

Approved minutes – Regular Meeting _____

Approved minutes – Special Meeting 2/25/2025

Approved minutes – Special/Workshop Meeting _____

Special Meeting
February 25, 2025
7:00 PM

A Special Meeting of the Meyersdale Borough Council was called to order by President Irwin, February 25, 2025 at 7:00 PM.

Mr. Ackerman, Mrs. Gnagey, Mr. Irwin, Mrs. Knieriem, Mr. Smith, Solicitor Valentine and Mayor Smith were present. Mr. Baer was present via telephone. Mr. Baker was absent.

The purpose of the meeting was to discuss vacancies on the Meyersdale Municipal Authority Board and the ADA restroom grant application.

President Irwin reported at the end of the meeting last month, there was a motion made to move forward with getting grants for handicap accessible restrooms. There was some confusion as to what the motion actually was and how it was worded. Council went into executive session and there was some discussion on how to move forward, however after the executive session, no motions were made regarding the subject. When he was discussing the need for a Special Meeting to handle the Meyersdale Municipal Authority vacancies with the Solicitor, Solicitor Valentine suggested that an item to revisit the handicap accessible restrooms be added to the Special Meeting Agenda. In the midst of setting up the Agenda items he inadvertently had the Secretary add rescind the motion to move forward with the grant application for ADA restroom renovations as a topic, rather than revisit this item. He apologized for the error and indicated that no one is interested in rescinding or doing anything inappropriate regarding handicap restrooms. Solicitor Valentine indicated that the topic needs to be on the Agenda. The restrooms do not meet the requirements, however Council needs to take their time and be prudent with the choices that are made, so that they are done correctly. The Council also needs to be aware of what this project will cost financially. It was pointed out that the Borough Council has two major projects that will require their utmost attention. The flood control rip rap project will require a substantial amount of Borough financing. There is the potential that as much as \$186,595.00 of Borough funds will be needed to meet the matching fund requirements if other funding or assistance is not obtained for this project.

Mrs. Gnagey reported that she got working on the ADA restrooms the very next day, she thought that it would have been respectful and prudent to give her a courtesy call to notify her that they wanted to slow things down. She felt that it was very inappropriate.

GUESTS:

There were no guests present.

PUBLIC COMMENT:

Mrs. Wendy Kelly was present and expressed her concern that the error of rescind vs revisit should have been made public. A statement she prepared regarding handicap accessibility issues

with the community center was read. She encourages everyone to come together and take action to bring the building up to ADA standards.

Mr. Tony DeLuca, Somerset County Treasurer was present regarding the handicap accessibility issues. He, as the parent of a handicapped child knows the struggles and obstacles there are to gain access to public buildings and restrooms. He indicated that there are grants and ways to obtain funding. He encouraged Council to push forward with a project and also indicated that Somerset County may have funding from the hotel tax available to assist with a project.

Mrs. Jessica Deakins was present to give an overview of her association with the community center, when a group of citizens formed the first Parks & Recreation Board. The Board raised funds to keep the community center open and most all of the funding efforts went toward upkeep of the building. The ADA compliance issues were relevant then and could not be addressed at the time due to funding constraints. The building was always busy and continues to be a busy viable space within the community. Back then everyone who used the building paid something. By charging a fee, these funds could be used to put back into the building and it keeps the users responsible for taking care of the building when they use it. She indicated that with the help of former Council Members Edmunds, Vincent and Irwin, the buildings day to day upkeep was taken over by the Borough. Handicap accessibility would open the doors for other activities to happen in the building.

Mr. Mike Rhoten was present to urge Council to entertain adding a position that manages the charging of fees, and researching grants. He indicated that there has been a lot of waste in tearing down buildings that cost six figures. If the Borough had someone who is business minded, grant minded and legal minded, that person would look into that. The Zoning Ordinance should be improved to make accommodations and exceptions for the rail trail.

BUSINESS:

1. Meyersdale Municipal Authority Board Members resignations

Mr. Ackerman made the motion to accept the resignation of Mrs. Sandy Miller and Mr. Louis Martin from the Meyersdale Municipal Authority Board. Mr. Smith seconded. Motion passed.

2. Authorize advertising for candidates to fill the MMA vacancies

Mrs. Knieriem thought that there should be a "Job Description" available for the MMA Board Members, in order for interested person to become aware of what is expected of them as a member of the board. Solicitor Valentine indicated that a document is being drafted and should be ready for presentation at the MMA March workshop meeting.

Mrs. Gnagey made the motion to table advertising for the vacancies until the "Roll Profile" has been approved and put into place. Mrs. Knieriem seconded. Motion passed with Mr. Irwin opposing.

3. Serving on the Borough Council and the Meyersdale Municipal Authority Board simultaneously. Members of the Meyersdale Authority Board are in support of not allowing a Council member to serve on the MMA Board. Solicitor Valentine indicated that there are concerns with conflict and crossovers when a Council Member is permitted to serve on both boards at the same time. Examples of former conflicts were presented.

It was his opinion that Council should limit the potential for conflict by not allowing it.

Mr. Smith made the motion to authorize Solicitor Valentine to draft a formal policy via ordinance, resolution, etc. to not allow a Borough Council Member to serve on the Meyersdale Municipal Authority Board simultaneously. Mr. Ackerman seconded.

Roll Call Vote: Mr. Ackerman – Yes; Mr. Baer – Yes; Mrs. Gnagey – Yes; Mr. Irwin – Yes; Mrs. Knieriem – Yes; Mr. Smith – Yes. Motion passed.

Mrs. Gnagey had a concern that this was the only conflict being discussed and she indicated that there are other conflicts within the Borough.

President Irwin welcomed Mrs. Gnagey to address her concerns at another meeting.

4. ADA grant application

Mrs. Gnagey gave an overview of the ADA Act which was enacted by President Bush in 1990. According to the act, the Borough is not following the law and a citizen could file a private law suit in Federal Court, if they believe their rights under the ADA Act have been violated. She met with Emily Newman, Mayor of Grantsville, MD and received information regarding Federal grants that are available. She also spoke with Regina Coughenour, Somerset Inc. and Steve Spochart from the Redevelopment Authority and received an abundance of information.

Along with Mr. Smith, she met with an Engineer, Mr. Larry Phillips and his colleague from Somerset Engineering on a free consult and found that the mens restroom is not going to be able to be renovated for handicap accessibility. The ladies restroom has some wiggle room, but there is a concern on how they would figure the load. She came up with doing one big restroom in the MMA room. The entrance to the MMA room would be used and a petition would be built, to make a family restroom. By partitioning this area, the existing plumbing in the MMA room could be utilized and there would still be space for a records room and private restroom for the Borough office. The engineers thought this was a great solution and since the project would be all ADA, we could stand to get a larger piece of the reimbursement for building it. By doing this, the Borough would be eliminating an accessibility barrier and CDBG is reviewing it to see if they would fund the project.

Solicitor Valentine was concerned that once this project is started, will the Borough have to bring the entire building up to code. If approval was not granted by CDBG for the plan, then the entire MMA room may have to be used to make a large ADA family restroom.

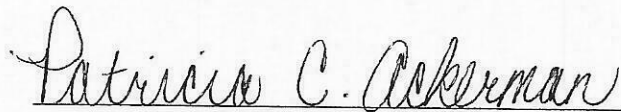
Mr. Ackerman suggested that the mens restroom be converted to a unisex restroom and the ladies restroom be renovated to a handicap family restroom. It was pointed out that this would not work.

Mrs. Gnagey also reported that she met with Darr Construction and found that the side ramp

has issues, in that it does not face the front of the building, the sidewalk is not big enough and the door does not open automatically. Darr is working on an estimate for these renovations. Darr also indicated that with the window replacement project, if the windows are to be the type that will open, this will take away a large chunk of the budget available with the COVID funding. After some discussion, Solicitor Valentine was asked to find out if the COVID funds could be used for restrooms instead of a window project.

ADJOURNMENT:

Mr. Baer made the motion to adjourn the meeting at 7:52 PM. Mrs. Knieriem seconded. Motion passed.



Patricia C. Ackerman
Borough Secretary

MEYERSDALE BOROUGH COUNCIL
 Regular Meeting _____ Special Meeting 2/25/2025

GUEST SIGN IN

PLEASE PRINT

NAME	ADDRESS	TOPIC
1 Ruth + Eugene Mishler		
2 Jeff CHRISTMAN	Meyersdale	
3 Chloe Thomas	Meyersdale	
4 Jessica Deakins	Meyersdale	
5 Wendy Kelly		
6 Tony Deluca	Somerset County	ADA RESTROOMS
7 Brian Benkebile	Meyersdale	ADK
8 Mike Ruter	M'dale	
9 Demina Gehring	106 Meyers Ave	
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GUESTS MUST STAND WHILE SPEAKING