

THE REGULAR MONTHLY MEETING WAS HELD BY THE VIRTUAL MEETING ZOOM PLATFORM AND IN PERSON ON WEDNESDAY APRIL 20, 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

For all people in the war in Ukraine.

CITIZENS PARTICIPATION

No citizens were present.

APPROVE MARCH MINUTES

Mr. Tierney made the motion to approve the March minutes and Mr. Fisher second. Vote 5-0.

APPROVE MARCH PAID INVOICES

Mr. Thomas made a motion to approve the March paid invoices for the Water Division totaling \$142,330.35 and the Sewer Division invoices totaling \$151,236.73 and Mr. Clymer second. Vote 5-0. (Reference 2357-A).

CURRENT INVOICES

Mr. Thomas made a motion to approve payment of the current Water Division invoices totaling \$181,380.36, the Sewer Division invoices totaling \$86,260.19, and the Sandy Run invoices totaling \$172.26 and Mr. Kavitski second. Vote 5-0. (Reference 2357-B).

Mr. Kavitski discussed the budgets pertaining to the chemicals and sludge hauling with price increases, which were not inputted into the budgets at that time. Estimated shortfall of \$854.00 for the Water Division, the chemical prices are increasing with everything going on in the world currently. Estimated shortfall of \$1164.00 for the Sewer Division, the increased hauling expenses. Mr. Kavitski stated next year will need to consider raising rates. The Authority should consider smaller increases every couple of years instead of a large increase all at once.

Mr. Tierney inquired if the Authority would start billing Foster Township for excess flows, this should help with the costs and Mr. Kavitski stated yes it should help.

FINANCIAL STATUS

The Secretary reviewed the Financial Status as outlined in Reference 2357-C.

SEWER DIVISION

Mr. Josh Fox of HRG, Inc. presented the Engineering Report. (Reference 2357-D).

Water Area

-**UL Tank & Water Improvements** – Pre-Application checklist was completed and submitted to PennVest. Waiting for a list of potential meeting dates to discuss the proposed project.

-**LSA, ARPA & EPA Grant Applications** – Centre St Water Main Replacement for the LSA Grant, the Fiber Optics for the ARPA Grant, and the security fence and emergency generator at Sandy Run for the EPA Grant application. EPA Grant funding will be available this summer and gives HRG, Inc. time to work to obtain estimates.

Sewer Area

-**SIUA and sampling stations** – Waiting on special legal team to review before formal submission to EPA.

-**WWTP Final Clarifier Distribution Box** – Notice of Intent to Award to Linde last month. Agreements all reviewed by Atty. Fagan and HRG, Inc. with no issues. Supply chain may impact the project per Linde Corporation so if this does take place, they will ask for a time extension. Linde Corporation also inquired

about the increased cost due to supply chain and HRG, Inc. did inform them it was a bid project and the contract was awarded to their company for that set amount. The project has 12-inch and 14-inch ductile iron pipe. Mr. Kavitski asked if the Authority has any in stock, which the Authority does not stock epoxy lined ductile pipe. Ryan Smith will check with the Authority suppliers to see if they would have this pipe and the Authority could supply Linde, which a change order could be done with the project.

Mr. Fisher made the motion for Notice of Award and Notice to Proceed to the Linde Corporation for the Clarifier Distribution Box at the cost of \$162,629.00 and Mr. Tierney second. Vote 5-0. (Reference 2358-A).

-Sludge Dewatering Pilot Assistance – Preliminary designs & permit documents are completed. The Board all agreed to submit the permit for the press. The \$2000.00 application fee will be paid by HRG with the Authority to reimburse them.

-Headworks Evaluation – HRG, Inc and DEP are working together on this project. Waiting on a decision from DEP regarding permitting.

-ACT 537 Special Study – Wyoming ST PS has no justification for the way it was sized or rated. DEP approved the PS because it was already built but no rating was given due to lack of information. Need to complete I & I Study to prove correct sizing and a combined sewer system. If the numbers do not support a combined sewer system, the Authority may have to eliminate the CSO system. Reducing the I & I which is something the Authority will need cooperation from Foster Township. HRG, Inc. will put together a Grant Application for this expense under Act 13, which has a 50% reimbursement component. A Task Activity Report must be completed, which was completed in 2014 and signed by DEP. The rates and times do not apply to this situation today and HRG, Inc. would recommend some things done differently than Borton Lawson but due to time constraints, the 2014 Report will be used. HRG, Inc. did inform PA American Water the cost for this Special Study should be adjusted for the amount Foster Township should pay. If PA American Water cannot wait for the grant application approval than they would have to pay for the Special Study.

Mr. Kavitski inquired when would the grant funding be available if it was awarded. Mr. Fox said based on his experience, the Authority would not know until the Fall. Mr. Kavitski asked if this is going to hold up the sale of the Foster Township Sewer System. Mr. Fox stated this depends on how PA American Water institutes their plan and whether DEP approves it.

Mr. Fox stated this Special Study has not been finished in over 8 years and thinks DEP would want this Special Study to be completed prior to the sale of the Foster Township Sewer System.

Mr. Kavitski did inquire about the 50 rain events for the Special Study, could the Authority use previous rainfall events for this Study. Mr. Fox stated he did not specifically ask that question to Scott Novatnak of DEP.

Mr. Kavitski requested the 3 comments from the Authority regarding the Update for the Act 537 Plan be added to the Special Study too.

-Sewer Rules & Regulations – Chris & Josh of HRG, Inc. are working together and should take approximately 45 days for completion for the Board to review.

Mr. Thomas made the motion to table raising the Foster Township sewer rate and Mr. Clymer second. Vote 5-0.

Force Main Right of Way at Feussner Ford property – The Authority identified where the Force Main is located, put posts stating Force Main present. Ronald Feussner pulled them out of the ground, returned the posts to the Authority and stated not to put them back. It would heed the snowplowing of their lot.

Attorney Fagan read the easement on the property and the Authority can put the posts there. The Board all agreed for Mr. Kavitski to speak to Ronald Feussner in a week or two.

Also, DEP has not given a response to sample results from a pipe in that area. The Authority will make a call to see were things stand with this matter.

Person/Company for I & I Investigation – The Authority needs to find a person or company to start an I/I program. Readvertise on Indeed.com specifically for I/I. Mr. Thomas suggested Mr. Green if he would want extra hours. The Board was informed a previous candidate is no longer available. Mr. Kavitski suggested possible use of a company that specializes in I/I. Mr. Fox of HRG can provide the Authority with some names of companies.

Mr. Fisher suggests hiring someone part-time for this position with a higher rate of pay. The Board were all in agreement to look at companies.

Discuss the Amended Agreement for Foster Township – The Board met in executive session to discuss items regarding the agreement. Attorney Fagan will draft a letter to Foster Township for Board approval.

WATER DIVISION

Mr. Kavitski gave a summary of Jay Lynch's memo describing what he found at the Test Well 4. There are two wells next to one another approximately 15 feet apart. Mr. Lynch is going to ask Eichelberger Inc. for their well drilling records. It may be possible to redo a pump test.

Mr. Kavitski stated Mr. Lynch has a lot of things to discuss with the Authority – Well 11, SRBC permit, Test Wells and UL property for potential well. Need to schedule a work session or special meeting to discuss everything at that time. Will provide a few dates to schedule a meeting in the very near future.

Investigate Well #7 – September 21 of 1994, the land was advertised for sale. The purchaser must agree to removing and capping of the well with bids starting at \$3000.00 per Meeting Minutes. November 16 of 1994, bid that was accepted was from Mr. Balas for \$3,001.00 and Authority agreed to the sale.

The Board were all in agreement for Attorney Fagan to send a letter to Mr. Balas informing him, he must remove well and cap it, as per the meeting minutes when purchased. The Authority needs to go on the record with this matter, for the liability issue on Mr. Balas and a concern for the water supply for the Authority.

Josh Fox of HRG, Inc., stated this well is not listed as an active well for the Authority on DEP website.

Requirements of Senate Bill #597 – List of asset management system, removal of lead lines, repairing lines, GIS manholes & valves etc. all kinds of things the Authority is already put into place. There was a stipulation at the very end of the Senate Bill that said if you did not comply in 3-year time frame a water system, would become a Public Utility under 66 Pa.C.S. 102.

Mr. Kavitski stated PMAA (Pennsylvania Municipal Authorities Association) had this wording removed from the Senate Bill #597.

Update Drought Contingency Plan – DEP has a template. The Authority will have Brittany Caskey input information with HRG, Inc. to review prior to submission. Mr. Thomas made the motion and Mr. Kavitski second. Vote 5-0.

Upper Lehigh Main Replacement – The tank is leaking, need to put a plan in place until the Authority receives word on grant funding. The tank has two leaks now and the level of the tank was lowered. Mr. Fisher questioned if the Authority could weld the tank. Mr. Fox explained the Authority would have to drain, weld, disinfect, get Bac-T testing completed, once cleared and with DEP approval then water can be filled into the tank again. Mr. Kavitski stated the leak is located at a flange which makes it a little more difficult to fix. Mr. Kavitski suggested have Jose look at the tank to get his opinion if he would be able to fix with welding.

Mr. Thomas suggested to make this possible welding of the tank a priority. The Board all agreed to investigate the tank with welding from in-house employee. Mr. Kavitski and Ryan Smith will formulate a plan to proceed.

Place Chemicals on PennBid – Rising cost of chemicals with suppliers not having cost increases at time of budgeting, possible placement on PennBid September or October, HRG will help with the process and the people at PennBid will also lend a hand.

MANAGERS REPORT

Ryan Smith presented the Technical Manager Report. (Reference 2359-A).

Mr. Kavitski stated Well #11 will be discussed with Jay Lynch of Meiser & Earl at the Special Meeting prior to submitting information to SRBC. The emergency main repair for Upper Lehigh, Mr. Kavitski asked for pictures to be taken before and after the repairs are completed.

Mr. Fisher made a motion to amend the agenda to include the Zola Plumbing & Heating quote for ductless heat pump for the VFD blower room and Mr. Kavitski second. Vote 5-0.

Mr. Tierney made the motion to accept the emergency bid from Zola's Plumbing & Heating at the cost of \$4526.00 for ductless heat pump and Mr. Thomas second. Vote 5-0. (Reference 2359-B).

Koberlein Environmental Services for cleaning at the WWTP, which needs to be completed as soon as possible. The cleaning needs to be completed prior to the WETT test that is done in May. Mr. Tierney made the motion for the cleaning not to exceed \$15,000 and Mr. Kavitski second. Vote. 5-0.

ENGINEERING INVOICES

Mr. Tierney made the motion to approve the following HRG invoices: #159485 \$3448.50 and #159486 \$1987.90 and Mr. Thomas second. Vote 5-0. (Reference 2360-A).

ATTORNEY REPORT

Attorney Fagan stated trial date is May 5, 2022, the Authority did receive a settlement offer from PGA Attorney for a global release and filed discontinuance for a \$15,000 credit on future water bills and shift his testing to monthly use Hawk Mountain and PGA would pay out of pocket for only 2 of the Authorities testing twice a year. (Reference 2360-B).

Mr. Kavitski stated no settlement. The Board were all in agreement not to accept the settlement offer and to go forward with trial. Attorney Fagan will schedule pretrial meetings with the proper employees. PGA has been late with payment again and does not pay penalties until the following month.

OPEN/OTHER ACTIONS

Union contract is up at the end of this year. Need to start fresh, if possible, rewrite a whole new contract. The Board needs to schedule time, to sit down and go over the contract. Mr. Lindsey is shop steward.

Fiber quote reviewed by Mr. Fox in Engineering Report as a grant application.

Pave FMA Employee Parking Area – Need to locate transite pipe first. The paving should include the driveway in front of Reservoir Building and to the wellhouses at the lower end of property. It may be possible to add to the Centre St Water Replacement Project.

Mr. Tierney made the motion to accept the resignation of Robert Fulton and Mr. Kavitski second. Vote 5-0. (Reference 2360-C).

Mr. Fisher inquired about the robocall out system. The Secretary informed Mr. Fisher Rave bought out SwiftReach system. Mr. Fisher understood that Rave is going to get rid of the SwiftReach system in the future. A quote for Freeland Borough from Rave was approximately \$4000.00 per year. Mr. Fisher inquired to combining the FMA & Freeland Borough on one system. The Secretary explained to Mr. Fisher, the Authority does all phone calls for the Borough now, except for street sweeping because the message is too long. The Authority is looking at VOIP for the phone system with a robocall feature.

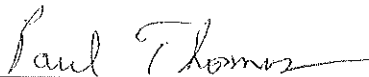
Mr. Fisher also stated the Borough is looking into buying a Skid Steer. He inquired about the Authority and the Borough buying attachments for the machine to share in the cost and use of the machinery. The Board is open to suggestions with a written agreement. Mr. Kavitski inquired about the infrastructural monies the Borough received, Mr. Fisher and Mr. Tierney stated there are many stipulations to what these monies can be used for. Mr. Thomas asked if the funds could be used to pave some of the roads in the Borough. Mr. Tierney said the Borough is still investigating exactly where and how the funds can be used. Mr. Fisher will let Freeland Borough Council know the Authority would be open to have a discussion.


AWWA sent an email concerning chlorine and gas cylinders with asbestos diaphragms. The Authority will watch for upcoming information from AWWA and the EPA.

ADJOURN

Mr. Thomas made the motion to adjourn the meeting and Mr. Clymer 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