

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – May 21, 2009

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting on Thursday, May 21, 2009 at 7:00 P.M. in the Authority conference room, duly advertised, as required, and with the following persons in attendance:

1. Roll Call:

Board Members in Attendance:

Mr. Stan Caroline	Mr. Larry Chrzan	Mr. Anthony Marks
Mr. John Nabuda	Mr. Robert Pioth	Mr. Leonard Santimyer
Mr. Jared Squires	Mr. Sam Testa	Mr. Tim Watson

Absent:

Mr. Charles Konkus

Others in Attendance:

Mr. John Campfield, Solicitor
Mr. Mark Poole, Consulting Engineer
Mr. Kevin Fisher, General Manager
Mrs. Johanna Wtorkowski, Assistant Secretary-Treasurer/Recording Secretary

2. Mr. Pioth led the Pledge of Allegiance, and moment of silence for troops overseas and for the three fallen Pittsburgh Police Officers. Mr. Pioth welcomed two new Board Members to the Authority: Mr. Stan Caroline, representing Penn Township, and Mr. John Nabuda, a returning Board Member, representing Irwin Borough.

3. Public Comments: None – Mr. John Thornton, visitor, was in attendance.

4. Communications:

A. There was no CHAR Report for May.

5. Secretary's Report – Mr. Marks –

A. A motion was made by Mr. Chrzan, and seconded by Mr. Marks, to approve, as presented, the minutes of the April 16, 2009 Regular Meeting. The motion passed unanimously.

This concluded Mr. Mark's report.

Nominations for Committee Chairpersons:

Personnel Committee:

Mr. Pioth called for nominations for Chairman of the Personnel Committee. Mr. Chrzan made a motion to nominate Mr. Nabuda, and the motion was seconded by Mr. Watson. The motion passed unanimously.

Sludge Committee:

Mr. Pioth called for nominations for Chairman of the Sludge Committee. Mr. Chrzan made a motion to nominate Mr. Caroline, and the motion was seconded by Mr. Marks. The motion passed unanimously.

6. Treasurer's Report – Mr. Watson –

A. A motion to approve for payment Revenue Fund Requisition No. 102, in the amount of \$147,155.92 was made by Mr. Testa, and seconded by Mr. Chrzan. The motion passed unanimously.

This concluded Mr. Watson's report.

7. General Manager's Report – Kevin Fisher – Mr. Fisher added the following to the written report that was previously distributed.

- A. Mr. Fisher reported that the Authority has resumed its Safety Committee meetings. The Safety Committee was certified through the State. Two employees have been added to the committee: Rudy Brnilovich, who is the current Union Steward, and Stanley Gorski, who is the lead employee on the second shift. The committee is currently working on a Community Right to Know program, which is basically the creation of a chemical inventory, the scheduling of right to know training, and the posting of material safety data sheets. The committee is also working on a lockout/tagout policy. The committee has met twice, this year, with the most recent meeting occurring earlier, this week. The committee will meet once each month.
- B. Mr. Fisher reported that the Authority has received its first quarter leachate analysis report from the Valley Landfill. Mr. Fisher stated that the numbers appear to be down from the last quarter, although he has not yet reviewed the report.

Mr. Chrzan requested that Mr. Fisher notify him regarding the Safety Committee meeting dates, as he would like to attend the meetings.

This concluded Mr. Fisher's General Manager's report. The complete report is attached to these minutes.

8. Consulting Engineer – Mark Poole, Wade Trim, Inc.:

Mr. Poole reviewed the written report dated May 21, 2009, which was distributed on May 15, 2009. The complete report is attached to these minutes.

A. Solids Processing Project:

- 1. Mr. Poole reported that the Authority is moving to the preliminary design stage. There have been two design progress meetings, and another meeting is scheduled for Wednesday, May 27, 2009, at 9:30 A.M., at the treatment plant. Mr. Poole requested that the Legal and Engineering Services Committee schedule a meeting to discuss the current status of the design project, and to go over some items. Mr. Poole would like to schedule the meeting after the May 27th progress meeting.

B. Wet Weather Issues:

- 1. Mr. Poole reported that the Authority has received nothing from the regulatory agencies regarding the Long-Term Control Plan, and the NPDES Permit renewal will not be issued until the PaDEP approves the Long-Term Control Plan. Approval of the plan should be given by the end of May 2009.

- C. Mr. Poole reported that an ALCOSAN basin engineers/managers meeting was held at the Forest Hills Recreation Center on May 19, 2009. Mr. Poole and Mr. Fisher attended the meeting, and Mr. Caroline attended the meeting, representing Penn Township. There was a discussion regarding feasibility studies that are going to be required under the Consent Order. Mr. Fisher reported that there will be an elected officials meeting on June 29, 2009, at 7:00 P.M.

Mr. Marks asked Mr. Poole what the estimated cost would be to complete a feasibility study. Mr. Poole explained that it would be an Act 537 Plan, and the cost would vary, depending upon the municipality. ALCOSAN is attempting to consolidate some communities, and combine Act 537 Plans, in order to reduce the cost. Three Rivers Wet Weather may complete the Act 537 Plans for some communities, possible all communities. Mr. Poole stated that the cost could range from \$20,000.00 to \$200,000.00. Mr. Fisher stated that Western Westmoreland Municipal Authority's cost would be considerably lower than \$20,000.00.

- D. Mr. Poole reported that he and Mr. Fisher met with Manor Borough to discuss Manor Borough's plans for separating their combined system. Manor Borough requested that the Authority prepare a letter to the Borough Council, stressing the importance of doing whatever is necessary to remove their storm sewers from the sanitary sewer system. Mr. Poole drafted a letter, which Mr. Fisher is currently reviewing.
- E. Mr. Poole reported that a meeting was held with Trafford Borough. This will be discussed during the executive session.

- F. Mr. Poole reported that the Authority hosted a plant facilities tour for visiting water and wastewater specialists from the former Soviet Union. Mr. Poole presented to Mr. Pioth a photograph of the visitors.

This concluded Mr. Poole's Engineer's report. The complete report is attached to these minutes.

9. Solicitor's Report – John Campfield –

- A. Mr. Campfield suggested that the Board enter into an executive session, to discuss litigation with Westmoreland Electric and Trafford Borough, and potential litigation with North Huntingdon Township Municipal Authority.

A motion was made by Mr. Chrzan, and seconded by Mr. Squires, to enter into an executive session to discuss matters of current or potential litigation. The motion passed unanimously. The time was 7:17 P.M.

A motion to return to the regular order of business was made by Mr. Chrzan, and seconded by Mr. Marks. The motion carried unanimously. The time was 7:52 PM.

- B. North Huntingdon Township Municipal Authority:

Mr. Pioth entertained a motion to authorize Mr. Campfield to contact representatives of the North Huntingdon Township Municipal Authority, in an attempt to meet with them one more time. Mr. Testa presented a question on the motion, asking if there would be a time limit on the scheduling of a meeting. The scheduling of a meeting within the next thirty (30) days was suggested. Mr. Santimyer presented a question on the motion, asking if the thirty day time limit was for scheduling of the meeting. Mr. Marks replied that it was. A motion was made by Mr. Marks, and seconded by Mr. Chrzan, to recommend to the North Huntingdon Township Municipal Authority that they meet with representatives of the Western Westmoreland Municipal Authority one last time within the next thirty (30) days. If the North Huntingdon Township Municipal Authority declines to meet with WWMA, the Authority will proceed with litigation. The motion passed unanimously. It was decided that the Legal and Engineering Services Committee, the Mr. Pioth, Mr. Campfield, and Mr. Fisher would attend the meeting.

- C. Westmoreland Electric, Inc.:

A motion was made by Mr. Chrzan, and seconded by Mr. Nabuda, to approve the Mutual Full and Final Release and Settlement Agreement by and between the Western Westmoreland Municipal Authority and Westmoreland Electric, Inc., with a settlement amount of \$15,000.00. The motion passed unanimously.

This concluded Mr. Campfield's report.

10. Reports of Committees:

- A. Grounds and Maintenance Committee – Mr. Santimyer –

Mr. Santimyer reported that Authority employees are maintaining the outside emergency and safety lights. Mr. Fisher stated that the employees will be replacing several poles by the final clarifiers, and are in the final phase of replacing all of the poles and lights at the plant.

- B. Personnel Committee – Mr. Chrzan reported that an employee who is currently on a short-term disability leave should return next month.

- C. Finance and Budget Committee –

- 1. Mr. Chrzan reported that the Authority received \$13,926.85 in interest in April, for a year-to-date total of \$76,231.83.

- D. Insurance Committee – Jared Squires – There was no report.

- E. Sludge Committee – Stan Caroline – There was nothing to add to the written report that was previously submitted.

- F. Legal and Engineering Services Committee – Mr. Testa stated that the committee will be looking into meeting with North Huntingdon Township Municipal Authority, and will schedule a meeting with Mr. Poole.

This concluded Mr. Testa's report.

11. Change Orders and Pay Estimates:

- A. A motion was made by Mr. Chrzan, and seconded by Mr. Testa, to approve Change Order No. 5 for the Wet Weather Improvements Project Contract No. 1-General-William T. Spaeder Co., Inc., for a reduction in the amount of \$7,500.00.
- B. A motion was made by Mr. Chrzan, and seconded by Mr. Testa, to approve the Wet Weather Improvements Project Contract No. 1-General-Wm. T. Spaeder Co., Inc. Pay Estimate No. 16 (Revised), in the amount of \$28,187.10, with a retainage of 3%, or \$31,023.80. Mr. Fisher explained that the retainage has been reduced from 5% to 3%. Mr. Spaeder must provide the Authority with a maintenance bond, contractor payment reports, certified payroll reports, and he must complete the as-built maps and manuals. The physical work has been completed, with the exception of the aerial photography. The motion passed unanimously.
- C. A motion was made by Mr. Testa, and seconded by Mr. Watson, to approve the Wet Weather Improvements Project Contract No. 2-Electrical-Westmoreland Electric, Inc. Pay Estimate No. 18 (Final), in the amount of \$245.69. The motion passed unanimously.

12. Requisitions:

Mr. Pioth presented the following requisitions with the motions to approve as follows:

- A. Capital Improvement Fund Requisition No. 81 in the amount of \$2,159.17. Motion to approve was made by Mr. Chrzan, and seconded by Mr. Watson. The motion passed unanimously.
- B. 2005 Construction Fund Requisition No. 2005-49 in the amount of \$69,394.24. Motion to approve was made by Mr. Watson, and seconded by Mr. Chrzan. The motion passed unanimously.

13. Board Member Comments –

- A. Mr. Chrzan requested Board approval to host an open house in the first or second Saturday of June or July, in order to provide an opportunity for the public to view the plant facility. Mr. Chrzan suggested having the Colonial Grill cater the event. Mr. Santmyer stated for the record that his son owns the Colonial Grill. Mr. Marks suggested inviting local Boy Scout troops to the open house, because it could provide the scouts with an opportunity to earn a merit badge. A motion was made by Mr. Chrzan, and seconded by Mr. Watson, to host an open house on Saturday, July 11, 2009, at 1:00 P.M. After discussion, it was decided that the cost would not exceed \$800.00, with sandwiches being provided for the guests. The open house will occur from 1:00 P.M. to 5:00 P.M. The motion passed unanimously.
- B. Mr. Marks stated that, now that the Westmoreland Electric, Inc. issue has been settled, he would like the Board to learn from the experience, and prevent any deficiencies in the future upgrade project.

14. The executive session occurred earlier during the meeting.

15. A motion to adjourn the meeting was made by Mr. Chrzan, and seconded by Mr. Squires. The motion carried unanimously. The time was 8:17 P.M.

Anthony Marks
Secretary