

Approved minutes – Regular Meeting 8/13/2024

Approved minutes – Special Meeting _____

Approved minutes – Special/Workshop Meeting _____

Regular Meeting
August 13, 2024
7:00 P.M.

The regular monthly meeting of the Meyersdale Borough Council was called to order by President Irwin, August 13, 2024 at 7:00 P.M.

Mr. Ackerman, Mr. Baer, Mr. Baker, Mrs. Gnagey, Mr. Irwin, Mrs. Knieriem, Solicitor Valentine, and Mayor Smith were present. Mr. Smith was absent. Mr. Brion Reiber, Street Foreman and Mr. Tim Pritts, Police Lieutenant were also present.

Mrs. Gnagey introduced the following officials: Senator Pat Stefano, Mr. Brian Fochtman, Somerset County Commissioner and Mr. Dusty Weir, Somerset County Sheriff.

MINUTES:

Mr. Ackerman made the motion to approve the July 9, 2024 Regular Meeting minutes as presented, approve the July 23, 2024 Special Meeting minutes with an addition to Page 3 regarding mini split heat/air quotes – meeting room as follows: Zaiger quote was solicited by Council Member Gnagey **with Council approval**; and to approve the August 8, 2024 Special Meeting minutes as presented. Mr. Baer seconded. Motion passed.

FINANCIAL REPORT/ BILLS:

Mayor Smith explained that the body cameras purchase was a total of \$5,941.00 which included contract fees for five years. The contract fees are able to be paid in installments. Mrs. Knieriem made the motion to pay for the body cameras and the contract fees in full. Mrs. Gnagey seconded. Motion passed.

It was reported that the fireworks display invoice was a total of \$12,000.00. The fireworks fund has a balance of \$9,924.95. After some discussion Mrs. Gnagey made the motion to pay the balance over the amount available in the fireworks fund from the General Fund. Mr. Baker seconded. Motion.

Mr. Baker made the motion to accept the financial report and pay the bills as presented. Mrs. Gnagey seconded. Motion passed.

It was reported that the 2025 Proposed Budget will be ready for presentation at the September 5, 2024 Finance Committee Meeting.

GUESTS:

A.) Mr. Brian Fochtman- Somerset County Commissioner

Commissioner Fochtman reported that he is still investigating what happened to the insurance monies received in 2017 for damages to the North Street bridge. The Commissioners are exploring several options for replacing or refurbishing the bridge. No estimates have been received. He answered questions from the Council and the audience regarding the bridge issue.

B.) Senator Stefano was in attendance just to listen.

C.) Sheriff Weir did not speak.

- D.) Luke from Morocco was present to explain a proposal for security cameras at the playground, pavilion and Little League concession stand. The proposal would include eight cameras to start, which would record up to four months. The units would not be hooked to wi-fi internet service. The cameras are mid range and can not provide close up videos. After some discussion, Mrs. Knieriem made the motion to accept the quote of \$7,520.00 for the security system. Mr. Baer seconded. Motion passed. A down payment of 50% is required. The Street Crew will assist with digging the duct channel.
- E.) Mrs. Mardiann Vincent was present to give an overview of the Summer Lunch Program. The food distribution is held two days per week and there are no income guidelines. The meals include 7 breakfasts and 7 lunches. This is a tax payer funded program and is managed by the Department of Education. Mrs. Sarah Jones serves as the local sight supervisor. Each week there are 40-60 meals provided. There is a Tableland program that provides first time employment to youth that are responsible for putting the meals together. The program will run through August 16, 2024.
- B.) Mr. Cody Robertson was present to offer an option for air conditioning for the police department. He could install a dual inverter system that would last for 1-5 years or install a mini split heat/air combination for approximately \$4,200.00. After some discussion, Mrs. Gnagey made the motion to purchase a mini split system with a cost not to exceed \$5,000.00. Mrs. Knieriem seconded. Motion passed.
- C.) Mr. Ed Mazurkiewiez from the PA Municipal Code Alliance was present to urge Council to consider enacting some type of Air Bed & Breakfast Ordinance. Sample ordinances will be provided to Council for review via e-mail. No action was taken.
- D.) Federal Aviation Administration Ordinance
Mrs. Gnagey reported that the hospital has requested that Council consider enacting a Federal Aviation Administration ordinance, which would regulate the construction of any building four stories or higher that could potentially interfere with the Life Flight flight path to the hospital. An update to the zoning ordinance would also need to be completed to coincide with an FAA Ordinance.
- E.) Mr. Jeffrey Christner – Volleyball equipment estimates
Mr. Christner reported that he did not have quotes for this meeting.
- F.) Mr. Michael Mishler – Time Capsule
Mrs. Knieriem made the motion to grant Mr. Mishler permission to insert a time capsule in the Main St. Park as part of the 150th Anniversary Celebration. Mr. Baer seconded. Motion passed. A bronze plaque will mark the spot for the time capsule, the contents will be all digital and will be stored on devices that should withstand the elements until the time capsule is to be open in 50 years.
- G.) Mr. Scott Kelly – Equipment installation for Little League Field
Mr. Tom Kelly spoke on Scott's behalf. The plan is to install a batting cage at the Paul E. Fuller Playground ballfield. This will be an above ground structure with a cement pad. Mr. Baker made the motion to grant Mr. Kelly permission to install the batting cage. Mrs. Gnagey seconded. Motion passed. (See attached site plan map)

PUBLIC COMMENT:

Commissioner Fochtman answered questions regarding the ATV/UTV trail route and the impact it may have on the Borough.

Mr. Brian Berkebile, President of the Meyersdale Area Merchants Association read a letter of support from two businesses in favor of the ATV/UTV Ordinance passage. The letters were from Mike & Katie Rhoten - Adventure Lodging and Melissa Blocher – Donges Restaurant. (See attached letters)

Ms. Rachel Kimmel, owner of the Center Street Emporium was present to support the passage.

ADOPT ORDINANCE #445 (RECREATIONAL VEHICLE ORDINANCE ATV/UTV)

Mrs. Gnagey made the motion to adopt Ordinance #445. Mrs. Knieriem seconded. Roll Call Vote:

Mr. Ackerman – Yes; Mr. Baer – Yes; Mr. Baker – Yes; Mrs. Gnagey – Yes; Mr. Irwin – NO; Mrs. Knieriem – Yes; Mr. Smith – Absent. Motion passed.

PRESIDENT’S REPORT:

President Irwin reported that once the Public Comment period is over, the public will not be permitted to enter into any discussion regarding any topic. If there is discussion that an attendee wishes to comment on, it will be held until the next Regular Meeting.

MAYOR’S REPORT:

Mayor Smith presented a calls for service report. Fines totaled \$166.93 for the month.

JUNIOR COUNCIL MEMBER:

No report given during summer break.

EMERGENCY MANAGEMENT COORDINATOR:

No report was given.

ENGINEERS REPORT:

No report was given.

SOLICITOR’S REPORT:

Solicitor Valentine reported on the following:

- The School Board has agreed to transfer the Community Center building to the Borough without restrictions, but would like to have the Vietnam/Korean Memorial subdivision plan signed first. Mr. Ackerman made the motion to authorize the President of Council to sign the subdivision plan. Mr. Baer seconded. Motion passed.
- It was reported that the resurfacing contract went over the bid price by approximately \$10,000.00. Solicitor Valentine was asked to notify HRI, Inc. that Council was not going to pay the overage and that Council was concerned that HRI, Inc. was in violation of the contract agreement.
- Solicitor Valentine is working to insure that PennDOT assumes ownership of the retaining wall on Grant Street.
- Sample Social Media Polices were provided for Council review. This item will remain on the Agenda for the September 10, 2024 Regular Meeting.

- COVID ARPA funds

Mr. Ackerman made the motion to designate the following uses for the COVID ARPA Funds:

1. Meyers Avenue access road
2. Storm drains
3. Upgrade playground

Mr. Baker seconded. Motion passed. A breakdown of the amount of funds to be used for each category will be completed at a later date.

CODE ENFORCEMENT:

No report was given.

COMMITTEE REPORTS:

Municipal Authority

Mr. Baker reported that the water level is holding its own, but that the MMA is concerned due to potential drought conditions.

Street Foreman

Mr. Reiber reported that he will be working on putting up new street name signs the week of 8/19/24 – 8/23/2024. Basins will be worked on after Mr. Hotchkiss returns from vacation.

Meyersdale Area Merchants Association

There was no report given.

Public Library

There was no report given.

Meyersdale Community Events Committee

Mrs. Knieriem reported that the committee is working on the following:

- A back to school coloring contest will be held in September.
- Halloween Parade and Bon Fire will be held in October.
- Light up Night will be November 30, 2024 and they will be working with the PA Maple Festival on this project.

President Irwin suggested that the Committee come up the of activities for the 2025 season so that they can be incorporated in the 2025 budget.

Meyersdale Renaissance

No report was given.

COUNCIL MEMBERS – STANDING COMMITTEES

Police/Public Safety Committee

Lieutenant Pritts reported that leaving messages in the police outside mailbox has proven to work out very well.

Personnel

No report was given.

Finance

No report was given.

Refuse

No report was given.

Streets/Buildings

Mrs. Knieriem asked how the Tableland employees worked out for the summer. Mr. Reiber reported that the high school student is finished for the summer, but that the high school graduate will remain on the Tableland program into October.

Mrs. Gnagey reported that the job descriptions were coming along. A draft was sent to Solicitor Valentine.

4 Way Stop at 8th. Avenue

Solicitor Valentine reported that this must be completed via resolution and must be advertised.

Mrs. Gnagey made the motion to advertise the resolution for adoption at the September 10, 2024 Regular Meeting. Mr. Baker seconded. Motion passed.

Flood Control

No report was given.

Farmer's Market

No report was given.

UNFINISHED BUSINESS:

A.) Patrolman police agreement/handbook

The agreement/handbook has not been signed. The Mayor will ask the Patrolman to sign the document.

B.) Ambulance

Mr. Ken Marteney was present to speak about the options available. He gave an overview of the calls for each municipality and township. The Ambulance Association runs on a \$850,000.00 budget. The Association cannot pay the staff enough to keep them. If all nine municipalities are in agreement and taxes are created, then each municipality will receive a report on how their portions were used by the Ambulance Association. An estimated \$180,000.00 would need to be raised amongst the nine municipalities and that an estimated \$25,000.00 would be needed from Meyersdale Borough. It was reported that one mill of tax is equivalent to \$25,000.00. There are some municipalities that have the funds without raising taxes or enacting a tax. It was also reported that once a community loses an Ambulance service, they will never get it back.

Mrs. Gnagey reported that something would be ready for Council approval in September.

The options would be a tax ordinance or a Per Capita tax, which would be collected by Keystone Collections. It would be the decision of the nine municipalities regarding what type of tax they would enact.

- F.) Vietnam/Korea Memorial subdivision
No additional report was given.
- G.) Job Descriptions
No additional report was given.
- H.) COVID ARPA funds
No additional report was given.
- I.) Ordinance #435 – Noise Ordinance (Chickens, Farm Animals)
No discussion.
- J.) Cleanup Day – Harbaugh fee
Mr. Baer is to get a price for two large dumpsters and any restrictions for a one day event to be held on a Friday. He will report his findings at the September meeting.
- K.) Little League Concession Stand
Estimates will be received for repairs to the concession stand.
- L.) Tree at Borough shed
This item was to be removed from the Agenda.
- M.) Quote to change electrical outlets on decorative lamp posts
This item was tabled until the September meeting.
- N.) Community Foundation for the Alleghenies Grant
Mrs. Gnagey made the motion to increase the Borough commitment to the project from \$5,000.00 to \$7,500.00 from the Leckemby Trust Funds. Mrs. Knieriem seconded. Motion passed.

Mrs. Gnagey made the motion to move forward with the project even if grant funds are not received.
Mrs. Knieriem seconded. Motion passed.

NEW BUSINESS:

- A.) Announcements
There were no announcements.
- B.) Minimum Municipal Obligation – 2025 Pension Plan
Mr. Baer made the motion to accept the MMO for 2025 as prepared by Steve Feaster Pension Consulting.
Mr. Baker seconded. Motion passed.
- C.) Gym rental
Mrs. Gnagey suggested that an individual interested in using the gym for an exercise class should sign a

contract, have liability insurance with the Borough being listed as an additional insured. After some discussion, Solicitor Valentine was asked to prepare a waiver form and forward a draft to Council.

GOALS FOR 2024

Emergency Access Road Meyers Ave.

President Irwin reported that along with Mr. Ackerman and Mr. Baer, needs for the emergency access road for Meyers Avenue was investigated. The three met, legitimately with no quorum of Council Members present. Their findings revealed the need to add more road millings to the temporary road for easier access. If at all possible, they would like to use COVID ARP funds to pave the road and make it accessible to vehicular traffic.

Flood Control rip rap

Council asked Senator Stefano for support with the \$400,000.00 grant applied for to repair the flood control rip rap.

ADDITIONAL ITEMS FOR DISCUSSION:

There were no additional items to be discussed.

EXECUTIVE SESSION:

President Irwin announced that there was a need for an executive session to discuss property matters for 326 Salisbury St. and Alaska Street.

Wayne & Janice Mathias and Melvin & Patti Shaulis were asked to attend the executive session regarding Alaska Street.

Mr. Ackerman made the motion to enter into executive session at 9:00 PM. Mr. Baker seconded. Motion passed.

Mrs. Knieriem made the motion to return to regular session at 9:20 PM. Mr. Baker seconded. Motion passed.

Discussion motions

Mr. Baer made the motion to authorize Solicitor Valentine to move forward with preparing a consentable line settlement agreement involving Mr. & Mrs. Mathias and Mr. & Mrs. Shaulis on Alaska Street, a portion of Eighth Avenue, a portion of Sixth Avenue and Bottom Street. Mr. Ackerman seconded. Motion passed.

Mr. Ackerman made the motion to move forward with a settlement agreement on 326 Salisbury Street pending search for back taxes owing on the property. Mr. Baker seconded. Motion passed.

ADJOURNMENT:

Mr. Ackerman made the motion to adjourn the meeting at 9:25 P.M. Mr. Baer seconded. Motion passed.


Patricia C. Ackerman
Borough Secretary

MEYERSDALE BOROUGH COUNCIL
 Regular Meeting 8/13/2024 Special Meeting _____

GUEST SIGN IN

PLEASE PRINT

	NAME	ADDRESS	TOPIC
1	GARY HAER & TERESA HAER	MEYERSDALE	
2	Jeff christner	Meyersdale	
3	Beth & Mike Buttz	Meyersdale	
4	Beth & Deb Dunmeyer	Meyersdale	
5	Donald & Lorona Deal	Meyersdale	
6	KIM BUDAN		
7	Helen Mungo	Meyersdale	
8	Jane Jones		
9	MARIE VINCENT		
10	Ruth & Eugene Mishler		
11	Brian Benkebile	Meyersdale	SXS Merchants Association
12	Kenneth Masterson	Meyersdale	
13	Fred Shaulis	Mdale	
14	TRAVIS Shaulis	Mdale	
15	Tom & Wend Kelly		
16	Sandy Shaepe Miller	Mdale	
17	Rene Hay	mdale	
18	DUSTY WEA	SHERIFF	
19	Ed mazurkiewicz	PMCA CODE LNF	
20	BRIAN FOULDMAN	MEYERSDALE	
21	Pat Stefano	Bulliken Twp	PA Senate
22	Luke Jerin	Burlin PA	Camera System
23	Bachel Kimmel		
24	Douglas Schmitt	Meyersdale PA	

GUESTS MUST STAND WHILE SPEAKING

MEYERSDALE BOROUGH COUNCIL
Regular Meeting 8/13/2024 Special Meeting _____

GUEST SIGN IN

PLEASE PRINT

	NAME	ADDRESS	TOPIC
1	<i>Bob Borisy</i>		
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			

GUESTS MUST STAND WHILE SPEAKING

Adventure Lodging
Mike and Katie Rhoten
526 Main Street
Meyersdale, PA 15552
(724) 579-2324
owner@adventurelodgingllc.com

AUGUST 8, 2024

Dear Borough Council Members,

We are writing today to express our support for the proposed side-by-side trail that would have a stopping point in Meyersdale.

As most of you know, Mike was born and raised in Meyersdale. His family operated a small business that provided meat products to a lot of businesses in this town. George and Mary Alice at the White House, Ethel at Donges and Fran at Fran's Bar were among his family's most loyal customers that are still in operation today. The busier the restaurants were, the better it was for Mike's family business.

At the last meeting a letter was read from the White House Restaurant that stated their business increased by more than 50% during the GAP Trail biking season. It was their expectation that the proposed side by side trail would produce an even greater increase in business, and yet the vote was not unanimous.

It is our opinion that a "no" vote tonight is a vote against most small businesses in Meyersdale. It is a vote to keep store fronts empty, and a vote to keep things status quo vs progressing forward. We understand this will take work to ensure its success and we are confident that can be accomplished with the right leadership.

Respectfully, Meyersdale should not miss out on this amazing opportunity.

Warm regards,

Michael and Katie Rhoten

ADVENTURE LODGING LLC

Donges Drive-In
100 Center Street
Meyersdale, PA 15552

12 August 2024

Meyersdale Borough Council

Dear Mayor Shane Smith and Borough Council,

I am unable to attend the second of the meetings for the approval of the ordinance of the ATVs being allowed on borough roads.

I will however again voice my support of this bill passing.

Like many other merchants, out-of-town visitors are an important part of helping me to stay open. While I am truly blessed that my local customers are the backbone of my business, it is the visitors' business in the summer months that help me to get through the slower winter months with the higher bills from heating etc.

Allowing ATVs to be able to ride on borough roads and come to my business to eat or stay has the potential to be a huge benefit for me and other businesses like mine. Additionally, the riding season of ATVs is a bit longer than that of the cyclists on the GAP; giving us a potentially longer tourism season and extending our bumper months longer.

Similar to the boom of business from the GAP, I would hope Meyersdale will again shine in being a great stop for ATV enthusiasts. And the potential for the business benefit of ATVs in town would boost local businesses and again bring new businesses to town.

In turn, we are lucky that most of our community businesses then support so many of our town's activities such as support the Library, Maple Festival, County Fair, Youth sports (Softball, volleyball, soccer, football, little cheerleaders, etc.,) School clubs (FFA, FBLA, Spanish club, Tech ed, etc.,) the band, adult leagues (Archery league, softball leagues, corn hole tournaments, pool league, etc.,) adult organizations (garden club, Senior Center, etc.,) and many other charitable events all year long. Bigger business allows me and the many businesses in town to donate bigger as well.

Respectful Regards,
Melissa
Donges Drive-In