

THE REGULAR MONTHLY MEETING WAS HELD BY THE VIRTUAL MEETING ZOOM PLATFORM AND IN PERSON ON TUESDAY, JULY 19, 2022, IN THE CONFERENCE ROOM AT 711 BIRKBECK STREET, FREELAND, PA. PRESENT WERE MR. KAVITSKI, MR. FISHER, MR. THOMAS, MR. TIERNEY II, MR. CLYMER, THE TECHNICAL MANAGER, THE ENGINEER, THE ATTORNEY AND THE SECRETARY.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

Pray the people in our government start to come together instead of splitting the country further apart.

CITIZENS PARTICIPATION

No citizens were present.

APPROVE JUNE MINUTES

Mr. Fisher made the motion to approve the June minutes and Mr. Thomas second. Vote 5-0.

APPROVE JUNE PAID INVOICES

Mr. Thomas made a motion to approve the June paid invoices for the Water Division totaling \$110,330.36 and the Sewer Division invoices totaling \$111,622.27 and Mr. Kavitski second. Vote 5-0. (Reference 2374-A).

CURRENT INVOICES

Mr. Tierney made a motion to approve payment of the current Water Division invoices totaling \$71,343.83, the Sewer Division invoices totaling \$63,750.60, and the Sandy Run invoices totaling \$73.67 and Mr. Clymer second. Vote 5-0. (Reference 2374-B).

FINANCIAL STATUS

The Secretary reviewed the Financial Status as outlined in Reference 2374-C.

Mr. Kavitski informed the Board the Sandy Run emergency pump repairs cost \$6,065.00 from Kohl Bros. Inc., a discussion at the Water Division Area later in the meeting.

SEWER DIVISION

Mr. Joe Bluge of HRG, Inc. presented the Engineering Report. (Reference 2374-D).

Sewer Area

- SIUA and sampling stations** – Awaiting review of the documents by Attorney Nick Haros.
- Sewer Rules & Regulations** – Work is continuing.
- NPDES Permit Renewal Work** – HRG, Inc. reviewed EPA's questions and drafted a letter with responses from the Board for their approval.
- WWTP Final Clarifier Distribution Box** – Linde Corporation & HRG continue to work through the submittal process including the substitution for a precast concrete distribution chamber. A preliminary schedule received which indicates that the Contractor will be mobilizing to the WWTP on September 9th and with substantial completion by November 2, 2022.
- Sludge Dewatering Upgrade Project** – HRG has proceeded with the Final Design, Bidding and CA phases of the project. On July 7, PA DEP issued the WQM Part II Permit for the proposed work. The Authority can commence with bidding of the project upon completion of the design and finalization of the procurement contracts. HRG and the Authority are working together through the structural design for the support of the dewatered sludge conveyors. Once completed, HRG will obtain COSTARS quotes for the Authority's review and approval.
- Headworks Evaluation** – HRG is currently discussing with PADEP to determine what improvements, if any, can be performed at the WWTP Headworks without submission of a WQM Part II Permit Application. HRG has prepared a hydraulic profile to demonstrate the proposed improvements can be implemented

within the existing hydraulic grade line of the WWTP and is obtaining additional information from equipment manufacturers.

-ACT 537 Special Study – HRG has prepared a grant application for the Sewage Facilities Grant Program administered by the Commonwealth Financing Authority.

Water Area

-ARPA Grant – No activity since the pre-application submission to Luzerne County.

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

-UL Tank & Water Improvements – HRG prepared a proposal for engineering services for the survey, preliminary design and permitting phase for the 2023 Water System Improvements Project and HRG is ready to proceed upon authorization from the Authority.

Well 6 & Well 10 Treatment System – HRG, Inc. will schedule a meeting next week with the Authority to conduct further investigative procedures of the existing well sites to identify electrical, special, and potential reject water constraints that will be included in the evaluation.

Industrial Pretreatment Review – The Authority is awaiting the review of the plan from Attorney Nick Haros to see if there are any recommendations for updates prior to submitting to EPA.

Mr. Bluge answered Mr. Fisher regarding the NPDES Permit renewal is every 5 years. There are twenty-three parameters that need to be tested for and eighteen of the parameters are included in the Pretreatment Plan. Mr. Kavitski is pleased with the letter Chris Ferdik of HRG proposed for the EPA.

Mr. Thomas made the motion to approve and submit the letter to the EPA and Mr. Fisher second.

Vote 5-0. (Reference 2375-A).

PA American Water/Foster Township – Mr. Michael Salvo of PA American Water and Attorney Donald Karpowich, Foster Township Solicitor were present via Zoom.

Attorney Fagan drafted the agreement based on what the Authority requested. The drafted agreement was then sent to Attorney Karpowich, Michael Salvo and Brian Ardire. Attorney Karpowich called Attorney Fagan and suggested a longer agreement due to time constraints on PA American Water.

Mr. Salvo wanted an agreement in place with the Authority for 3 years, but the Board was against this length of time. Mr. Salvo asked why only a 1-year agreement?

Mr. Tierney, Board Member of the Authority, stated the Board wanted to see a one-year agreement put into place to see how PA American Water worked with the Authority. This is a defensive position. Mr. Tierney stated Foster Township is difficult with cooperation on issues.

Attorney Karpowich stated the purpose of the agreement is only to assign it to PA American Water. He also stated there has not been lack of cooperation on Foster Township.

Mr. Tierney stated the last time the Authority tried talking to Foster Township, the Authority was on the Foster Township meeting agenda, then skipped right over the item and told it was not up for discussion.

Mr. Tierney stated the Authority is going to be more defensive at this point.

Mr. Kavitski stated Foster Township still needs to be involved to Attorney Karpowich. Mr. Kavitski informed Attorney Karpowich that everything in the agreement has not been done. Examples are flow meter records; flow meters were not maintained, and the Authority does not want to get into pointing at all the problems. Mr. Kavitski stated all the Authority is trying to do is settle this by starting off small and if everything goes well the Authority can go with a longer agreement.

Mr. Salvo stated he cannot speak for Foster Township, only for PA American Water and stated their intentions are to work with the Authority and to make improvements in the Foster Township Sewer System. Mr. Salvo stated a one-year agreement is too short and not good – realistically, cannot accomplish much in that timeframe. The 1999 agreement has a lot of information in it to follow and PA American Water is looking at Investment Capital for the system. Mr. Salvo stated the PUC needs the agreement in place with a fee stated for the properties that use Foster Township Sewer but are Freeland Borough Residents.

Mr. Salvo stated if there is a problem, the Authority can go to the PUC to work out any problems. The Act 537 Plan addressed things that need to be completed and PA American took that on and put it in writing to PA DEP. All things are committed to a timeline or PA American could receive a violation. PA American

does not take violations lightly per Mr. Salvo and asked for consideration to a longer term than a 1-year agreement.

Attorney Karpowich stated you can look forward to a new partnership with a new company since you are not happy with the current one. Attorney Karpowich stated the Authority was not skipped on the agenda; Foster Township had to respond to the PUC instead of the Authority. Foster Township joins in the request for at least a 5-year agreement.

Mr. Thomas at this point stated he is willing to go with a 2-year agreement only.

Mr. Kavitski stated after the 2-year agreement, if everything is good, the Authority could be willing to go with a 5-year or 10-year agreement.

Mr. Salvo stated once the transition takes place PA American will contact the Authority to go over items. The partnership must be on the same page for things to work well.

Fern Street customers, who pay FMA directly, but their wastewater flows through Foster Township Sewer System, the charge will be \$15.00 per month per customer address.

Mr. Clymer made the motion to approve a two-year agreement from the date of closing with PA American Water and the \$15.00 per month fee as shown in Exhibit A of the Agreement and Mr. Tierney second. Roll Call Vote: Mr. Kavitski-Yes; Mr. Fisher-Yes; Mr. Thomas-Yes; Mr. Tierney-Yes; Mr. Clymer-Yes; Vote 5-0. (Reference 2376-A).

Mr. Salvo did request, if the agreement could possibly be amended later, and the Board stated we will see how things are progressing first.

Attorney Karpowich stated the Acknowledgment and Restated Agreement modifies the 2005 agreement between FMA, Freeland Borough, Foster Township and Butler Township. It needs to be signed and Foster Township approved this agreement at the July meeting last week and Butler Township already signed the agreement too. Attorney Fagan stated this agreement needs to be signed, there is no copy of the fully executed agreement from 2005 between all parties involved.

Mr. Tierney made the motion to approve the acknowledgment and restated agreement and Mr. Kavitski second. Vote 5-0. (Reference 2376-B).

Attorney Karpowich stated Freeland Borough needs to sign and he will check with Council for getting the agreement executed.

Mr. Salvo thanked the Board of Directors for their time and the extension of the agreements and signed off the meeting. Attorney Karpowich also left the meeting at this time.

Mr. Tierney made the motion to approve the Forschner Wireworx quote for \$1900.00 for installation of wire and circuit for the ORP and DO probes and Mr. Kavitski second. Vote 5-0. (Reference 2376-C).

Moyer Instruments, the quote was higher than the not to exceed value from last meeting. Mr. Tierney made the motion to approve the new quote at the cost of \$3585.00 and Mr. Thomas second. Vote 5-0. (Reference 2376-D).

Mr. Kavitski did inform the Board, the NPDES Annual Fee for the WWTP from PA DEP came today and the annual fee went from \$5,000 to \$7500 per year. PA DEP also sent a \$500 Chapter 102 Annual Fee for Stormwater, which the Authority will investigate further before paying.

WATER DIVISION

The Board of Directors discussed increasing the Theft of Services fees in the Rules and Regulations. Mr. Tierney made the motion to increase each of the four levels by \$250.00, effective today, new charges are as follows: 1st Offense from \$250.00 Now \$500.00; 2nd Offense from \$500.00 Now \$750.00; 3rd Offense from \$1000.00 Now \$1250.00 and 4th Offense from \$2000.00 Now \$2250.00 and Mr. Thomas second. Vote 5-0. (Reference 2376-E).

827 Walnut St – Install 2nd Service Line - the Board were all in agreement for the Authority to install with permission from the homeowner. The Authority will look at addresses on a case-by-case basis where there are issues.

Sandy Run Pump/Motor Repairs – Kohl Bros Inc., made repairs at Sandy Run Village which cost \$6,065. The Authority will need to look at splitting the cost amongst the customers, ask Foster Township for Coronavirus Relief Package Funds or ask State Representatives for help with this system. Investigate surge protection on controls & pump at the wellhouse. This system is small and does not have the monies available for large expenditures. The Board agreed on further investigation to obtain financial help with this system.

Attorney Fagan sent Mr. Balas a letter regarding the water meters located at 183 East South Street. The Authority had requested a direct water connection be utilized for the warehouse and Family Dollar. Mr. Kavitski did explain to the Board, water meters are not to be connected via fire protection lines. Attorney Fagan sent another letter to Mr. Balas regarding the Graham Street property, which housed the Authority's Well #7. The Authority is concerned about the deteriorating well building and the well not capped permanently; this was to be completed by the purchaser of the land. The Board requests the Technical Manager to call Mr. Balas, and inquire if these items were finished, if not, ask him to attend the next meeting on August 16th at 6 PM.

Citterio USA – the New Building – Technical Manager to contact Citterio to inquire when the new connection will be finished to the building. Citterio did inform the Authority this would be a temporary situation until the weather broke, and it is now almost end of July.

Amend the Agenda – Additional Items – per Mr. Kavitski

Pagnotti Enterprises, Mr. Brannon met with the Board regarding land purchase for a new tank location at end of Oak Street in Freeland. Mr. Brannon informed the Board Pagnotti Enterprises will work with the Authority wherever they choose to place the tank.

Mr. Jay Lynch of Meiser & Earl, Inc. informed the Authority, Test Well #4, a quick pump test with Leib Drilling would cost \$5000. If this test passed, then a 72-hour pump test would be completed. This would involve sending notifications out to surrounding homes and having to monitor their wells again with approximate cost of \$18,000. Additional monies - cost of permit with DRBC along with piping to the water system.

The Board would like to know why the initial test of Test Well #4 was so good but the 72-hour test went so terribly. Mr. Lynch suggests the test went wrong due to running the pump test at 200-250 gpm instead of 100-150 gpm. The Well Driller cannot explain why the test was performed at this rate.

Mr. Lynch also gave the Board potential areas in Upper Lehigh for a new well. New Well approximate cost would be \$500,000.

Mr. Clymer inquired about the need of a new well. Mr. Kavitski explained the Authority Wells are older and normally approximate lifetime is 30 years; some wells now are 40-50 years old.

The Board discussed the options and decided not to jeopardize the homeowners' wells along Crescent Road and Foster Avenue.

Mr. Thomas made the recommendation to investigate a new well in Upper Lehigh and Mr. Fisher second. Vote 5-0.

MANAGERS REPORT

Ryan Smith presented the Technical Manager Report. (Reference 2377-A).

Contact Kirby Memorial Health Center for all drinking water and wastewater testing.

Name Brittany Caskey a submitter for DEP reports and add Ryan Gerlach too.

Obtain quotes for portable 40-amp generator for welder.

Investigate odor complaint for the Force Main in area of Maple Street. Mr. Bluge of HRG, Inc. stated the age of water and what is released to the Wyoming St PS would create the odors. Citterio USA samples are over limits and need to comply with local discharge limits. TSS limits were extremely high during their last event.

HACH flow meter issue, the cost to investigate it would be \$1500.00 and this does not include the repairs. The cost may exceed half of a new flow meter. For the meantime, the Authority can use the flow meter, but read manually.

Mr. Kavitski made the motion to order a new HACH flow meter and Mr. Thomas second. Vote 5-0.

Call Curtis from Arc Flash Training regarding the Square D surge protector triggering events on generator testing day and length of testing time at the WWTP.

Technical Manager stated a foam is developing at the WWTP which is the color of the sludge.

ENGINEERING INVOICES

Mr. Tierney made the motion to approve the following HRG invoices: #161878 \$7109.00, #161879 \$647.50, and #161881 \$630.00 and Mr. Thomas second. Vote 5-0. (Reference 2378-A).

ATTORNEY REPORT

Attorney Fagan informed the Board, Attorney Greg Malaska has finished the final brief for the PGA lawsuit which will be filed at the Luzerne County Courthouse. Attorney Fagan hopes a decision will be rendered by August.

The land at Johnson & Birkbeck Streets – The Board is asking for the test results. Attorney Fagan contacted Attorney Karpowich regarding the tests, and he will try to obtain the results. Attorney Fagan also spoke to Tiffany Buchman, the realtor for the property. Attorney Fagan did inform the Board the tank removal proposal for this property is \$28,900 which FIDC pays.

OPEN/OTHER ACTIONS

Mr. Fisher made the motion to approve the Cleveland Brothers quote for the 3-inch mud pump for \$1959.00 and Mr. Tierney second. Vote 5-0. (Reference 2378-B).

Mr. Kavitski informed the Board PMAA has given the Authority information on all grant funding that is available, and the Authority will investigate all opportunities. (Reference 2378-C).

Jesse Terray is a new employee and hired for I & I investigation. The Board approved Class #2945 on September 20th for the ABC's of Identifying and Eliminating Inflow & Infiltration for Jesse to attend.

Mr. Fisher approved the purchase of the Antero Software (Asset, Maintenance, & Work Orders) and Operator 10 Wastewater Software for the cost of \$7900.00 each with four users and Mr. Tierney second. Vote 5-0. (Reference 2378-D).

10-hour days during the summer months for Water and Wastewater Operators - discussion at a future date.

Hire New Sewer Operator – Mr. Braddock informed the Authority; he was in contact with his former employer about returning to his position there. The Authority should know on Tuesday July 26th his decision. The Board will place employment ad as soon as possible.

Black Birch Engineering provides the SCADA service at the WWTP. The Authority needs more tags for the SCADA system, the charge to install would be approximately \$1000 per day and would take 3 to 5 days to complete. Mr. Kavitski stated the WWTP needs the least number of tags and obtain a quote for next meeting.


ADJOURN

Mr. Tierney made the motion to adjourn the meeting and Mr. Thomas second. Vote 5-0.

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



 Paul Thomas, Secretary



 Carlene Troell, Non-Member Secretary