

THE REGULAR MONTHLY MEETING WAS HELD BY THE VIRTUAL MEETING ZOOM PLATFORM AND IN PERSON ON TUESDAY, OCTOBER 18, 2022, IN THE CONFERENCE ROOM AT 711 BIRKBECK STREET, FREELAND, PA. PRESENT WERE MR. KAVITSKI, MR. FISHER, MR. THOMAS, MR. TIERNEY II, THE TECHNICAL MANAGER, THE ENGINEER, THE ATTORNEY, AND THE SECRETARY.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

Moment of silence for Carlene's father who passed away.

CITIZENS PARTICIPATION

One citizen present but did not participate in the meeting or identify themselves.

JOHN NONNEMACHER OF SNYDER & CLEMENTE – 2021 AUDIT

Mr. Nonnemacher thanked the Authority for allowing their company to present the audit tonight and their understanding in cancelling last month's presentation. One of the colleagues, Rogen, who was an intricate part of the Audit became very ill. Mr. Kavitski and all Board Members wish him well.

Mr. Nonnemacher went over the financial statements and a management letter with the Board. In their opinion, accompanying financial statements present fairly, in all material respects, the financial position of the Borough of Freeland Municipal Authority as of December 31, 2021, and 2020, and the changes in the financial position and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Total Current Assets 3.9 million, Total Current Liabilities 570 thousand, Net Investment in Capital Assets 8 million, Net Position Unrestricted 3.9 million and Total Net Position 11.9 million.

Management letter comment is regarding a timing issue of outstanding items due to the account being reconciled at the date of doing the reconciliation and not the date of December 31st. Bottom line, all issues were found, accounted for and all were just a timing matter. All bank statement balances were confirmed by the individual banks for December 31st.

Mr. Kavitski inquired about the Village of Sandy Run, with all the expenses that are over the amount of revenue. Possible thoughts of adding additional billing to help with the excess expenditure at Sandy Run. Mr. Nonnemacher did suggest it could be a consideration to recover the losses. The Water & Sewer Divisions should not be subsidizing Sandy Run.

Mr. Nonnemacher also stated to close the Construction Account because it was invoices that were paid by the Authority at the beginning of the project and the monies do belong to the Authority.

Mr. Nonnemacher also stated the Authority still has a pension asset, which is very unusual, most authorities have a net pension liability. The net pension asset is 347 thousand for the Authority. Mr. Fisher inquired who makes the decisions on how the monies are invested. Mr. Nonnemacher stated Pennsylvania Municipal Retirement System (PMRS) has people who make decisions on where the monies are invested.

APPROVE SEPTEMBER MINUTES

Mr. Thomas made the motion to approve the September minutes and Mr. Tierney second. Vote 4-0.

APPROVE SEPTEMBER PAID INVOICES

Mr. Thomas made a motion to approve the September paid invoices for the Water Division totaling \$107,971.42 and the Sewer Division invoices totaling \$144,409.96 and Mr. Fisher second. Vote 4-0. (Reference 2390-A).

CURRENT INVOICES

Mr. Tierney made a motion to approve payment of the current Water Division invoices totaling \$81,341.64, the Sewer Division invoices totaling \$85,937.16 and the Sandy Run invoices totaling \$740.46 and Mr. Kavitski second. Vote 4-0. (Reference 2390-B).

FINANCIAL STATUS

The Secretary reviewed the Financial Status as outlined in Reference 2391-A.

Mr. Thomas made the motion for the acceptance of the 2021 Audit and Mr. Fisher second. Vote 4-0. (Reference 2391-B).

99 Main Street Upper Lehigh was sold at a Repository Sale, which means the Authority will not be able to collect on the outstanding monies of \$552.22, explained by the Secretary. Mr. Kavitski made the motion to write off the balance and Mr. Thomas second. Vote 4-0. (Reference 2391-C).

SEWER DIVISION

Mr. Josh Fox of HRG, Inc. presented the Engineering Report. (Reference 2391-D).

Sewer Area

-SIUA and sampling stations – Up against a deadline for getting resolution adopted for the local limits with all municipalities.

-Sewer & Water Rules & Regulations – Chris & Josh are finalizing the draft for the November meeting. Mr. Kavitski inquired which division and Mr. Fox stated Water Division.

-NPDES Permit Renewal Work – Working with the Industrial Pretreatment Program and working on the formal adoption from the EPA for finalization of the NPDES Permit.

-WWTP Final Clarifier Distribution Box – Contractor identified the lines are 1'7" lower than the records indicate. Job conference this morning which went well. Review all options with the contractor. Modify the piping & fittings to get to the elevation needed or a riser box, the distribution box needs to have the weir gates at a specific elevation. Recast the box, no delay, the contractor was responsible for field work prior to starting the project and they chose not to. Mr. Fox informed Mr. Fisher the weight of the box will hold the riser in place and double mastic will be placed on clarifier distribution box for waterproofing. Linde Corporation had no by-pass plan in place for the construction today as they initially proposed. Linde Corporation is communicating well in the project.

Mr. Kavitski stated this is not a change order and Mr. Fox stated Linde Corporation may try but the only cost for the Authority will be the additional cast per Mr. Fox.

-Sludge Dewatering Upgrade Project – Two COSTARS proposals this evening.

-Headworks Evaluation – No significant activity over the last month.

-PADEP Chapter 102 – Mr. Fox reached out to former Engineer, Samantha Albert and awaiting her return phone call for the information needed.

-ACT 537 Special Study – No significant activities.

Water Area

-Pagnotti Water Storage Tank Project – Survey work for tank boundary has started. All fieldwork will be completed by tomorrow, and next step to show Pagnotti Enterprises the base mapping, for land acquisition area.

-UL Tank & Water Improvement – No update given this month.

-Well 6 & Well 10 Treatment System – Water quality data is all back, and a draft report will be ready for the November meeting.

-ARPA Grant – Final application was submitted on September 14th for Fiber Optic Project.

-LSA Grant – Centre Street Water Main Replacement – No activity since submission

Mr. Fox stated two items not on the engineering report are grant programs. Both are through the Commonwealth Financing Authority (CFA). The same agency for the Local Share Grant which the Authority is still awaiting to hear if awarded. One is the Small Water & Sewer Program which is 85% grant with a 15% match and projects from \$30,000 to \$500,000. The second one is the H2O Program, larger projects between \$500,000 to \$20 million and it requires a 50% match. Mr. Kavitski stated PennVest funds could be the 50% match and Mr. Fox confirmed or any other funding can also be the 50% match.

The ARPA Program is funding the H2O Program this year with approximately \$120 million available.

Applications are due in December and are highly competitive.

Mr. Kavitski stated the Water Tank Project would be a good fit for the H2O Grant and Mr. Tierney agreed.

Mr. Fox stated the PennVest could be the match on this project.

Ryan Smith suggests the 5" main in Upper Lehigh and Mr. Kavitski stated need to look at a 5-year plan. There are so many things that need to be taken care of and changed but a water tank in place is a priority. Mr. Fox inquired the Small Water & Sewer Grant try the Centre Street Main Replacement again or Fine Screen Headworks. With having two industrial users and an industrial plan at final stages it may have a better chance of being awarded. Mr. Fox stated the Authority should diversify the projects and hopefully would give greater chance of being awarded.

Mr. Fisher stated the Screen Headworks Project would be better. Mr. Thomas stated a letter should be sent to Senator Yudichak.

The Board all agreed for the Water Tank Project to the H2O Grant and the Small Headworks to the Small Water & Sewer Grant. Mr. Fox stated he will have the Resolution ready for Attorney Fagan to review prior to the November Meeting.

Mr. Fisher explained to Mr. Fox the surveying team should have informed the Borough about their presents in town. A resident was concerned about the equipment that was placed around and sent the police to investigate. Mr. Fox said officials will be notified next time.

Mr. Fisher inquired about the size of the water main on Centre Street. He wanted to be sure of the pipe size, and the Authority has that pipe size in stock.

Mr. Fox presented the Payment Application #1 – Linde Corporation in the amount of \$29,266.78, which includes the scheduled values for mobilization, 20% of the splitter box excavation, and payment for stored materials for yard piping. Mr. Kavitski made the motion for the approval and Mr. Tierney second. Vote 4-0. (Reference 2392-A).

Mr. Fox presented the information for the Dewatering Equipment Project that has been in the works for the past couple of months. Obtained COSTARS quotes for the equipment based on the pilot test that was completed. COSTARS, the Authority could select the equipment upfront and purchase from the state, once submittals are approved, design can start on the equipment. COSTARS 10% off purchase price or 20 to 25% off list price. Risk to doing through COSTARS is FMA is responsible for checking on all equipment and through start-up, storage, and payment applications. 1-year warranty at start-up and most of the time start-up must be within a certain timeframe.

If project is bid, you have a payment and performance bond from the contractor. And if things arise you can go back to the bonding company for remedies. COSTARS you don't have this option, so you would have to go to court. Hopefully, going to court would be a small chance, especially with doing the test pilot program. COSTARS would be 10% at Purchase Order, 20% at Submittal Approval, 65% at Delivery of Equipment, and 5% after Delivery not to exceed 90 days with Sherwood Logan Dewatering System. COSTARS is press equipment only. No installation through COSTARS.

FMA could pay for the press directly but not installation per Mr. Kavitski. Possible PennVest consult for this project per Mr. Fox. Mr. Fisher inquired if a Grant can be used to pay off debt and Mr. Fox stated no grants, typically cannot be used for that purpose. The Board has decided to put the press on hold for now.

Fern Street Residents – Attachment "A" per Foster Township Agreement. With PA American taking over at the end of October they will charge the Authority \$15.00 for each unit because the resident sewer is hooked to their sewer main and is being imposed by the Public Utility Commission (PUC).

Mr. Kavitski is inquiring about how this all came about, and Attorney Fagan stated they are Freeland Borough residents hooked into the Foster Township Sewer System.

Mr. Kavitski stated if PA American is going to charge FMA for these addresses it is not fair to the other FMA customers for the Authority to pay for this fee.

Mr. Thomas made the motion to charge the residents and Mr. Fisher second. Vote. 3-1. Mr. Tierney-No. Effective when PA American takes over the Sewer System and starts to bill the Authority. Letters to be sent to the Residents to inform them of the fee.

WATER DIVISION

Curb Box Tampering Charge – Plumbers are turning curb stops off & on, which is the property of the Authority. The Authority will charge anyone who turns curb stops off or on, a \$500.00 Fee. Attorney Fagan will write a resolution and it will be added to the Rules & Regulations. Mr. Tierney made the motion and Mr. Kavitski second. Vote 4-0.

Well 12 Promag Electromagnetic Flowmeter for quote from Moyer Instruments for \$5,861.90, the Seametrics flowmeter that is there was not registering gallons even though the pump was running. The

well is currently shut down until new flowmeter can be ordered and installed. Mr. Thomas made the motion for the purchase and Mr. Tierney second. Vote 4-0. (Reference 2393-A).

Wonderware Software Annual Subscription for the SCADA System for \$5,677, Mr. Tierney made the motion for the purchase and Mr. Kavitski second. Vote 4-0. (Reference 2393-B).

Meiser & Earl, Inc. – Test Wells 1, 2, 3 Abandonment Plan was put together and submitted to DEP. Meiser & Earl, Inc., will be looking for contractors to complete the job.

Mr. Fisher inquired if this included the Graham Street Well and Mr. Kavitski stated no. Attorney Fagan said no word from Mr. Balas about the letter regarding the well.

Mr. Fisher inquired about an approximate amount for the capping of each well and Mr. Kavitski stated probably around \$10,000 per well.

Mr. Fisher inquired if the pipe for the valve exerciser was ordered, and Ryan Smith stated no but it is on the list for purchases. Mr. Kavitski stated when the guys are pulled from one task to fix a water leak there is a lot involved to get things back into shape.

MANAGERS REPORT

Ryan Smith presented the Technical Manager Report. (Reference 2393-C).

Mr. Fisher inquired if there is a schedule of routine samples that need to be taken, and Ryan Smith stated there is a schedule. Mr. Kavitski suggested for another employee to check to be sure all samples are taken at the appropriate times. Ryan Smith stated the last week of every month, the schedule will be reviewed to be sure every sample is obtained when needed. Ryan Gerlach, who is Lead Man, will also verify all samples are completed from the calendar schedule.

Mr. Kavitski stated the Authority needs to investigate the dark fiber for all locations, upgrading the modems at the well houses has not been easy. The modems will change periodically due to the wireless industry changing all the time. Mr. Tierney would like to see the quote for Fiber Optics on next month's meeting agenda.

Mr. Kavitski inquired if weekly readings are being collected where the depth probes are not working, and Ryan Smith stated he will inform the employees to complete this task. Mr. Kavitski stated this information is needed for the SRBC reporting.

Mr. Fisher inquired about the paving of Pine Street, where the main break occurred. Ryan Smith asked for a list of streets to be paved by Freeland Borough, every year the Authority would like a list of streets the Borough intends to pave so if there is work to be completed, it is done prior to paving.

Dan Murphy will be completing training for the renewal of his Sewer License.

Pipe Chain Saw Quote – gas powered is the recommendation, the quote is \$3325.95 through USA BlueBook. Mr. Kavitski stated to purchase a spare chain too. Mr. Fisher made the motion for purchase and Mr. Tierney second. Vote 4-0. (Reference 2393-D).

Muffin Monster at the Wyoming St PS needs to be investigated. The device is not cutting up debris that why it should be. Mr. Fox of HRG, Inc. stated these units are normally designed to reverse controls to try and cut debris up to three times, prior to sending out an alarm. Mr. Fisher inquired if this unit was a new or refurbished unit. Ryan Smith stated he would have to investigate to see which it was. Mr. Kavitski stated to look for a representative from the company to see if the unit can be adjusted.

Fuel Oil leak, DEP was notified, this leak is from a different area in town.

There as also a white milky discharge coming from PGA, when employees were at the South St Manhole. Mr. Fox of HRG, Inc. stated the 24-hour composite sampler in the Industrial Pretreatment Plan is critical. Ryan Smith stated the Authority will camera sewer lines around and underneath PGA to investigate.

Ryan Smith will follow up with Black Birch Engineering to get the DO, ORP, pH and Temperature sensors into the SCADA System at the WWTP.

Ryan Smith stated safety talks scheduled on traffic control and the Authority will use our employees when the Authority will camera sewer lines at PGA. Also, the transite pipe that runs between PGA and Family Dollar will not be completed this year.

Mr. Thomas suggested to train the meter reader for traffic control when help is needed.

Ryan Smith stated the I & I plan is to have Jesse, James, and Ryan all work together. Run camera and investigate where the I & I issues are. Mr. Fisher inquired about rain events to investigate things at that time. Ryan Smith stated the Authority can dye test storm sewers to see if any are connected. Mr. Kavitski stated all storm drains in the Freeland Borough lines have been dye tested already. The storm drains in Foster Township area need to be completed.

ENGINEERING INVOICES

No invoices currently.

ATTORNEY REPORT

Attorney Fagan revised a contract for the Johnson & Birkbeck Street land purchase. The realtor involved has incorporated all requests the Authority had. It is ready for signature from Chairman Mr. Kavitski. The realtor stated a deposit will only be needed if the seller accepts the purchase agreement. The realtor stated there is two existing offers on the land. Purchase amount is \$125,000 as stated during previous meeting.

Ordinance for Attorney Baranko, Freeland Borough Solicitor, for the local limits, for adoption by Freeland Borough. Attorney Fagan stated Butler & Foster Townships only need to acknowledge this ordinance, which Attorney Fagan will provide to both entities.

Dish Wireless sent a ground lease draft agreement to the Authority for a 20-year term, with price increase increments of 2 percent every 4 years. Dish Wireless is requesting unrestricted access to the property 24-hours a day, 7 days a week and the Authority has no issue with that request. Mr. Kavitski made the motion to request \$600.00 a month and Mr. Fisher second. Vote 4-0.

Attorney Fagan informed the Board there has been no update on the PGA lawsuit.

OPEN/OTHER ACTIONS

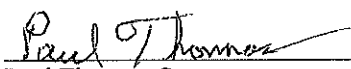
Rainfall for the month was 5.38". The wells are increasing.

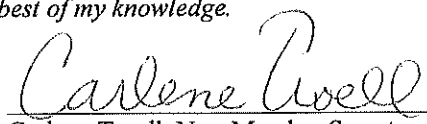
A handout was given to all Board Members regarding rate increases for next month's discussion.

ADJOURN

Mr. Tierney made the motion to adjourn the meeting and Mr. Kavitski second. Vote 4-0.

These minutes are certified true and correct to the best of my knowledge.


Paul Thomas, Secretary


Carlene Troell, Non-Member Secretary