

THE REORGANIZATION MEETING FOR THE BOROUGH OF FREELAND MUNICIPAL AUTHORITY WAS HELD ON JANUARY 17, 2024, PRIOR TO THE REGULAR MONTHLY MEETING. PRESENT WERE MR. KAVITSKI, MR. FISHER, MR. THOMAS, MR. TIERNEY, MR. CLYMER, THE TECHNICAL MANAGER, THE ENGINEER, THE SOLICITORS AND THE SECRETARY.

#### REORGANIZATION

Atty. Fagan convened the reorganization meeting for calendar year 2024 to order.

Mr. Tierney nominated David Kavitski as Chairman; Mr. Fisher second. Mr. Thomas made the motion to close the nomination. Vote 5-0. None opposed.

Mr. Thomas nominated James Fisher as Vice-Chairman; Mr. Tierney second. Mr. Thomas made the motion to close the nomination. Vote 5-0. None opposed.

Mr. Tierney nominated Paul Thomas as Secretary; Mr. Clymer second. Mr. Thomas made the motion to close the nomination. Vote 5-0. None opposed.

Mr. Kavitski nominated Thomas Tierney as Treasurer; Mr. Fisher second. Mr. Thomas made the motion to close the nomination. Vote 5-0. None opposed.

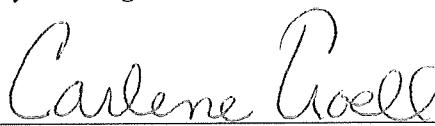
Mr. Thomas nominated Raymond E. Clymer, Jr. as Assistant Secretary/Treasurer, Mr. Kavitski second. Mr. Thomas made the motion to close the nomination. Vote 5-0. None opposed.

At this time, Atty. Fagan turned the meeting over to Mr. Kavitski for the start of the Regular Monthly Meeting.

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



Paul Thomas, Secretary



Carlene Troell, Non-Member Secretary

## REORGANIZATION 2024

## Board Members:

|                |                               |
|----------------|-------------------------------|
| David Kavitski | Chairman                      |
| Jame Fisher    | Vice-Chairman                 |
| Paul Thomas    | Secretary                     |
| Thomas Tierney | Treasurer                     |
| Raymond Clymer | Assistant Secretary/Treasurer |

## Retain the Following:

|   |                      |
|---|----------------------|
| Peter Fagan   | Co-Solicitor         |
| Gregory D. Malaska  | Co-Solicitor         |
| Herbert, Rowland & Grubic, Inc.<br>(HRG, Inc.)              | Engineer             |
| Meiser & Earl, Inc.   | Hydrogeologists      |
| Snyder & Clemente   | Accountant           |
| Community Bank, n.a. & ESSA Bank<br>and First National Bank | Depositories         |
| Carlene Troell  | Non-Member Secretary |

THE REGULAR MONTHLY MEETING WAS HELD BY THE VIRTUAL MEETING ZOOM PLATFORM AND IN PERSON ON WEDNESDAY, JANUARY 17, 2024, 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 ATTORNEYS, AND THE SECRETARY.

#### SALUTE TO THE FLAG AND MOMENT OF SILENCE

Moment of silence for the five people who were tragically killed on Interstate 81.

#### CITIZENS PARTICIPATION

No citizens present.

Mr. Kavitski asked for a motion to retain the following positions:

|  |                      |
|--|----------------------|
| Attorney Peter J. Fagan                                    | Co-Solicitor         |
| Attorney Gregory Malaska                                   | Co-Solicitor         |
| Herbert, Rowland & Grubic, Inc. (HRG, Inc.)                | Consulting Engineer  |
| Meiser & Earl, Inc.  | Hydrogeologists      |
| Snyder & Clemente  | Accountant           |
| Community Bank, N.A., ESSA Bank<br>and First National Bank | Depositories         |
| Carlene Troell   | Non-Member Secretary |

Mr. Thomas made the motion for the retention of all positions that Mr. Kavitski recommended and Mr. Clymer second. Vote 5-0.

#### APPROVE DECEMBER MINUTES

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

#### APPROVE DECEMBER PAID INVOICES

Mr. Thomas made a motion to approve the December paid invoices for the Water Division totaling \$199,325.86, and the Sewer Division invoices totaling \$124,149.96 and Mr. Kavitski second. Vote 5-0. (Reference 2477-A).

#### CURRENT INVOICES

Mr. Tierney made a motion to approve payment of the current Water Division invoices totaling \$178,017.01, the Sewer Division invoices totaling \$88,976.38, and the Sandy Run invoices totaling \$406.84 and Mr. Kavitski second. Vote 5-0. (Reference 2477-B).

#### FINANCIAL STATUS

The Secretary reviewed the Financial Status as outlined in Reference 2477-C.

#### SEWER DIVISION

Mr. Brenden Miller of HRG, Inc. presented the Engineering Report. (Reference 2477-D).

### Sewer Area

**-SIUA and sampling stations** – Chris Ferdik of HRG discussed via Zoom, EPA needs to approve all the blue items on the Engineering Report yet. Criminal penalties, EPA and Attorney Pompo are working through. Parallel updates will be required for proposed amendments on Freeland Borough and Foster Township Sewer Use Ordinances, and Freeland Municipal Authority Sewer Rules & Regulations will also need updating. Chris Ferdik is hopeful for the complete Pretreatment Plan will be approved by the first or second quarter of this year. The industrial inspections were completed with Citterio and PGA, paperwork was completed by Citterio and awaiting PGA's.

Sampling station agreements were mailed at the end of December 2023. No response from PGA. Citterio did respond to this agreement. Separate meeting with HRG and the Authority for early next week to discuss items.

EPA stated penalties cannot be retroactive prior to legal authority approval. EPA and DEP can assess legal penalties to the Authority due to an Industrial User violating the permit from discharges. Documentation on the part of the Authority for violations from the Industrial Users is necessary.

Monthly reporting from the Industrial Users is necessary and nothing has been received from PGA and this is documented. Citterio is sampling but not for all the parameters required.

Balas Distributing potential Industrial User permit, which is next on the agenda. Possible TDS levels, if truck washing is done. HRG and the Authority to do an inspection of the facility. Mr. Kavitski asked for a motion for HRG and Ryan Smith, Technical Manager of the Authority, to do an inspection of the Balas Garage, Mr. Tierney made the motion and Mr. Fisher second. Vote 5-0.

Ryan Smith inquired if the Industrial Pretreatment Survey paperwork should be sent to Mr. Balas prior to the inspection. Chris Ferdik will pose the question to Attorney Pompo for guidance. Chris Ferdik explained there is a non-residential wastewater survey first, which Mr. Balas should fill out.

**-NPDES Permit Renewal Work** – See Engineering Report.

**-Sludge Dewatering Upgrade Project** – Prebid meeting held today with Logan Jury. Thirteen contractors were in attendance for this meeting.

**-ACT 537 Special Study** – No significant activities.

**-Update Sewer Rules and Regulations** – HRG will check on a new resolution if needed.

**-Tapping Fee Studies** – Completed today but a PDF of the whole study was not available for this meeting. Maximum Residential Tapping Fee \$4,029.00 and Non-Residential Tapping Fee is \$18.89 per gallon per day for the Sewer Division. The Authority will need to review.

### Water Area

**-Oak Street Water Storage Tank** – NPDES permit is approved. Final Design continues and the land development is being worked on now with Freeland Borough and Foster Township.

**-Hydraulic Model Flushing Analysis** – No update this month.

**-Update Water Division Rules & Regulations** – HRG met with Mr. Kavitski, Chairman and Ryan Smith, Technical Manager to go over the technical components of the rules and regulations. Then a meeting with Office Manager about the billing and administration items.

**-CFA Small Water & Sewer Grant and H2O Grants** – Centre St Water Main Replacement Project, HRG agreement is on the agenda for approval tonight. Work has begun for the Public Bidding of the project. The bidding for the project, expectations are first quarter of this year and drafting a Project Manual prior to putting it out for bid.

**-SRBC Water Conservation Grant** – Meeting set up with Bentley OpenSight for next week to go over the technical components. Grant will be submitted at the end of this month.

**-DEP Separator Discussion** – HRG wants to discuss with the Authority prior to speaking with DEP. HRG stated to get this installed it will be time consuming. Brenden Miller wants to draft an exhibit prior to discussing with DEP for the Authority to review.

Exele Software used at the Wastewater Treatment Plant for the Alarm System annual renewal is \$374.25 and Mr. Fisher made the motion for approval and Mr. Tierney second. Vote 5-0. (Reference 2478-A).

### WATER DIVISION

Sandy Run Corrosion Control Treatment Feasibility Study at the cost of \$5400.00 from HRG, Mr. Tierney made the motion to approve and Mr. Fisher second. Vote 5-0. (Reference 2478-B).

Mr. Kavitski informed the Board, Sandy Run pump that was just installed stopped working, the starter may have been hit with a surge, and no surge protection is at Sandy Run. The pump is still good. Kohl Bros.

was asked why surge protection was not initially installed 6 months ago. Mr. Kavitski explained to Attorney Malaska the history of Sandy Run, with sixteen active homes with one well, one tank which feeds the whole system. The system is costing a lot of money to maintain. Now DEP wants a Corrosion Control Study with possible treatment plan to be put into place. The Authority will lend the money to Sandy Run System internally with a loan to be divided by 20 years by sixteen homes. Mr. Thomas recommends the Authority reach out to Kohl Bros and split the cost of the starter and labor.

SRBC Mitigation Grant Application for HRG to complete the grant work at the cost of \$5700.00, monitor for water leaks, there is a 10% match for the grant, if awarded. HRG is looking to administer AI technology, enter and incorporate the GIS system which the Authority has completed already, flushing analysis and leak detection into the computer system. This would identify weaknesses, breaks or leaks in the system and plan future capital improvement projects. LB Water for smart meters was approximately 100,000 dollars and the Bentley OpenSight has a yearly subscription for the software at the cost between \$1500.00 and \$2000.00, with an additional initial set-up fee of the same amount. Mr. Thomas made the motion to approve the grant application and Mr. Tierney second. Vote 5-0. (Reference 2479-A).

Mr. Kavitski said to Brenden Miller of HRG, to make sure the amount on the grant application covers all the expenses because the item is more of a luxury than a necessity.

Centre Street Main Replacement Agreement, which is \$17,600.00 for the Final Design & Permitting and \$4,500.00 for the Bidding by HRG, Mr. Tierney made the motion to approve and Mr. Kavitski second. Vote 5-0. (Reference 2479-B).

#### MANAGERS REPORT

Ryan Smith presented the Technical Manager Report. (Reference 2479-C).

Harding St Tank camera, PenTeleData, took camera apart and cleaned out ports, used silicone around the top to the camera to prevent water from going into the ports.

Coupon rack pressure situation not installed at Well 9.

PFAS sampling was completed. Mr. Kavitski inquired if the employees went through the training for the PFAS Sampling. Kirby picked up the samples already and Mr. Kavitski told Ryan Smith to call Kirby and cancel the testing if possible. Mr. Kavitski explained to the Board there is a whole list of requirements for the way the sampling is completed, and it is very particular. Ryan Smith said all the information was provided by the laboratory and he went over it with the employee; Mr. Smith had the employee read everything concerning this special sampling. Mr. Kavitski stated the Authority should consider hiring a company to come in and take the PFAS samples. Mr. Kavitski said the testing should not be done in plastic bottles because PFAS is also in plastic.

Mr. Fisher asked if SCADA system is located at the Sandy Run System, which it is not.

2009 Chevy Truck on Municibid purchase price is \$18,200.00 Winning Bidder from Philadelphia Area.

LRM quote for Flow Paced Pumps with spare parts total price is \$36,509.26, the employees will have parts to fix the pumps, these pumps are upgrades to equipment the Authority has now. Mr. Fisher made the motion to approve the purchase and Mr. Tierney second. Vote 5-0. (Reference 2479-D).  
Langelier Tests are not improving at this time which flow paced pumps will help in this matter.

Compressor/Vacuum Pump for the Sandy Run System, Grainger pump price is \$417.08/per pump, the Board recommended to purchase two, Mr. Tierney made the motion to purchase and Mr. Fisher second. Vote 5-0. (Reference 2479-E).

Jar Tester brand name of Phipps & Bird quote from USA Bluebook at the cost of \$3,500.00, Mr. Tierney made the motion to approve the purchase and Mr. Clymer second. Vote 5-0. (Reference 2479-F).

PenTeleData Proposal for additional cameras has been tabled, need to have a meeting with PenTeleData to discuss all the areas of installation. Well 4 is one area and corner of building another. Motion to table was made by Mr. Fisher and Mr. Tierney second. Vote 5-0.

Modern Power, Wyoming St. PS generator, PM Service done which showed a failed coolant sender, gauge, and battery, at the cost of \$3,371.33. Mr. Fisher made motion to table and Mr. Kavitski second. Vote 5-0. This is joint cost with PA American Water. Ryan Smith wants to investigate this quote further.

Mr. Kavitski said employees need to start learning maintenance of equipment. Mr. Fisher wants to look at the generator with Ryan Smith.

Biros quote - Influent Grit System pumping and cleaning, based on 6 hours on site, for \$4,820.00, Mr. Tierney made the motion to approve and Mr. Thomas second. Vote 5-0. (Reference 2480-A).

Forschner Wireworx LLC quote for Noise Corrupting Level Sensor at \$5,794.54 at Well 11 and Well 6 is \$5,477.34, which does not guarantee it will take care of the problem., Mr. Fisher is inquiring if DC filter will work. Mr. Tierney made a motion to table and Mr. Fisher second. Vote 5-0.  
Mr. Kavitski found VFD Submersible Cable, gave information to Ryan Smith, who will obtain quote for next month's meeting.

#### ENGINEERING INVOICES

Mr. Tierney made the motion to approve HRG Invoice #177827 \$15,918.00, Invoice #177829 \$5,636.00, Invoice #177828 \$5,604.50, and Invoice #177606 \$1,006.50 and Mr. Thomas second. Vote 5-0. (Reference 2480-B).

#### ATTORNEY REPORT

Attorney Fagan mentioned the renewable company is Ironwood not Lakewood as on the Agenda, Ironwood wants exclusive control of the 61 acres in Upper Lehigh. Ironwood is not looking to fence all the acreage. Mr. Kavitski is concerned about the exclusive clause. Mr. Thomas is recommending the exclusive clause not to pertain to the Authority and Attorney Fagan said he would contact the company.

Jeddo Highland Coal Company – Oak Street Tank Site – The drawing submitted to them contained 5.008 acres in Foster Township, the northern section of the land the Authority requested is in a permit license situation. Jeddo Highland cut back the area by about 6/10 of an acre. The area is now 4.338 acres to purchase. South side is fine, the land is just not as far North as before according to Attorney Fagan. Attorney Fagan said the drawing and the agreement were revised, price adjusted, and sent back to Jeddo Highland for their approval. Jeddo Highland is requesting a 30-foot-wide easement on the Oak Street area of the property and Attorney Fagan said there would be no problem with that request. Brenden Miller of HRG will confirm the site of the tank to be sure all is fine.

Attorney Fagan sent another letter to Mr. Balas about Well 7, the well abandonment procedures he did were not to DEP standards, and he may be held liable for any future contamination, if traced back to Well 7. No response from Mr. Balas yet.

Mr. Kavitski introduced Attorney Greg Malaska to the Board and explained to all, Attorney Malaska handled the litigation with the lawsuit from PGA, which the Authority won. Attorney Fagan will be retiring by end of year.

#### OPEN/OTHER ACTIONS

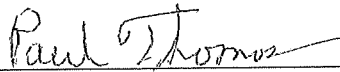
Rave Mobile Safety Renewal, the call out system, the Authority will renew for 1 year only. Mr. Fisher is recommending Freeland Borough share the cost because system used for Snow Ban. Mr. Tierney made the motion to renew for 1 yr. and Mr. Clymer second. Vote 5-0. (Reference 2480-C).

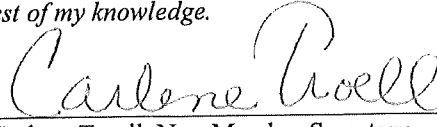
Executive Session for personnel matters after the meeting.

#### ADJOURN

Mr. Tierney 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