



DELMONT BOROUGH COUNCIL MEETING MINUTES

November 14, 2023

77 Greensburg Street
Delmont, PA 15626

ELECTED OFFICIALS:

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

EMPLOYEES:

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

PROFESSIONAL SERVICES:

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

LSSE Representative	Kevin Brett
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RESIDENTS ATTENDING:

Annamarie Stackiewicz	Carolyn Yagle
Bob Stackiewicz	

OTHERS ATTENDING

Georgia and Wade Boring - Penn Franklin	Patrick Varine - Tribune
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CALL TO ORDER: Mr. Shissler calls meeting to order and join in the Pledge.

Mr. Shissler stated that there was an Executive Session re: personnel matters. No decisions were made.

STANDARD MONTHLY BUSINESS

MEETING MINUTES:

Council reviewed the October 10, 2023 Council Meeting Minutes. Stan Cheyne Made a Motion to Approve the October 10, 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, Stan Cheyne 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 to be Paid 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. Jeff Cunningham Made a Second Motion. All Approved.

CITIZENS' COMMENTS

Annamarie Stackiewicz, representing the Delmont Visionary Committee, reported that the Cycle Cross Event at Shields Farm on November 11th went great. There were no issues. They had 74 racers, compared to the 53 they had last year. She also reported on the Westmoreland Heritage Trail project. They are currently working on the portion from Saltsburg to Slickville. They have addressed drainage issues with new pipes, swells and resurfacing. After that section is complete, they will move onto the Slickville to Delmont portion. Westmoreland Heritage Trail is one (1) of thirty-two (32) projects in southwest Pennsylvania that are candidates for funding for the tunnel.

NON-CITIZENS' COMMENTS

ENGINEERING REPORT – LSSE – Kevin Brett

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

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

A Motion was Made by Stan Cheyne to Approve 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 Approve Partial Payment No. 1 for Insight Pipe Contracting, LLC for Phase 1 Sewage Repairs in the Amount of \$54,564.44. A Second Motion was Made by Dave Weber. All Approved.

A Motion was Made by Stan Cheyne to Approve Partial Payment No. 1 for State Pipe Services, Inc. for Phase 1 Sewage Repairs in the Amount of \$74,940.21. A Second Motion was Made by Dave Weber. All Approved.

Mr. Brett recommended that Public Works and Salandro should do the work on Manor Road.

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: November 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:** 2023 Road Program bid opening was held March 9, 2023. Bid Report was transmitted for Borough review. 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 submitted 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. Change Order No. 4 (Final) to increase cost by \$4,560.00 and Partial Payment No. 5 (Final) in the amount of \$68,753.70 were submitted to Borough for consideration; LSSE recommends payment. LSSE submitted final closeout documents for Grant Program. Butz Excavation mobilized to repair segment of pipe.

Butz Excavating and Bonding Company notified of run of pipe which was determined to have been installed incorrectly. They are returning by end of October / early November to correct. System was holding water during our final walkthrough with Paris. Once pipe is corrected system will be clear of water.

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TO: Delmont Borough Council

DATE: November 10, 2023

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

S. O. No.: 0398-01

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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. RUS requested copy of Alternative Analysis from our previous submittal to them.*

- *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 installed replacement parts in October. On October 11, CWM advised the seal cooling line for Pump Set No. 2 failed, ultimately resulting in the pumps failing. CWM pulled the pumps and delivered to Pumpman; Pumpman performed repairs and CWM installed the repaired pumps and repaired the seal cooling line.*

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 90% 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, LCC 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 prepared figure showing one defect identified during Phase 3 CCTV. Figure is included as Attachment A to this report. Spot liner needs replaced, a spot dig repaired is recommended by Borough Crew with assistance from the Contractor.**

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. Construction began October 23, 2023; construction was completed October 26, 2023. Partial Payment No. 1 in the amount of \$54,564.44 was submitted to Borough for consideration; LSSE recommends payment.

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 was held October 11, 2023. Partial Payment No. 1 in the amount of \$74,940.21 was submitted to Borough for consideration; LSSE recommends payment.

- 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 Murrys ville 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 purchase, and road and sidewalk programs. There is no local match required. There is a \$100.00 application fee. LSSE is preparing grant application for road work on Greensburg and Freeport Street in the amount of \$1,000,000.00. Resolution to be provided by the Solicitor.*

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

A Motion to Approve Resolution 2023-11: LSA Grant Application was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

Mr. Hewitt reported continuing efforts by Bill Heaps to enforce property maintenance. A court hearing with the District Judge is scheduled for December 7, 2023 for an Athena Drive property.

COMMITTEE REPORTS

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

Chief Klobucar reported the October stats: 101 total calls for service. 21 traffic citation and 2 criminal arrests. The Delmont VFD had 18 calls out in October.

BUILDING AND RENTALS Pam Simpson and Jeff Cunningham

Pam Simpson stated that she spoke with the owner of the vending machine in the Borough Building re: purchasing the machine. Price was quoted at a negotiable \$3,600.

STREETS/ROADS/STORM WATER Stan Cheyne and Jeff Cunningham

A Motion to Accept the resignation of the Stormwater Authority Board Member, Robert Burton, was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

A Motion to Approve Resolution 2023-10: Accepting Adam Reabe to the Stormwater Authority Board as the Replacement was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. All Approved.

A Motion was Made by Stan Cheyne to Advertise the Stormwater Authority Meeting Dates for the First Half of 2024. A Second Motion was Made by Dave Weber. All Approved.

LSSE proposed \$7,500 to initiate traffic studies in the Borough. A Motion was Made to Approve Traffic Studies in the Borough was Made by Stan Cheyne. A Second Motion was Made by Jeff Cunningham. Becky Matesevac Opposed. Andrew Shissler Opposed. Motion Carries.

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.

A Motion was Made by Andrew Shissler to Advertise the Tentative 2024 Budget in the Amount of \$1,673,445, which Includes a Two (2) Mill Increase. A Second Motion was Made by Pam Simpson. Stan Cheyne Opposed. Motion Carries.

A Motion was Made by Andrew Shissler to Advertise Proposed Ordinance for Millage Increase. A Second Motion was Made by Becky Matesevac. Stan Cheyne Opposed. Motion Carries.

A Motion was Made by Stan Cheyne to Pay-off the Stormwater Loan in the Amount of \$79,293.28. A Second Motion was Made by Jeff Cunningham. All Approved.

SEWAGE COMMITTEE - Stan Cheyne and David Weber

Stan Cheyne reported that the Sewage Committee will work with the Borough Office to do an internal audit of the dye tests completed thus far. Included in the that will be what residents will need to be issued a first or final letter to have the test done.

SHIELDS FARM – Andrew Shissler, Council President

Andy Shissler reported that trees were planted that were received from grant. These trees run from Contact Place to the electric box at Shields Farm.

Mr. Shissler also reported that the trailblazing has slowed down a little due to the time change. He is also working on a map of the trails for residents. He will also be meeting with Bill Heaps regarding the scope of maintenance.

GRANTS COMMITTEE – Dave Weber

Dave Weber reported that the Borough will not be informed of the status of the Generator Grant until March 2023. The \$23,000 Scott Electric Grant for the generator has already been received and is set aside in a separate account while awaiting the remaining grant funds.

COMPREHENSIVE PLAN COMMITTEE – Andrew Shissler and Stan Cheyne

Carolyn Yagle spoke in regards to the Comprehensive Plan. She mentioned that the Plan has received six (6) comments. Some comments included, but are not limited to, prioritizing projects, working with other Municipalities, etc. She also mentioned using the funds for ADA accessibility, using Shields Farm as the priority master plan, as there is more potential for growth up there, then having an Enhancement Plan for Newhouse Park as a close second to Shields Farm. Stan Cheyne had sent copy of the draft out to Council Members and he and Andy Shissler commented on it as well.

OLD AND NEW BUSINESS:

The Reorganization Meeting will take place the first Tuesday of 2024, as required, making the date Tuesday, January 2nd, 2023. Council has chosen the option to do the first Council Meeting of the year directly following the Reorganization Meeting that evening.

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

Respectfully Submitted:



Dawn Earhart
Delmont Borough Secretary
APPROVED: