Borough of Somerset Municipal Authority Meeting
September 22nd, 2025 – 6:30 p.m. (In-Person) Borough Council Room

1. <u>Meeting Called to Order</u> – Ben Flower at 6:30 p.m.

2. <u>Roll Call</u> – Moment of Silence in honor of Ms. Ruby Miller

a. <u>Authority Board Members present</u>: Ben Flower, Lee Hoffman and Jeff Shaffer.

b. <u>Also present</u>: *Municipal Authority Manager, Jessica Sizemore; Solicitor, Bill Barbin; Director of Finance, Brett Peters; and Consulting Engineers, Jake Bolby and Tom Reilly.*

c. <u>Public Attendance</u>:
Alec Bittner and Steve Peck.

3. <u>Approval of Agenda</u>

A. <u>Approval of Agenda</u> – Review and approval of the Agenda for September 22nd, 2025 Meeting.

***a.* Motion to approve agenda as presented.**
Mr. Shaffer moved, Mr. Hoffman seconded.
Motion Unanimously Carried

B. <u>Executive Session</u>: Potential Litigation.

a. Motion to go into Executive Session.
Mr. Flower moved, Mr. Shaffer seconded.
Motion Unanimously Carried
6:31 p.m.

<u>Back in Session</u>
6:33 p.m.

4. <u>Approval of Minutes of Previous Meeting(s)</u>

A. <u>Approval of Meeting Minutes</u> – Meeting Minutes from the August 25th, 2025 Municipal Authority of the Borough of Somerset Board Meeting.

***a.* Motion to approve the Meeting Minutes from August 25th, 2025 Municipal Authority of the Borough of Somerset Board Meeting.**
Mr. Flower moved, Mr. Shaffer seconded.
Motion Unanimously Carried

5. <u>Opening of Bids</u>

A. <u>None</u>

6. General Public Comments

A. None

7. Payment of Bills/Requisitions

A. None

8. Policy Agenda

A. Old Business

a. None

B. New Business

a. Contract 2021-W-02 Pay Application No. 13

i. Acknowledgement of Pay Application No. 13, in the amount of $46,872.81 to Ligonier Construction.

b. Contract 2021-W-02 Pay Application No. 14

i. Acknowledgement of Pay Application No. 14, in the amount of $275,622.55 to Ligonier Construction.

c. Contract 2021-W-03 Pay Application No. 10

i. Acknowledgement of Pay Application No. 10, in the amount of $41,912.37 to Darr Construction, Inc.

d. Resolution 2025-15

i. Motion to approve Resolution 2025–15. This Resolution authorizes the opening of a checking account with Somerset Trust to serve as the designated account for PENNVEST funds related to the Sewer Improvements Project.
Mr. Flower moved, Mr. Shaffer seconded.

Motion Unanimously Carried

RESOLUTION 2025-15

Acct # 2005319444

RESOLUTION OF LODGE, ASSOCIATION OR OTHER SIMILAR ORGANIZATION

Somerset Trust Company
151 West Main Street
Somerset, PA 15501

Referred to in this document as "Financial Institution"

By:

Municipal Authority of the Borough of Somerset
347 West Union Street
Somerset, PA 15501

Referred to in this document as "Association"

I, ~~Brett B. Peters~~ Michele A. Enos, certify that I am Secretary (clerk) of the above named association organized under the laws of Pennsylvania, Federal Employer I.D. Number 81-3911722, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Association duly and properly called and held on ~~08/25/2025~~ 9/22/2025 (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

AGENTS Any Agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

Name and Title or Position	Signature	Facsimile Signature (if used)
A. Brett B. Peters	X Brett B. Peters	X
B. Michele A. Enos	X Michele Enos	X
C. Jessica J. Sizemore	X Jessica J. Sizemore	X
D.	X	X
E.	X	X
F.	X	X

POWERS GRANTED (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

Indicate A, B, C, D, E, and/or F	Description of Power	Indicate number of signatures required
	(1) Exercise all of the powers listed in this resolution.	
A,B,C	(2) Open any deposit or share account(s) in the name of the Association.	2
A,B,C	(3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution.	2
	(4) Borrow money on behalf and in the name of the Association, sign, execute and deliver promissory notes or other evidences of indebtedness.	
	(5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Association as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.	
	(6) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.	
	(7) Other	

LIMITATIONS ON POWERS The following are the Association's express limitations on the powers granted under this resolution.

EFFECT ON PREVIOUS RESOLUTIONS This resolution supersedes resolution dated ---------. If not completed, all resolutions remain in effect.

CERTIFICATION OF AUTHORITY
I further certify that the Association has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions on page 2 and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

☐ If checked, the Association is a non-profit lodge, association or similar organization.

X Michele Enos
(Secretary)

X Brett B. Peters
(Attest by Other Officer)

X
(Attest by Other Officer)

RESOLUTIONS

The Association named on this resolution resolves that,

(1) The Financial Institution is designated as a depository for the funds of the Association and to provide other financial accommodations indicated in this resolution.

(2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Association and certified to the Financial Institution as governing the operation of this association's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

(3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Association. Any Agent, so long as they act in a representative capacity as an Agent of the Association, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

(4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Association with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

(5) The Association agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Association. The Association authorizes the Financial Institution, at any time, to charge the Association for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

(6) The Association acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Association to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

(7) The Association acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Association with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Association authorizes each Agent to have custody of the Association's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Pennsylvania. The designation of an Agent does not create a power of attorney; therefore, Agents are not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code) unless the agency was created by a separate power of attorney. Any provision that assigns Financial Institution rights to act on behalf of any person or entity is not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code).

FOR FINANCIAL INSTITUTION USE ONLY

Acknowledged and received on ______________ (date) by _______ (initials) ☐ This resolution is superseded by resolution dated ____________ .

Comments:

9. Reports

a. Manager's Report – Update on Operations.

i. PMAA Conference –

Mrs. Sizemore attended this PMAA Conference. Great information, valuable contacts and great ideas to help improve efficiency was gained by her attending.

ii. DEP Cybersecurity training –

Mrs. Sizemore and the Borough's Water & Wastewater Supervisors received this very informative training together at the Conference. DEP will be requiring cybersecurity for the permit as part of their permit inspection. This will be included in the budget for next year.

iii. Budget discussions – This will be November 3rd with Borough Council.

iv. PENNVEST Closing - scheduled for Tuesday September 23rd, and Wednesday September 24th is the pre-construction meeting with Snyder Environmental.

b. Engineer's Report – Update on the Status of Projects for Water, Sewer and Stormwater.

Mr. Bolby presented the Updates to the Engineer's Report

WATER:

1) Water System Capital Improvement Projects:

Certain issues with the Water Project need to be taken care of before this project is closed-out with PENNVEST and all the other permits.

A few items still haven't received substantial completion with the Ligonier Construction and Darr Construction Contracts.

SEWER:

1) Assessment, Repair, and Abatement Plan (Hydraulic Overload):

The settlement for Brierwood and West is tomorrow. A pre-construction meeting with the contractor will be held the day after. The meeting will disclose the outlook of the construction, making sure all the contract documents are in place along with an expectation for the construction season. An update regarding this information will be provided for October's meeting.

The PENNVEST Funding Application for ***Phase 1B,*** the Central Business District area, will be filed on October 15th. Construction for this Phase should start mid-summer to late-summer of 2026 if all goes well. ***Phase 1C & Phase 1D*** will follow with permitting and design for both Phases. ***Phase 2*** will include the Wastewater

Treatment Plant.

GENERAL:

1) Center Ave. Revitalization Project:

Clean-up will take place in 2026 on Center Avenue and its sidewalks. Borough Management decided to postpone the work there to allow one year without construction. The Contractors agreed to this in writing.

c. Facility Reports for August 2025 – *Provided on the portal for informational purposes.*

d. August 2025 Financial Report & Monthly Transactions – *Provided on the portal for informational purposes.*

10. Adjournment

A. Adjournment

a. Motion to adjourn.

Mr. Shaffer moved to adjourn, seconded by Mr. Hoffman.

Motion Unanimously Carried
6: 41 p.m.

B. Next Meeting:

a. October 27th, 2025 at 6:30 p.m.

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Jessica Sizemore, Municipal Authority Manager