

THE REGULAR MONTHLY MEETING WAS HELD IN PERSON ON TUESDAY, FEBRUARY 21, 2023, 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

CITIZENS PARTICIPATION

No citizens present.

PATRICK DUGAN OF BROWN & BROWN INSURANCE COMPANY

Mr. Dugan explained most insurances went up 8.1% for this year. Brown & Brown shopped around for the Authority and found a better rate, but this also entailed switching carriers. Inflation, the economy, and lawsuit abuse have made many carriers increase their insurance premiums.

Mr. Dugan explained the options for Extended Reporting Period "Tail" Coverage to the Board of Directors. This Extending Coverage is for the Public Officials and Employment Practices coverage. Exclusion in policies, known prior acts (known acts or wrongful filing) if the insured knew about a wrongful act with employment practices, wrongful firing, sexual discrimination, age discrimination, hiring or firing, which claim has not been filed yet or if there is a possibility of being sued for employment practices. Something that could become an issue; Mr. Dugan recommends the Extended Reporting Period "Tail" Coverage.

Mr. Kavitski stated the Authority has not fired anyone, everyone who has left, left of their own accord. Mr. Dugan explained if the Authority has no knowledge of a pending lawsuit for employment practices, the Authority would be covered. The other type would be a lawsuit against one of the Public Officials, bodily injury, or wrongful acts by the Public Official. Coverage was moved from one insurer, Argonaut Great Central Insurance Company, which expired January 1, 2023, to CUMIS Insurance Society, Inc. The existing policy was a "claims-made policy", which means that coverage hinges not only on when the alleged wrongful act occurred, but also when the claim is made and reported to the insurer. The Extended Reporting Period coverage option deadline is April 1, 2023. (Reference 2415-A).

APPROVE JANUARY MINUTES

Mr. Tierney made the motion to approve the January minutes and Mr. Fisher second. Vote 4-0.

APPROVE JANUARY PAID INVOICES

Mr. Thomas made a motion to approve the January paid invoices for the Water Division totaling \$211,152.01 and the Sewer Division invoices totaling \$166,531.55 and Mr. Kavitski second. Vote 4-0. (Reference 2415-B).

CURRENT INVOICES

Mr. Thomas made a motion to approve payment of the current Water Division invoices totaling \$126,159.52, the Sewer Division invoices totaling \$84,087.51, and the Sandy Run invoices totaling \$689.93 and Mr. Tierney second. Vote 4-0. (Reference 2415-C).

Mr. Fisher inquired about the gasoline invoices being high. The Secretary explained the Water Division is always higher than the Sewer Division. The Water Division must do the rounds twice a day, including driving to Sandy Run.

FINANCIAL STATUS

The Secretary reviewed the Financial Status as outlined in Reference 2415-D).

SEWER DIVISION

Mr. Joseph Bluge of HRG, Inc. presented the Engineering Report. (Reference 2415-E).

Sewer Area

-SIUA and sampling stations – No contact with the EPA Region 3 following the formal submission of the remaining Pretreatment Program and EPA is reviewing.

-Sewer & Water Rules & Regulations – Submitted to the Authority awaiting Board review for approval. Mr. Kavitski inquired if the Board of Directors had reviewed the updated Sewer Rules & Regulations, the Board stated needed additional time to review.

-NPDES Permit Renewal Work – Pending

-WWTP Final Clarifier Distribution Box – Substantial completion walk through was completed on January 27, 2023, and a punch list was created to achieve the substantial completion. Restoration of groundskeeping will be complete in the Spring of 2023. The miscellaneous metals were delivered to the Wastewater Treatment Plant and Linde started the installation of the decking on 2/13/2023.

HRG submitted the Change Order #1 as discussed at last month's meeting.

-Sludge Dewatering Upgrade Project – This was submitted, Scott Novatnak of DEP wants a full set of specs including the upfront done which adds \$5,000.00 to the project.

-Headworks Evaluation – See Engineering Report.

-PADEP Chapter 102 – See Engineering Report.

-ACT 537 Special Study – No significant activities.

Water Area

-Oak Street Water Storage Tank – Geotech work must be completed.

Ryan Smith stated he sent an email back to Staci Hartz regarding the grubbing and tree clearing. He wanted to look at the area prior to committing the Authority to complete the work. Ryan Smith informed the Board there are very large trees on the property and it will be difficult for the Authority employees to complete the work.

Mr. Fisher asked if the lease went through, and Mr. Kavitski explained this work must be completed prior to the purchase to be sure the Oak Street Tank would be able to be located there. Must determine if the site is suitable prior to purchasing the land from Pagnotti. Attorney Fagan obtained permission from Pagnotti for the Geotech work to be done.

The Board were all in agreement for the Geotech work to be completed.

-Well 6 & 10 Treatment System Feasibility Study – No update this month.

Resolution #2 of 2023-Declaration of Official Intent to Reimburse General Funds Used to Construct Improvements to its Wastewater System with Funds Received from the Pennsylvania Infrastructure Investment Authority for the Sludge Dewatering Project with PennVest. (Reference 2416-A).

The Letter of Responsibility to PennVest (Reference 2416-B).

The Letter of No Prejudice/Preclosing/Material Acquisition Request. (Reference 2416-C).

All paperwork reflects the \$5,000.00 increase to the project. The Board all agreed to move forward with the project. Mr. Bluge stated this should be the final amount for the project.

Mr. Kavitski and Mr. Thomas signed all the paperwork.

Mr. Fisher inquired about access to the new tank project. Mr. Kavitski stated off Oak Street will be the entrance with an easement from Pagnotti.

Linde Corporation Change Order #1 in the amount of \$11,542.09 – Mr. Thomas made the motion to approve and Mr. Tierney second. Vote 4-0. (Reference 2416-D).

Mr. Kavitski inquired if this reflected the retainage and Mr. Bluge stated he thought so.

PA American Water regarding the Wyoming St PS electric bills – PA American Water at first mentioned nothing regarding the electric bills. Foster Township insisted the electric bills are part of the maintenance of the Wyoming St PS. Mr. Kavitski stated previous agreements state the electric bills are Foster Township responsibility. The Authority has not paid PA American Water for the electric bills yet. Mr. Kavitski asked for Attorney Fagan to research all agreements from Foster Township regarding the electric bills. The Board were all in agreement with Attorney Fagan to research prior to paying the invoices.

WATER DIVISION

Surge Protection Device for Well #10 – Forschner Wireworx LLC quote for \$795.00.

Ryan Smith explained the panel on the generator that failed after only 2 years of service. Modern suggested a surge may have created the failure. Forschner Wireworx inspected the system and investigated protected devices and hardware for the surge protection. The same quote would be used for all the wells if the Authority decided to install at all the wellhouses.

Mr. Fisher inquired where the surge protection is being installed and Ryan Smith said inside the panel before the transfer switch on the incoming utility power side. Mr. Fisher does not think it will work. Mr. Kavitski stated we can wait and see.

Well 6 Convert Overhead Service to Underground – Forschner Wireworx LLC quote is \$5,590.00. The Authority will excavate for Wireworx, they will install materials and run the wires, and the Authority will pour the concrete. Additional pricing for the concrete, and the Authority would pay this cost.

Well 9 Convert Overhead Service to Underground – Forschner Wireworx LLC quote is \$8,345.00. The Authority will excavate and concrete work which is an additional cost. PPL recommended the Pole at Well 9 be replaced as well, additional \$953.00.

Mr. Thomas inquired with Ryan Smith if the pole was PPL or the Authority's pole. Mr. Kavitski asked if there is a PPL tag on the pole and Ryan Smith said he thought there was a tag. Mr. Thomas stated if the pole is in bad shape, and it is their pole why are they not responsible for the replacement. Mr. Thomas suggested reaching back out to PPL and challenge the cost. Ryan Smith said the pole will need to be moved and conduit will be in concrete for the entire length at both locations. The Authority will dig and do all form work for the electrical; in the future, if the pump or motor needs to be changed at the wellhouses there will be no overhead power, which should make the work a little easier.

Mr. Tierney made the motion to approve the overhead electrical work for Wells #6 & #9 for up to \$16,000 and Mr. Thomas second. Vote 4-0. (Reference 2417-A).

Mr. Kavitski stated the Authority will investigate the surge protection device further prior to approving.

MANAGERS REPORT

Ryan Smith presented the Technical Manager Report. (Reference 2417-B).

There are complaints of taste and dirty water throughout the town. A few people have mentioned about the chlorine being slightly high, with smell and taste.

Mr. Kavitski stated there is a yellow tint to the water and people have complained to him directly. He also informed the Board Langelier testing needs to be done monthly, no exceptions! Ryan Smith stated the Langelier testing will be completed on the last Friday of every month.

Mr. Kavitski stated they are certified operators and should have no problem completing these tests. Richard Lindsey just received his Water Operator License.

Mr. Kavitski stated testing needs to be completed. The Authority needs to focus on water quality. Ryan Smith said chlorine pump flows should be cut back. Mr. Kavitski inquired about the automated system and Ryan Smith said the Birkbeck Street Reservoir is automated only. Mr. Kavitski said flow-based pumps should be used, this needs to be corrected. Chlorine pumps will need to be replaced a few at a time, stated Mr. Kavitski. Ryan Smith said a hydrant flush needs to be scheduled since the last one was six months ago; the Authority may need to shorten this frequency.

Mr. Kavitski stated the phosphate may be breaking down and contributing to the dirty water complaints. Phosphate is to maintain the pipes but if disruptions occur it could contribute to the problem. Fluctuations in the chlorine can also create issues. Mr. Kavitski stated he is determined to get this straightened out. Ryan Smith has valve kits ordered and will replace the valves on Main Street where the recent leak occurred. The Authority will dig and replace the other valves once the bolts are obtained. All Clow valves need to be replaced due to bolt failure.

The F-250 truck side mirror was fixed and replaced, Mr. Hidalgo was at Well #17 during the weekend rounds and the truck slipped on ice.

Mr. Kavitski stated a waiver should be submitted for the asbestos and SOC for Sandy Run and the Freeland Water Systems. DEP Library has both forms on their website which need to be completed.

Lead Service Line Inventory must be completed on every home connected to the Water System by October 16th of 2024. If the line cannot be determined, must dig the service lines up to verify what type of pipe – lead, copper, or galvanized. The plan is to have Jesse and Brittany working together – investigate the service line and look for I & I issues all at the same time with excel spreadsheets.

Relief valves on aeration blowers at the WWTP are showing signs of wear. Contact Excelsior Blowers and Universal Blower per Ryan Smith. Mr. Kavitski recommended investigating Centrifugal Blowers with variable speed drives. Wastewater Plant designed with different aerations zones which alternate.

Investigate relocating DO probes, possible cascade system. Effluent box does not have enough retention time, need to increase oxygen levels.

Electrical shortage at the lamppost that was removed by Linde Corporation during the clarifier distribution box project, possible nick in the wire. Joe Bluge of HRG, Inc., stated Linde Corporation needs to complete the repairs.

Mr. Thomas recommends giving Linde Corporation the invoice from Forschner Wireworx LLC for the investigation of the problem too.

VFD in the Grit system has an error code and Mr. Kavitski recommends placing a call to the manufacturer to obtain the information. A replacement would cost approximately \$1000.00, more research is required.

Mr. Thomas recommended Ryan Smith to help Rich with the Langelier testing, with being a new Operator, so he is comfortable with the procedure.

ENGINEERING INVOICES

Mr. Tierney made the motion to approve HRG Invoice #166601 \$747.50; Invoice #166605 \$4,452.00; Invoice #166606 \$9,150.00; Invoice #167260 \$415.25; Invoice #167668 \$2,282.50; Invoice #167959 \$20,310.21; Invoice #167958 \$22,246.18 and Invoice #167960 \$1,607.05 and Mr. Thomas second. Vote 4-0. (Reference 2418-A).

ATTORNEY REPORT

Attorney Fagan announced the 30-day appeal period for PGA, Inc. has concluded. Mr. Fisher inquired about the court costs and Attorney Fagan stated this was not part of the original lawsuit.

The Union Contract review will be discussed at the Executive Session at the end of the meeting.

Attorney Fagan said he reviewed the Dish Tower lease paperwork.

Ryan Smith inquired about the lump-sum offer from Harmoni Towers via email that he forwarded to Board of Directors and Attorney Fagan. Harmoni Towers wants to convert the lease to an easement per Attorney Fagan. The Board of Directors is not interested in this offer.

Mr. Fisher discussed the land at Birkbeck & Johnson Streets. Older people in town are saying there is a railroad car in the Berger Lumberyard Area, supposedly used for storage of oil. Freeland Business and Development Authority was supposed to remove all tanks within two years of acquiring the property, and that time has passed. Mr. Kavitski suggested sitting down with Freeland Business and Development Authority or inviting them to the next meeting. Mr. Thomas inquired if the other party is still interested in purchasing the land. Mr. Tierney thought there were only 2 Business Authority Members left on the Board. There are openings on the Freeland Business Development Board, and no one is interested in sitting on the Board. Mr. Kavitski wants to ask why the Authority was turned down from purchasing the land and they should also be responsible if there are questionable things in or on that land. If the land is sold, the new owners will be responsible for the land per Attorney Fagan. Mr. Kavitski stated the land should be investigated for possible contaminants that are not known at this time. Mr. Fisher stated he contacted a Radar Ground Penetration Company in Allentown for a survey which would cost approximately \$2000.00. Attorney Fagan stated radar ground survey was in the purchase agreement the Authority sent to Freeland Business and Development Authority and they counteroffered with a price and no contingencies. Board of Directors were discussing who is on the Freeland Business and Development Authority. Mr. Kavitski asked Attorney Fagan to reach out to Attorney Karpowich to see who is on the Board. Attorney Fagan will reach out to Tiffany Buchman to see who she was dealing with on the land purchase.

Mr. Tierney inquired about Mr. Fisher and himself being on the Authority Board and Freeland Borough Council and all the Freeland Business & Development Authority items being a conflict of interest.

Mr. Kavitski informed Mr. Tierney, you and Mr. Fisher should abstain from any vote due to being in both entities.

OPEN/OTHER ACTIONS

PA American Water - possible renewing of the two-year contract due to everything signed with Foster Township and not PA American Water. Attorney Fagan will reach out to PA American Water for invitation to discuss a contract.

The Teamsters Union Contract was finalized.

Saturday night, the former Clover Bar, now Cosimo's, opened and a hydrant was knocked off base, there was no water loss and James was called out for the situation. The Freeland Police Department will provide

the driver's insurance information to submit a claim. Attorney Fagan stated if he is criminally charged the Authority can obtain restitution or submit a claim directly to the driver's insurance company.

Mr. Kavitski stated an Executive Session will follow the regular meeting for discussion on employees' wages.

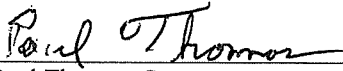
Mr. Kavitski discussed the PenTeleData Proposal for access points at wellhouses from cable to the PLC's with internet access at all sites through the dark fiber, all sites with installation and connection for \$21,518.20, the quote will be on the March Agenda. Mr. Kavitski stated the Authority needs to contact PenTeleData to inquire if there are monthly fees regarding this quote. PenTeleData will be managing the network and will replace equipment if it does go down, fix, or replace, need to see if that is included in this quote or if this is an extra cost.

Mr. Kavitski stated the wire for the dark fiber has been ordered by PenTeleData and they are awaiting parts to arrive for that installation.

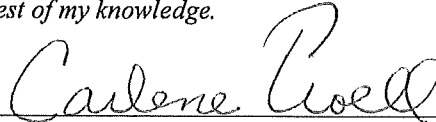
ADJOURN

Mr. Tierney made the motion to adjourn the meeting to go into Executive Session 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