

Approved minutes – Regular Meeting 5/14/2024

Approved minutes – Special Meeting _____

Approved minutes – Special/Workshop Meeting _____

Regular Meeting
May 14, 2024
7:00 P.M.

The regular monthly meeting of the Meyersdale Borough Council was called to order by President Irwin, May 14, 2024 at 7:00 P.M.

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

MINUTES:

Regular Meeting – April 9, 2024

Mrs. Gnagey made the motion to table approval of the April 9, 2024 Regular Meeting minutes and wage discussions until after an executive session. Mrs. Knieriem seconded. Roll Call Vote: Mr. Ackerman – Yes; Mr. Baer – Yes; Mr. Baker – Yes; Mrs. Gnagey – Yes; Mr. Irwin – Yes; Mrs. Knieriem – Yes; Mr. Smith – Yes. Motion passed.

Special Meeting – May 3, 2024

Mr. Ackerman made the motion to accept the minutes of the May 3, 2024 Special Meeting as presented. Mr. Baer seconded. Motion passed.

FINANCIAL REPORT/ BILLS:

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

Mr. Irwin reported that the Borough has over a million dollars in the various accounts and that the finances have never been so good. This is a result of fiscal conservative financing.

Mrs. Gnagey made the motion to move \$150,000.00 from the General Fund Checking to the General Fund Money Market Account. Mrs. Knieriem seconded. Roll Call Vote: Mr. Ackerman – No; Mr. Baer – Yes; Mr. Baker – Yes; Mrs. Gnagey – Yes; Mr. Irwin – No; Mrs. Knieriem – Yes; Mr. Smith - No. Motion passed.

GUESTS:

A.) Mr. & Mrs. Wayne Mathias – Bottom Street

Solicitor Valentine reported that the vacating of Alaska St. & 7th. Street has been approved by the Judge and will be recorded. Mr. Kevin Yoder is working on the survey and this should be completed by July. The four property owners will need to sign the subdivision plan.

B.) Mrs. Melissa Blocher – Car Cruise

Mr. Baer made the motion to grant Mrs. Blocher permission to hold a car cruise as part of the 150th Celebration on Center St from Donges Restaurant to the traffic light. Mr. Smith seconded. Motion passed.

PUBLIC COMMENT:

A.) Mr. Tom Deetz reported that the Borough crew installed the 150th anniversary banners and the American

Flags. There are 56 entries for an essay contest in association with the 150th anniversary. A banquet was held for the 150th celebration and Senator Pat Stefano presented a certificate at the banquet, which will be displayed in the Library. The wagon train is scheduled to come through town on June 18, 2024 as part of the ongoing celebration events.

B.) Mrs. Pat Murray suggested that Council consider reducing the property taxes now that the school board is considering a 1.81 mill increase.

C.) Mr. Michael Emerick reported that the playground is being destroyed by teenage kids. The Little League concession stand was broken into. The restroom doors were kicked in. After some discussion, it was suggested to look into a solution to monitor the playground with security cameras.

PRESIDENT'S REPORT:

There was no President's report.

MAYOR'S REPORT:

Fines totaled \$143.20 for the month. A calls for service report was presented. Mayor Smith reported that those using recreational vehicles on Borough streets will be cited. The only nonregistered vehicles permitted are farm equipment, mowers and construction equipment.

JUNIOR COUNCIL MEMBER:

Miss Anna Stewart – Junior Council Member
Mayor Smith presented Miss Stewart with a certificate of appreciation.
Miss Stewart gave a report of activities as the school.

EMERGENCY MANAGEMENT COORDINATOR:

No report was given.

ENGINEERS REPORT:

Mr. Kevin Yoder reported on the following:

- Rip Rap Project estimated cost of \$412,095.00 for the flood mitigation grant. Borough match for the grant must be 15% or more. (See attached project costs breakdown)
Mr. Ackerman made the motion to approve the Borough match at 25% and to grant permission to submit the grant application. Mr. Smith seconded. Motion passed.
Mr. Smith authorized the passage of a resolution granting the President and Vice President of Council permission to sign the flood mitigation grant funding documents. Mrs. Gnagey seconded. Motion passed. (See attached resolution)

SOLICITOR'S REPORT:

Solicitor Valentine reported on the following:

- The Clay Street blighted property is close to a party wanting to take on the property. Somerset County will hand the demolition.
- The Salisbury Street blighted property is progressing. Solicitor has been working with PMCA.
- There is a person interested in the Grant Street lots. There is a right of way issue that needs to be addressed.
- A letter was issued to an individual for trespassing on the Flood Control right of way.

CODE ENFORCEMENT:

No report was given.

COMMITTEE REPORTS:

Municipal Authority

President Irwin reported that the Meyersdale Municipal Authority has provided the current debt of the MMA. The building is paid for and monthly payments are being made on the new backhoe. Two grants were received. (See attached report)

Street Foreman

Mr. Reiber reported that the Little League concession stand bathrooms were broken into. The doors need to be replaced.

Meyersdale Area Merchants Association

No report was given.

Public Library

Mrs. Gnagey reported on behalf of the library. They are working on the summer programs and will be hosting an art class.

Meyersdale Community Events Committee

Mrs. Marlana Marker reported that the group had a float in the Maple Festival parade.

Mrs. Gnagey reported that luminaries to benefit the Relay for Life will be displayed the Sunday before Memorial Day. Luminaries can be purchased in honor or memory of loved ones at Thomas Drug Store, the GI Dayroom or Ginny Knieriem.

The fireworks will be held on June 30, 2024.

Meyersdale Renaissance

No report was given.

COUNCIL MEMBERS – STANDING COMMITTEES

Police/Public Safety Committee

Mr. Ackerman reported that there is no indication that Blue Alley has been closed. After some discussion, the junk situation will be monitored before action is taken.

Personnel

The Secretary reported that the Borough will get one Summer Youth Worker through the Tableland Program and that there is a program available to recent high school graduates. Anyone interested should apply. Tableland pays the workers and provides workman's compensation.

Advertise for Summer Worker

Mrs. Knieriem made the motion to advertise for a summer worker at a rate of \$10.00 per hour for 36 hours per week. Mrs. Gnagey seconded. Motion passed.

Finance

- Internet Issues

Mr. Shawn Hostetler and Mr. Dan Stein volunteered to assist with issues the Secretary has been having with the current internet plan and internet cable/connection.

Mrs. Knieriem made the motion to approve Shawn Hostetler and Dan Stein to work with Comcast to review the current internet plan and upgrade the plan if there is no additional monthly costs to the Borough. Mr. Baer seconded. Motion passed.

Mrs. Gnagey made the motion to approve Shawn Hostetler and Dan Stein to repair the internet cable/connection to the Borough Office from the electrical closet downstairs at a cost not to exceed \$350.00, with some work may need to be performed after hours. Mr. Smith seconded. Motion passed.

- Estimate – truck repairs

Mr. Ackerman made the motion to accept a quote from Boden's Auto Body in the amount of \$2,853.15 to repair the Borough street crew vehicle. Mr. Baker seconded. Motion passed.

- Copy Machine

Mrs. Gnagey made the motion to purchase a new commercial copy machine in the amount of \$3,612.00. Mrs. Knieriem seconded. Motion passed.

- Garden Club donation

Mrs. Gnagey made the motion to give the Garden Club a \$350.00 donation from the Harry Leckemby Memorial Fund. Mr. Baker seconded. Motion passed.

Refuse

No report was given.

Streets/Buildings

Mr. Ackerman made the motion to grant an employee from the Meyersdale Municipal Authority, who is has a pesticide spray license, permission to spray weeds in the uptown area. Mr. Smith seconded. Motion passed.

Flood Control

No report was given.

Farmer's Market

No report was given.

UNFINISHED BUSINESS:

A.) Correct inflationary increase motion – Police employees

B.) Correct inflationary increase motion – Non Uniform employees

C.) Correct inflationary increase motion – Other Borough employee – Janitor

The above items were tabled for discussion in executive session.

D.) Patrolman police agreement/handbook

Mayor Smith reported that the agreement/handbook has not been signed.

E.) Ambulance meeting

Mrs. Gnagey reported that a Task Force Member meeting will be held on May 20, 2024.

F.) Vietnam/Korea Memorial subdivision

The Zoning Hearing will be held on May 20, 2024 at 7 PM.

G.) Job Descriptions

Mrs. Knieriem reported that she is still working on reaching out to the Union Representative. It was reported that Mrs. Knieriem and Mrs. Gnagey have a draft prepared for review by Solicitor Valentine.

H.) COVID ARPA funds

No decision was made regarding these funds.

NEW BUSINESS:

A.) Announcements

The upcoming vacancy on the Zoning Hearing Board will be advertised in the Daily American. Mr. Smith reported that street name signs have been ordered for phase I of the replacement project.

B.) Open Bids on street resurfacing project.

Bids were received as follows:

- | | |
|--|--------------|
| 1) HRI, Inc.
1750 West College Avenue
State College, PA 16801 | \$170,669.10 |
| 2) New Enterprise Stone & Lime
3912 Brumbaugh Rd.
New Enterprise, PA 16664 | \$242,415.14 |
| 3) Keystone Lime Co.
PO Box 278
Springs, PA 15562 | \$177,401.80 |
| 4) Quaker Sales Corp
PO Box 880
Johnstown, PA 15907 | \$187,043.75 |

Mr. Ackerman made the motion to award the bid to HRI, Inc., the lowest qualified bidder. Mrs. Gnagey seconded. Roll Call Vote: Mr. Ackerman – Yes; Mr. Baer – Yes; Mr. Baker – Yes; Mrs. Gnagey – Yes; Mr. Irwin – Abstained (See attached Abstention Memorandum); Mrs. Knieriem – Yes; Mr. Smith – Yes. Motion passed.

C.) Open bids on sale of 2002 Chevrolet 3500

Local Advertisement Sealed Bid

Kevin Trowbridge - \$750.00
Meyersdale, PA 15552

Municibid

Daniel Drescal (for Jack Tickle, Jr.)- \$6,650.00
Saltsburg, PA

Mr. Baker made the motion to accept the Municibid from Daniel Drescal (for Jack Tickle, Jr.) in the amount of \$6,650.00. Mr. Ackerman seconded. Motion passed.

D.) Borough e-mail account
Tabled until later date.

E.) Prisoner job description & gymnasium paint reimbursement
Tabled until later date.

F.) Hallway paint color & BOGO offer from Sherwin Williams
No discussion.

G.) Contact Maple Festival regarding safety concerns
The Maple Festival will be asked to attend the Committee meetings in June.

H.) Rental License Ordinance
Mrs. Gnagey asked what the procedure was to obtain new landlord information and how the information from the rental license is used.
The original intent of the ordinance was to allow the renter to file a complaint about the living conditions. New landlords are obtained through transfer of property and word of mouth
Mrs. Wendy Kelly asked how the Air B & B businesses are effective by the rental license ordinance. These items were tabled for discussion at the June committee meetings.

GOALS FOR 2024

Emergency Access Road Meyers Ave.
No report was given.

Flood Control rip rap
No report given.

ADDITIONAL ITEMS FOR DISCUSSION:

There were no additional items to be discussed.

EXECUTIVE SESSION:

Mrs. Knieriem made the motion to enter into executive session at 8:30 PM. Mr. Baer seconded. Motion passed.

Mr. Baker made the motion to return to regular session at 9:00 PM. Mrs. Gnagey seconded. Motion passed.

Discussion/motions:

INFLATIONARY INCREASES

MOTION #1

Mrs. Gnagey made the motion to enact a \$2.00 per hour one time inflationary increase to the police department employees retroactive to the pay period beginning April 13, 2024 and that this motion supersedes action taken on April 9, 2024 regarding the same. Mrs. Knieriem seconded. Roll Call Vote: Mr. Ackerman – Yes; Mr. Baer – Yes; Mr. Baker – Yes; Mrs. Gnagey – Yes; Mr. Irwin - Yes; Mrs. Knieriem – Yes; Mr. Smith – Yes. Motion unanimously passed.

MOTION #2

Mr. Ackerman made the motion to enact an additional \$1.00 per hour one time inflationary increase to the nonuniform employee (Harold Hotchkiss) that did not receive the \$2.00 per hour one time inflationary increase during a motion made March 12, 2024 retroactive to the pay period beginning April 13, 2024, and that this motion supersedes action taken on April 9, 2024 regarding the same. Mr. Baker seconded. Roll Call Vote: Mr. Ackerman – Yes; Mr. Baer – Yes; Mr. Baker – Yes; Mrs. Gnagey – Yes; Mr. Irwin - Yes; Mrs. Knieriem – Yes; Mr. Smith – Yes. Motion unanimously passed.

MOTION #3

Mr. Ackerman made the motion to enact a \$2.00 per hour one time inflationary increase to the Part-time Janitor (Jeff Christner) retroactive to the pay period beginning April 13, 2024, and that this motion supersedes action taken on April 9, 2024 regarding the same. Mr. Baer seconded. Roll Call Vote: Mr. Ackerman – Yes; Mr. Baer – Yes; Mr. Baker – Yes; Mrs. Gnagey – No; Mr. Irwin – Yes; Mrs. Knieriem – No; Mr. Smith – Yes. Motion passed by majority vote.

MINUTES – April 9, 2024

Mrs. Gnagey asked that under the Engineer's report that the following sentence be withdrawn from the minutes: *The costs were prepared to be as close to the cap of the grant as possible.*

Mrs. Gnagey made the motion to approve the minutes of the April 9, 2024 Regular Meeting as corrected. Mrs. Knieriem seconded. Motion passed.

ADJOURNMENT:

Mr. Baker made the motion to adjourn the meeting at 9:00 P.M. Mr. Ackerman seconded. Motion passed.



Patricia C. Ackerman
Borough Secretary

MEYERSDALE BOROUGH COUNCIL
 CASSELMAN RIVER FLOOD CONTROL PROJECT
 Meyersdale Borough, Somerset County, Pennsylvania

PROJECT COSTS

SECTION 1 - CONSTRUCTION COSTS				Unit	Unit Cost	Total Cost	Grant Contribution (75%)	Grant Contribution (25%)
1 Mobilization	1	LS	\$ 43,524.00		\$ 43,524.00	\$ 32,643.00	\$ 10,881.00	
The work consists of furnishing all labor, equipment, tools, materials and services, and performing all the operations in connection with the assembling and setting up for the Project, the Contractor's necessary shops, storage areas, sanitary and other facilities as required.								
2 Erosion and Sediment Control	1	LS	\$ 10,000.00		\$ 10,000.00	\$ 7,500.00	\$ 2,500.00	
The work consists of furnishing and installing all erosion and sediment controls as noted in the Erosion and Sediment Control plan. The best management practices include silt fence / silt sox, rock construction entrance, matting, etc.								
3 Temporary Access Road	1	LS	\$ 10,000.00		\$ 10,000.00	\$ 7,500.00	\$ 2,500.00	
The work consists of construction of a temporary access road to haul materials into the site and excavated materials from the site. The access will be installed through the ponding area of the levee system or around the end of the ponding area at the discretion of the contractor. Stone / swamp mats / mud mats may be used in lieu of a construction access.								
4 Excavation	285	CY	\$ 78.00		\$ 22,230.00	\$ 16,673.00	\$ 5,557.00	
The work involves all labor and equipment necessary to excavate for the installation of the rip rap as per the approved plans. 12-inches of soil will be removed and a 1'x3' toe trench excavated for 1/2 the length of the Rip Rap placement. In addition, 12-inches of soil along the entire length of the placement will be removed at the toe of the slope. The excavated material shall be hauled off site to a disposal location.								
5 Rip-Rap Placement	2756	TONS	\$ 82.50		\$ 227,370.00	\$ 170,528.00	\$ 56,842.00	
The work involves providing and installing R-8 rip rap on the flood control levee as per the approved drawings in order to prevent scouring of the earthen levee. The placement shall be 36-inches thick along 700 feet of the flood control. 6-feet of rip rap will also be placed at the toe of the slope.								
6 Site Restoration	1556	SY	\$ 10.00		\$ 15,560.00	\$ 11,670.00	\$ 3,890.00	
The work consists of the restoration of the site upon completion of the project. This work includes seeding and mulching of all disturbed areas, cleaning of all roadways of accumulated mud and debris and removal of all erosion and sediment control devices upon final stabilization. This item also includes removal of access road (stone or matted) as required.								
7 Demobilization	1	LS	\$ 5,000.00		\$ 5,000.00	\$ 3,750.00	\$ 1,250.00	
The work consists of removing all equipment, materials and debris from the site; final cleanup of the site; providing all necessary closeout documents, certifications, manuals, etc; and providing necessary maintenance bonds.								
Total Construction Costs					\$ 333,684.00	\$ 250,264.00	\$ 83,420.00	
SECTION 2 - SOFT COSTS								
8 Engineering (15% of Construction Costs)					\$ 50,053.00	\$ 33,368.00	\$ 16,685.00	
9 Inspections (5% of Construction Costs)					\$ 16,684.00	\$ 12,513.00	\$ 4,171.00	
10 Legal					\$ 5,000.00	\$ 3,750.00	\$ 1,250.00	
11 Administrative Costs (2% of Construction Costs)					\$ 6,674.00	\$ 5,006.00	\$ 1,668.00	
Total Soft Costs					\$ 78,411.00	\$ 54,637.00	\$ 23,774.00	
12 Total Construction Cost					\$ 333,684.00	\$ 250,264.00	\$ 83,420.00	
13 Total Soft Costs					\$ 78,411.00	\$ 54,637.00	\$ 23,774.00	
TOTAL PROJECT COSTS					\$ 412,095.00	\$ 304,901.00	\$ 107,194.00	

Authorized Official Resolution

Be it RESOLVED, that the Meyersdale Borough of Somerset County hereby request funding through the Flood Mitigation Program in the amount of \$304,901.00 from the Commonwealth Financing Authority to be used for Flood Control Rehabilitation Project.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Jeff Irwin, President and Virginia Knieriem, Vice-President as the official(s) to execute all documents and agreements between the Meyersdale Borough and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Patricia Ackerman, duly qualified Secretary of Meyersdale Borough, Somerset County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Meyersdale Borough Council at a regular meeting held May 14, 2024 and said Resolution has been recorded in the Minutes of the Meyersdale Borough and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of Meyersdale Borough, this 14th day of May, 2024.

Borough of Meyersdale

Name of Applicant

Somerset

County

Patricia C. Ackerman
Secretary

**MEYERSDALE MUNICIPAL AUTHORITY
NOTES TO FINANCIAL STATEMENTS**

NOTE 5 - NOTES PAYABLE

	<u>Balance</u> <u>6/30/2022</u>	<u>Additions</u>	<u>Repayments</u>	<u>Balance</u> <u>6/30/2023</u>	<u>Due Within</u> <u>One Year</u>
Pennsylvania Infrastructure Investment Authority (PENNVEST) sewer note payable, 1% interest, monthly payments of \$10,449 including interest	\$1,591,906	\$ -	\$ 109,967	\$1,481,939	\$ 111,072
Pennsylvania Infrastructure Investment Authority (PENNVEST) sewer note payable, 2.547% interest, monthly payments of \$12,360 including	1,038,023	-	114,528	923,495	117,480
Somerset Trust Company, sewer note payable, 2.48% interest, monthly payments of \$5,122 including interest	511,780	-	49,370	462,410	50,754
Total	<u>\$3,141,709</u>	<u>\$ -</u>	<u>\$ 273,865</u>	<u>\$2,867,844</u>	<u>\$ 279,306</u>

When the Borough of Meyersdale transferred the system to the Authority in July 2011, they also transferred three loans with PENNVEST. The one loan was paid off in July 2021. The loans are secured by the sewer revenues of the Authority and are further secured by the Borough's guaranty of each loan. Upon the occurrence of any event of default, PENNVEST may declare the outstanding principal balance, together with all accrued and unpaid interest, to be immediately due and payable in full.

Principal and interest payments due for the next five years, and five-year increments thereafter on the two PENNVEST loans, as of June 30 are as follows:

<u>Year</u>	<u>Interest</u>	<u>Principal</u>	<u>Total Debt Service</u>
2024	\$ 36,467	\$ 228,552	\$ 265,019
2025	32,324	232,695	265,019
2026	28,092	236,927	265,019
2027	23,768	241,251	265,019
2028	19,351	245,668	265,019
2029 - 2033	40,394	900,704	941,098
2034 - 2036	4,279	319,637	323,916
	<u>\$ 184,675</u>	<u>\$ 2,405,434</u>	<u>\$ 2,590,109</u>

**MEYERSDALE MUNICIPAL AUTHORITY
NOTES TO FINANCIAL STATEMENTS**

NOTE 5 - NOTES PAYABLE (Cont'd)

On January 21, 2016 the Meyersdale Municipal Authority issued a Sewer Revenue Note, Series of 2016 in the amount of \$900,000 to perform improvements to the Charles Street pump station. The interest rate is 2.85%. The local bank filed a UCC statement with the Prothonotary's Office in Somerset County attaching all accounts and revenues of the Authority now owned or hereafter acquired, subordinate to the PENNVEST loans.

Principal and interest payments due for the next five years, and five-year increments thereafter on this loan, as of June 30 are as follows:

<u>Year</u>	<u>Interest</u>	<u>Principal</u>	<u>Total Debt Service</u>
2024	\$ 10,709	\$ 50,754	\$ 61,463
2025	9,458	52,005	61,463
2026	8,175	53,288	61,463
2027	6,862	54,601	61,463
2028	5,516	55,947	61,463
2029 - 2031	8,231	195,815	204,046
	<u>\$ 48,951</u>	<u>\$ 462,410</u>	<u>\$ 511,361</u>

NOTE 6 - RETIREMENT PLAN

Pursuant to an agreement dated October 15, 1982, the Authority established the Meyersdale Municipal Authority Employee Retirement Plan. This defined contribution plan provides for all employees between the ages of 21 and 70 and who have earned at least \$200 for the current year to be eligible to participate in the plan.

The Authority will contribute up to 4% matching contribution of the salary of each employee per year, or such other amount as may be determined. Employees may make voluntary contributions up to 15% of their total annual salary. Participants self-direct the investments in their individual accounts.

For the year ended June 30, 2023, employer plan contributions amounted to \$7,394 and employee contributions amounted to \$7,394.

NOTE 7 - CONCENTRATION OF CREDIT RISK

The assets of the Authority are located in the Meyersdale Somerset County, Pennsylvania area. Anything that would adversely affect the economy of this region could also have an adverse impact on Meyersdale Municipal Authority's operations.

**Conflict of Interest
Abstention Memorandum**

TO: Borough Secretary, Patricia C. Ackerman
Meyersdale Borough, Somerset County, Pennsylvania

FROM: JEFF IRWIN, DAS, council member (PRESIDENT OF COUNCIL)

DATE: 5/14/2024

Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65 PA CSA 1101 et seq), I hereby declare that I am required to abstain regarding the following issue/ motion:

MOTION REGARDING AWARD OF ROAD RESURFACING BID.

My conflict/reason for abstaining is as follows:

Professionally, I treat numerous owners and
workers in one of the 4 bidders.

Signature



NOTE: Section 1103 (J) requires the following procedure:

"Any public official or public employee, who in the discharge of his official duties, would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with the person responsible for recording the minutes for the meeting at which the vote is taken...."

(Please note that State Ethics Commission requires a public official to complete a form every time he has a conflict of interest).

MEYERSDALE BOROUGH COUNCIL
 Regular Meeting 5/14/2024 Special Meeting _____

GUEST SIGN IN

PLEASE PRINT

	NAME	ADDRESS	TOPIC
1	Kim Blum		
2	Tom Deetz	Meyersdale, Pa	
3	Jeff Christopherson	Meyersdale, PA	
4	Wendy Kelly	Meyersdale	
5	Marlaine Marker	Meyersdale	
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GUESTS MUST STAND WHILE SPEAKING