Stan Cheyne to Table Change Order No. 4 for Contract No. 22-ST01 for an Increase of \$4,560.00. A Second Motion was Made by Chris Bigley. All Approved.

An invoice for CWM was received by the Borough Office. LSSE will review and follow up before issuing a recommendation to pay, as to Mr. Mack's knowledge, CWM has not yet fixed the issue.

Dye testing is ongoing and it's reported that Delmont is 85% complete, with 65 properties left to inspect.

The CCTV Phase III project is closed. Phase IV will be ready to start in 2024. They are currently identifying defects.

Stan Cheyne requested that contractors be diligent in notifying residents prior to work being done and during the process. Mr. Mack responded that contractors will put notices out to residents as requested.

The COA Report for FTMSA has been submitted. The next report due is in March of 2024.

The LSA Grant period will be over in November 2023. He is recommending that Delmont reapply for the Tollgate and Phase III Project, as well as Greensburg Street. LSSE is requesting notice to prepare and there is a \$100 application fee. Stan Cheyne stated that the LSA Grant can be used for widening a portion of Freeport and resurfacing Greensburg Street. LSSE is requesting a Resolution by November's meeting to initiate the process

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: October 10, 2023

FROM: Kevin A. Brett, P.E.
Dalton G. Mack, P.E.
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 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; work was completed the week of August 7, 2023. Punchlist was issued August 17, 2023; Contractor addressed all items. Change Order No. 1 (Final) to decrease cost by \$8,799.88 and Partial Payment No. 1 (Final) in the amount of \$64,685.12 were submitted to Borough for consideration; LSSE recommends payment. LSSE working on Liquid Fuels closeout submission to PennDOT*

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. Punchlist items have been completed. Final change order issued to the Contractor. Final payment to be processed to Borough.

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Memo

TO: Delmont Borough Council

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

DATE: October 10, 2023

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. 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.**
 - 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's 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; dye testing is currently approximately 85% complete, with 65 sewer laterals currently listed as failed and requiring repairs.***

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

*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, LLC in the amount of \$62,560.00. The pre-construction meeting was held on July 27, 2023. Work was completed August 22, 2023. Change Order No. 1 (Final) to increase cost by \$395.75 and Partial Payment No. 1 (Final) in the amount of \$62,955.75 were submitted to Borough for consideration; LSSE recommends payment. **Bid package for Phase 4 (final phase) to be prepared pending budgetary review in January 2024. LSSE reviewing defects identified during Phase 3 CCTV.***

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.

*Insight Pipe provided proposal for Phase 1 Repairs through CoStars; was provided to Borough for consideration. **Borough awarded Phase 1 repairs to Insight Pipe Contracting, LLC in the amount of \$67,136.25 at the September 2023 Board Meeting. Pre-construction meeting was held October 10, 2023.***

*LSSE prepared bid package for Phase 2 Repairs based on the CCTV Phase 2 and outstanding CCTV Phase 1 defects. Bid Opening was held August 21, 2023. LSSE recommends using Add Alternates as budgetary numbers for 2024 repairs. **Borough awarded Base Bid in the amount of \$101,520.00 to State Pipe Services, Inc. at the September 2023 Board Meeting. Pre-construction meeting is scheduled for October 11, 2023.***

- 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). Phase 1 and Phase 2 repairs have been awarded as mentioned above; Phase 3 to be budgeted for 2024.

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 there us 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. September 2023 report was submitted. Next report is due March 25, 2024.

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 November 2023 following cancellation of September meeting.*
- *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 November 2023 following cancellation of September meeting .*
- *LSA opened new Grant Application period with a due date of November 30, 2023. Eligible projects include infrastructure construction projects, demolition projects, vehicle and equipment purchases, and road and sidewalk programs. There is no local match required. There is a \$100.00 application fee.*

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

Amber Leechalk requested Consideration of Resolution 2023-9, official adoption of the Active Transportation Plan. A Motion to Approve Resolution 2023-9 was Made by Dave Weber. A Second Motion was Made by Stan Cheyne. All Approved.

Amber Leechalk reported that in following up with Mr. Heap's continuing efforts to compel property maintenance in the Borough, several letters were sent out by the Solicitor's office to properties at W. Pittsburgh Street, E. Pittsburgh Street and Athena Drive.

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

Chief Klobucar reported that the Apple & Arts Festival went well. No major incidents. The department will now be getting ready for the Pilgrimage.

The Civil Service Exam will take place on October 24th for the applicants of the full-time Police Officer position. Dawn Earhart will be the proctor of the test.

Chief Klobucar reported the September stats: 123 total calls for service. 63 traffic citation and 5 criminal arrests.

Chief Klobucar gathered an estimate for the purchase of a traffic speed sign discussed previously. He stated that the Police Department could use some of the police donations, as it would serve the community as a whole, but is asking the Streets and Roads Committee if they can contribute. The estimate is for approximately \$5,000. He is asking Streets and Roads to contribute \$1,000 and the Police Donation Fund would contribute the remaining \$4,000.

The Santa Parade is scheduled for Sunday, December 17th. The route will be from the Faith United Methodist Church to the Parklet on Greensburg Street. Construction Lights will be provided by Keith Brinker Construction for the event for extra lighting. A Motion to Close Greensburg Street from the First Commonwealth Bank to Bierer Street for the Event from 3:00 PM to 8:00 PM was Made by Stan Cheyne. A Second Motion was Made by Pam Simpson. All Approved.

Mayor Alyce Urban stated that she was asked by several residents to get involved in revising the tennis courts up at Newhouse Park into pickleball courts. She is currently obtaining several estimates and doing research. Dalton Mack reported that the bid threshold is \$0-\$12,000, \$23,000 requires three bids. Anything over that is public bid.

BUILDING AND RENTALS Pam Simpson and Jeff Cunningham

Bill Heaps mentioned that the Borough currently has enough flooring to start portions of the Borough Building for next year. Pam Simpson will be looking into flooring for the lobby.

STREETS/ROADS/STORM WATER Stan Cheyne and Jeff Cunningham

A Motion to Amend the Agenda to Add the Approval of the PRP MS4 Permit was Made by Stan Cheyne. A Second Motion was Made by Dave Weber. All Approved.

A Motion to Approve the PRP MS4 Permit was Made by Stan Cheyne. A Second Motion was Made by Dave Weber. All Approved.

Stan Cheyne stated that he would like to apply for the WCD Grant for Phase II, in continuing to paving and widening the parking lot at Newhouse Park. The expansion of the lot may mean possibly expanding the basin. The match for the grant is 10%. A Motion to Apply for the WCD grant was Made by Stan Cheyne. A Second Motion was Made by Pam Simpson. All Approved.

PERSONNEL/INSURANCE COMMITTEE – Becky Matesevac and Chris Bigley

Becky Matesevac reported that the UPMC renewal is due and is at a 14.5% increase for the year 2023-24. She added that this is not a huge increase comparatively. A Motion to renew the 2023-24 UPMC Plan As-Is was Made by Becky Matesevac. A Second Motion was Made by Pam Simpson. All Approved.

FINANCE COMMITTEE Andy Shissler, Council President, Becky Matesevac

Andy Shissler reviews the Big Picture Reports.

2024 Budget Season Meetings have been scheduled for Wednesday, October 25th and Thursday, November 9th from 6:00 PM to 8:00 PM at the Borough Building at 77 Greensburg Street. Dawn Earhart to send advertisement to the Penn Franklin News.

SEWAGE COMMITTEE - Stan Cheyne and David Weber

Bill Heaps reported no overflows in the last month. He also reported that he, along with maintenance from the First Commonwealth Bank, will be going on the roof of the bank to check the downspouts and then Greensburg Street will be completed.

SHIELDS FARM – Andrew Shissler, Council President

Andy Shissler reported that the Apple & Arts Festival went well up at Shields Farm over weekend. Minimal damage to the Farm grounds.

Andy Shissler updated Council on the trail blazing at the Farm that he and the Boy Scouts have been working on. Once the trails are cleared, they will use blazes to mark portions of the trail. They will use different colors to track the different trails.

GRANTS COMMITTEE – Dave Weber

Nothing different to report on grants.

Republic Services provided and delivered dumpsters to the Apple & Arts Festival. Also, crisis was averted with the incident involving a Republic Services Truck on State Route 66 back on September 29th. The new Traffic Signal Company was great in their response. An invoice for the repairs has been submitted to Republic Services for payment.

COMPREHENSIVE PLAN COMMITTEE – Andrew Shissler and Stan Cheyne

Stan Cheyne reported that Council needs the revised Comprehensive Plan by November, as the grant expires at the end of the year.

OLD AND NEW BUSINESS:

Stan Cheyne proposed adjusting the Friday rate for the Newhouse Park Pavilion rental to encourage Friday rentals. He also proposed changing the rental end time of the rental period, as in the summer it doesn't really get dark until 9:30 PM or so. A Motion to Change the Newhouse Park Pavilion Rate on Fridays to \$40 for Residents and \$50 for Non-Residents and change the end time for rentals from DUSK to 10:00 PM was Made by Stan Cheyne. A Second Motion was Made by Chris Bigley. All Approved.

Stan Cheyne inquired about the status of the new Ford F600's outfitting. Bill Heaps reported that it was on the list to be outfitted and he follow up.

Stan Cheyne, as a representative of the Delmont Recreation Committee, reported that they will be hosting a Pumpkin Painting Event at Newhouse Park on October 21st.

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

Respectfully Submitted:

*Dawn Earhart
Delmont Borough Secretary
APPROVED:*