

THE REGULAR MONTHLY MEETING WAS HELD BY THE VIRTUAL MEETING ZOOM PLATFORM AND IN PERSON ON WEDNESDAY, AUGUST 16, 2023, IN THE CONFERENCE ROOM AT 711 BIRKBECK STREET, FREELAND, PA. PRESENT WERE MR. KAVITSKI, 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 killed or injured in Maui during the fires.

CITIZENS PARTICIPATION

No citizens were present at the meeting.

APPROVE JULY MINUTES

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

APPROVE JULY PAID INVOICES

Mr. Thomas made a motion to approve the July paid invoices for the Water Division totaling \$230,948.36, and the Sewer Division invoices totaling \$133,525.16 and Mr. Clymer second. Vote 4-0. (Ref. 2450-A).

CURRENT INVOICES

Mr. Tierney made a motion to approve payment of the current Water Division invoices totaling \$86,966.34, the Sewer Division invoices totaling \$79,411.70, and the Sandy Run invoices totaling \$2,458.83 and Mr. Kavitski second. Vote 4-0. (Reference 2450-B).

FINANCIAL STATUS

The Secretary reviewed the Financial Status as outlined in Reference 2450-C.

Mr. Kavitski stated the Authority needs to investigate obtaining a grant for the Sandy Run Village; many items need to be upgraded or items added to the system which expenses exceed revenue.

Mr. Tierney made the motion to accept the 2022 Audit and Mr. Kavitski second. Vote 4-0.

SEWER DIVISION

Mr. Joshua Fox of HRG, Inc. presented the Engineering Report. (Reference 2450-D).

Sewer Area

-SIUA and sampling stations – EPA Region 3 still reviewing the Pretreatment Plan and Chris Ferdik has been checking in with the EPA on a bi-weekly basis. The EPA usually uses a third-party consultant to review the program but are doing it in-house this year and will take longer.

-NPDES Permit Renewal Work – See Engineering Report.

-Sludge Dewatering Upgrade Project – First settlement phone call with PENNVEST discussion was pertaining to all settlement phone calls regarding the project. Projecting the settlement will be in February of 2024-checklist of multiple items to be completed by that timeframe. Project needs to be put out for bid, bids back from contractors, issue notice of award; all documents needed for closing on the fourth phone call. Working towards the submittals right now which the equipment was purchased through COSTARS; received the submittals last week; revise and resubmit and turnaround time should be 6 weeks; these items need to be in the bid documents; bid documents will need to be modified, DEP had the Authority use all the Federal Requirements and the PENNVEST loan is State Requirements. October meeting the bid items should be complete and be approved for advertising the Bid.

Mr. Kavitski explained to the Board of Directors, he inquired about a partial grant with PENNVEST, and received a response that the calculations did not warrant a grant. After settlement is complete, Mr. Kavitski would like to see the calculations report. Mr. Kavitski is also requesting a meeting to be set up with

Senator Argall. Hazleton Area School District is considered low income, Freeland is part of the School District, this should have been accounted for.

-ACT 537 Special Study – No significant activities.

Water Area

-**Oak Street Water Storage Tank** – Major updates are PENNVEST submission November 1, 2023, the NPDES Permit held up the submission for August deadline; Public Water Supply Permit came in yesterday, with no special requirements, and an updated cost estimate 2.5 million, steel for the tank has increased. PENNVEST costs have not been submitted yet and will continue to update the costs prior to submission to PENNVEST per Josh Fox.

- **Hydraulic Model Flushing Analysis** – Preliminary work being completed now and should be ready for presentation with the Authority Staff by end of August. Cost savings for Authority with having B. Caskey put into the GIS system; Authority will own the Analysis. After flushing, look to see the results.

-**Update Water Division Rules & Regulations** – Draft review for September. Draft will include backflow information etc. with ratification by end of year.

-**ARPA & EPA Grant Applications** – ARPA Grant quarterly update to Luzerne County submitted.

-**CFA Small Water & Sewer Grant and H2O Grants** – No significant activities this month.

-**Map of Oak Street Tank Project Area** – Fee Simply Lot subdivision plan must be put into place or Deed Restriction with an easement, would still be Pagnotti Property. Either decision, a Land Development Plan must be submitted.

Josh Fox presented the Board of Directors with a map of the area to show the placement where the tank would be erected. Temporary acreage for the construction would be .50 of acre and permanent area would be 1.34 acres. Land Development, Property Acquisition and NPDES Permit are all required for November submission. After November submission to PENNVEST, work will be electrical designs, structural designs, and preparing bid documents. DEP has not asked for a Project Manual beforehand.

Mr. Kavitski inquired about the dark fiber going to the tank area and Mr. Fox stated the dark fiber is located within the easement area but not in today's drawings. Mr. Kavitski stated the conduit needs to be planned for at the tank, contact with PenTeleData too. Mr. Fox stated he will update on cost estimates for the dark fiber.

Mr. Thomas inquired about easements from other property owners. Attorney Fagan stated Brian & Cynthia Ayers and Tara Senape are the other owners.

Attorney Fagan recommends making a subdivision and making the area rectangular as much as possible, so the Authority does not need easement from either landowner in the area; two acres of property was already approved with Pagnotti Enterprises. Foster Planning Commission needs to approve the subdivision.

Josh Fox stated this is a little of a longer way; but saves time by obtaining easements from the other property owners. A new design of the drawing will be sent to Attorney Fagan, Mr. Kavitski and Ryan Smith for approval.

Basement Showers curbed or stalled – Authority staff have been finding showers in basements with no curbing or stall, with an open floor drain. Mr. Kavitski stated curbing would work for this type of situation. Mr. Kavitski stated Sewer Rules and Regulations will need to be amended. The Board were all in agreement with this addition to be added to Rules & Regulations. (Reference 2451-A). Josh Fox stated HRG will change Rules & Regulations and forward it to the Authority.

WATER DIVISION

Approve the Letter of Responsibility to PENNVEST regarding the Oak Street Tank Project has been tabled at this time, estimated time for approval should be October.

Moyer Instruments-Quote Well 10 Meter – Mr. Thomas made the motion to approve the Promag 2" meter quote for \$7,136.48 and Mr. Clymer second. Vote 4-0. (Reference 2451-B).

MANAGERS REPORT

Ryan Smith presented the Technical Manager Report. (Reference 2451-C).

A systemwide flush of the hydrants will take place in the fall of this year after the Authority receives the Hydraulic Model Flushing Analysis from HRG.

Sandy Run leak located at the well piping area. Kohl Bros. installed the pump earlier, which is now pumping more than 32 gpm. Dave Gettle will be investigating why the size of that pump was installed there. Ryan Smith discussed a Sure Flow Control Valve to install at Sandy Run.

Mr. Kavitski said DEP needs to understand Sandy Run has 16 residential properties with no revenue; DEP wants to see a lot of upgrades. Grant funding needs to be obtained for Sandy Run.

Ryan Smith stated Sandy Run has done two rounds of Lead & Copper Samples. First and second rounds one of the properties has tested high for copper. DEP now requires a corrosion control feasibility study with follow up 30 months for a Construction Permit. This will add additional costs for water sampling, equipment, and chemicals for the Sandy Run System. The whole system is PVC, which means the copper high results are from the homeowner side.

Mr. Thomas stated the Authority needs to meet with DEP and officials from Foster Township regarding Sandy Run. Mr. Kavitski recommends a sit-down meeting with DEP and explain Sandy Run is costing Freeland residents, which is not proper at all.

Mr. Fisher arrived at the meeting.

Mr. Kavitski thanked Mr. Fisher for fixing the leak detection equipment. Mr. Kavitski discussed the generators starting for power outages; need Modern Power to check everything regarding the generators. They must work when a power outage occurs. Ryan Smith explained Modern Power will perform a load bank test on each generator, to make sure it can handle the load for an outage.

Ryan Smith stated conduit installation will be complete by end of next week and PenTeleData will continue their work for dark fiber.

Ryan Smith discussed in-house versus laboratory samples being different. There was a step in the procedure missing and the coupon racks and digital reactor blocks will correct this issue.

Mr. Kavitski said to make sure the blocks have adapters for different sizes. Mr. Kavitski made the motion to purchase the larger digital reactor block for \$2,131.00 and Mr. Thomas second. Vote 5-0. (Ref. 2452-A).

Coupon Rack Station was discussed with a four-station holder and a suggestion was made to research specialty companies with this type of equipment. This equipment will help with dosing rates for chemicals. Mr. Fisher made the motion to purchase two four-station coupon racks for the cost of \$771.00 per unit and Mr. Clymer second. Vote 5-0. (Reference 2452-B).

Schwabe St Manhole Repairs scheduled for next month to be completed prior to Freeland Borough paving street curb to curb. Televised the sewer line going down Centre St and it is in relatively good shape. Mr. Fisher said the curb stops should also be checked prior to paving job.

Ryan Smith inquired about the hiring of a Working Supervisor. Mr. Tierney asked if any Authority staff member would be interested in applying for the position. Mr. Thomas inquired about another staff member as a leader of the work force. Ryan Smith said R. G. is good at directing but he is not on-call 24/7 and is a Union Employee. Ryan Smith stated he is concerned if he cannot be reached for any reason, another Supervisor can take the call.

Mr. Kavitski stated the Authority needs to find a person who doesn't mind doing reporting and computer data. R.G. can do field work without a problem, but he does not want to do computer data items.

Mr. Thomas does not see the justification of having two Supervisors. Mr. Kavitski stated with the up-and-coming projects and the Lead & Copper Inventory, additional person would be good.

Mr. Tierney stated the Authority should put a job posting.

Mr. Kavitski is not happy with one employee who does not seem to follow through with his job. Mr. Fisher inquired who mentored this employee. Ryan Smith stated he is trained but when I am not present, he does not do his work. Mr. Fisher inquired if this said employee has a schedule for his work and the answer is yes. I & I is a big problem which needs to be corrected. A report was developed two weeks ago, which needs to be completed at the end of every month. Mr. Fisher recommends getting the report every week. Mr. Thomas stated D.M. must delegate to staff.

Mr. Kavitski stated job descriptions need to be created and followed for pay rate of Lead Man.

Mr. Thomas stated if Lead Man does not follow Lead Man description than pay rate should be removed from the person. Mr. Kavitski stated the Union, and the Authority would need to negotiate to remove the pay rate. Mr. Fisher inquired if the job position is written up for the Working Supervisor. The Authority does have one and will advertise on Indeed.com.

ENGINEERING INVOICES

Mr. Thomas made the motion to approve HRG Invoice #172090 \$18,744.50, Invoice #173145 \$724.00, Invoice #173146 \$840.00 Invoice #173031 \$3,699.01 and Invoice #173032 \$2,990.50, and Mr. Tierney second. Vote 5-0. (Reference 2453-A).

ATTORNEY REPORT

Proposal for Purchase of Birkbeck & Johnson Street Property, Attorney Karpowich said if a contract for purchase was signed, permission would be allowed to investigate areas on the property at Purchaser's expense. The additional terms are the Buyer will have a 30-day due diligence period from the date of this agreement to evaluate the property. Buyer's investigation may include excavation of the property at Buyer's sole expense. Buyer agrees to hold Seller harmless from any accident, injury, claims etc. arising or resulting from the Buyer's due diligence activities. In the event that Buyer's due diligence investigation discloses any condition which in Buyer's sole opinion, makes acquiring the property undesirable, Buyer can declare this agreement null and void and will be entitled to have its down payment returned to Buyer. In the event, Buyer agrees to restore the property to the same condition as it was prior to Buyer's due diligence investigation. The Addendum for additional terms is that the Seller will be responsible for removal of any tanks found on the property as evidenced by Buyer's due diligence at Seller's sole expense. Time is of the essence. As such, removal of any tanks will be performed within a timely fashion and prior to closing.

Seller would remove tanks at their expense prior to closing. The Board all agreed for Attorney Fagan to also put in the agreement, any contaminated soil, it also would be removed at Seller's expense.

Mr. Tierney made the motion to approve the contract providing the Addendum is followed and Mr. Fisher second. Vote 5-0. (Reference 2453-B).

Attorney Fagan will work with Josh Fox of HRG and Pagnotti Enterprises concerning the Oak Street Tank Project area.

OPEN/OTHER ACTIONS

Mr. Thomas made the motion to hire Thomas Meyers as Water/Wastewater Laborer and Mr. Kavitski second. Vote 5-0.

Outside Wall -Garage Area along the Parking Area is pulling away from the concrete block. Mr. Fisher will look at the area.

Approval Employee Handbook Revision – Matches the Union Contract, add Medical Marijuana language, Vaping & Electronic Cigarettes prohibited, Direct Deposit wording added, Bereavement Leave added relatives per Union Contract, Sick Time for hourly employees only, Vacation Time full week must be turned in by April 1st, Medical, Dental & Vision Insurance enrollment period added to Handbook, Short Term Disability, if employee is on, the Authority will continue Health Insurance for maximum of 26 weeks, Percentage of the Employee Pension Contribution added. Mr. Tierney made the motion to approve the handbook and Mr. Kavitski second. Vote 5-0. (Reference 2453-C).

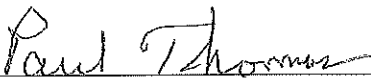
Mr. Thomas made the motion to rescind the Cybersecurity Proposal from the meeting of July 19, 2023, the government is changing requirements at this time and Mr. Tierney second. Vote 5-0.

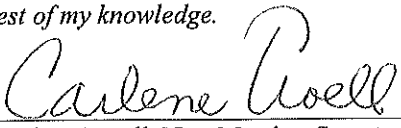
Executive Session for Callout Issues

ADJOURN

Mr. Fisher 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