

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – MARCH 18, 2021

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting via Microsoft Teams audio/video teleconferencing on Thursday, March 18, 2021 at 6:00 P.M. in the Authority conference room, duly advertised, as required, and with the following persons in attendance:

1. Roll Call 6:04 P.M.:

Board Members in Attendance:

Mr. Stanley Caroline, Jr.	Mr. Mike Faccenda	Mr. Charles Gilbert
Mr. Charles Konkus	Mr. Joseph Lapia	Mr. Dylan Mace
Mr. Kevin McHugh	Mr. Mark Wolinsky	

Absent:

Mrs. Barbara McIntyre	Mr. Tim Watson
-----------------------	----------------

Others in Attendance:

Mr. John M. Campfield, Solicitor
Mr. Brad Boddy, Consulting Engineer
Mr. Kevin Fisher, General Manager
Mr. Stanley A. Gorski, Jr., Assistant Manager
Mrs. Johanna Wtorkowski, Finance Director and Assistant Secretary-Treasurer/Recording Secretary
Mr. Donald Hixson, LSSE Civil Engineers and Surveyors
Mr. Kevin Brett, LSSE Civil Engineers and Surveyors

2. Mr. Caroline led the Pledge of Allegiance and moment of silence for troops overseas.

3. Public Comments:

- A. Mr. Donald Dixon, of LSSE Civil Engineers and Surveyors, Greensburg Office, addressed the Board on behalf of Maronda Homes, to provide an update on the proposed Oakwood Manor residential development, located in Penn Township. Mr. Hixson stated that his firm was notified that there may be a capacity issue with the Brookside Pump Station, and that there was a service agreement conflict between existing agreements in place between Penn Township Sewage Authority (PTSA) and Franklin Township Municipal Authority (FTMSA), and between PTSA and Western Westmoreland Municipal Authority (WWMA), for the same service area. Mr. Hixson stated that Lennon Smith has looked at several options, and has discovered that there is an existing gravity manhole along Mellon Road, in front of the Bushy Run Campus of Westmoreland County Community College, across from Enterprise Drive. Mr. Hixson stated that they can service the proposed development with a gravity extension to an existing FTMSA manhole. The line is long, and deep, but it works with the gravity flow. Mr. Hixson stated that he met with Mr. Fisher and Mr. Caroline in August 2020, and he does not think that there has been any movement regarding the service agreement issue. Mr. Hixson stated that this delay is a detriment to his client, Maronda Homes. Mr. Hixson stated that he addressed the PTSA Board this Tuesday, and he addressed the Penn Township Commissioners, last evening. Mr. Hixson stated that WWMA does not have sewers in this area, and doubts that they will, for many years. Mr. Hixson is requesting that the WWMA Board move forward with the agreement, so that Maronda Homes can enter the housing market at a good time. Mr. Hixson stated that he is resubmitting planning modules for the development to be served by FTMSA, and he asked that the WWMA Board consider moving this forward. Mr. Kevin Brett, of LSSE Civil Engineers and Surveyors, stated that timing is their concern, with the months that have passed. Mr. Brett stated that, if the WWMA Board decides to not consider this action, the property will be unbuildable, and the developer will have to take whatever action he sees fit. Mr. Caroline stated that there are no plans on PTSA's end to install sewer lines. Mr. Fisher corrected the statements of Mr. Hixson, and Mr. Brett, stating that PTSA has not constructed sewer lines to serve the area. Mr. Fisher stated that it is not WWMA's responsibility to construct sewer lines. That is the responsibility of PTSA. Mr. Fisher stated that WWMA has provided and made plans for capacity at the (Brush Creek Wastewater Treatment) Plant for this service area in question. Mr. Fisher stated that this matter has been brought before the Board previously, and has been the subject of discussion at monthly meetings and Legal & Engineering Committee meetings. Mr. Hixson stated that LSSE will be resubmitting the planning module, and request an up or down vote from each agency. Mr. Fisher asked Mr. Hixson what type of tap fee FTMSA was planning to charge per equivalent dwelling unit (EDU). Mr. Hixson stated that he had spoken with FTMSA to confirm whether there were capacity issues, but he has not spoken with them yet,

regarding tapping fees. Mr. Caroline stated that FTMSA is under a tap restriction. Mr. Lapia asked Mr. Hixson and Mr. Brett what their timeline was, regarding cancelling the development. Mr. Brett stated that if they aren't submitting to the PaDEP within sixty (60) days, the deal would be cancelled. Mr. Lapia asked when the first planning module was submitted. Mr. Brett stated that they started the planning process in 2019. Mr. Hixson stated that the first planning module was submitted in early 2020. Mr. Caroline stated that he has been in discussions with them for fifteen or sixteen months. Mr. Hixson and Mr. Brett thanked the Board for permitting them to address the Board. Mr. Hixson and Mr. Brett left the meeting at this time.

4. Communications:

- A. Mr. Caroline reported that Pennsylvania State Ethics Statement of Financial Interest forms for the year 2020 are due by May 1, 2021.
- B. Mr. Caroline referred to correspondence that was received from the Pennsylvania Municipal Retirement System regarding staff changes and the delay in submission of the GASB 68 reports and annual employee statements.

5. Secretary's Report – Due to Mrs. McIntyre's absence, Mrs. Wtorkowski requested the approval of the minutes for the regular meeting of February 18, 2021, as presented. A motion to approve was made by Mr. Lapia, and seconded by Mr. Wolinsky. The motion passed unanimously.

This concluded the Secretary's Report.

6. Treasurer's Report – Due to Mr. Watson's absence, Mrs. Wtorkowski requested the approval of the following requisition:

- A. Revenue Fund Requisition No. 360: \$530,766.20: A motion to approve was made by Mr. Lapia, and seconded by Mr. Gilbert. The motion passed unanimously.

This concluded the Treasurer's report.

8. Assistant Manager's Report – Stanley Gorski, Jr. (Out of order):

- A. Mr. Gorski reported that there were no NPDES plant violations, and no by-pass events during the month of February 2021. Average plant flow was 3.7 mgd. Maximum plant flow was 9.1 mg. Total rainfall for the month was 1.96", with a maximum rainfall of .80 on a single day. A total of 1.326 million gallons was pumped to the EQ tank on February 28, 2021 through March 1, 2021, due to heavy rains, thereby preventing by-passes at the plant. There were no by-passes in the system in Manor.
- B. All plant maintenance is up to date.
- C. Plant employees performed troubleshooting on the centrifuge gear box.
- D. Plant employees completed installation of the 2,000 gallon magnesium hydroxide tank and piping, and the piping for the settling agent.
- E. Mr. Gorski requested Board approval to hire two (2) or three (3) summer employees, for a period not to exceed 120 days, at the rate of \$12.50 per hour. Mr. Konkus asked if the summer employees would need to receive hepatitis vaccines, due to the cleaning of the digesters. Mr. Gorski stated that he does not plan to have the summer employees clean the digesters. Mr. Gorski stated that he plans to have the employees perform grounds maintenance. Mr. Faccenda asked Mr. Gorski if he thought that \$12.50 per hour would be enough to attract applicants. Mr. Gorski stated that this was last year's rate, and it was the amount that was budgeted. Mr. Lapia stated that he thought that two employees were budgeted, and the rate should have been determined at the time the budget was prepared. Mrs. Wtorkowski stated that she and Mr. Gorski had discussed the issue of summer employees, and decided that two summer employees would be sufficient. Mr. Faccenda stated that other companies are paying more than \$12.50 per hour. Mr. Lapia stated that those companies frequently schedule twenty (20) hours per week for seasonal employees, so the extra hours make up for the lower rate of pay. A motion was made by Mr. Lapia, to hire two summer employees for a period not to exceed 120 days, at the rate of \$12.50 per hour. Mr. Lapia amended his motion to state that the 120 days would extend through the entire year. Mr. Konkus seconded the motion. The motion passed unanimously.
- F. Mr. Gorski reported that the Authority passed the Whole Effluent Toxicity (WET) test for the first quarter of 2021. Mr. Gorski stated that the Authority is working closely with Wade Trim, Inc., and will be making operational changes to combat the effects of warmer weather on ammonia treatment.

Mr. Konkus asked if Waste Management (Owner of Valley Landfill) was paying for the chemicals to treat ammonia. Mr. Gorski stated that Waste Management is not yet paying for the chemicals. The Authority is requesting a meeting in two weeks with Waste Management. Mr. Konkus asked how much has been spent on magnesium hydroxide, this year. Mrs. Wtorkowski stated that the Authority has spent \$27,454.00 so far, this year, including an open purchase order.

This concluded the Assistant Manager's report.

7. General Manager's Report – Kevin Fisher (Out of order):

Mr. Fisher thanked Mr. Gorski for his work on COVID-19 response, including the scheduling of vaccines for seven (7) employees, who will receive their second dose of the vaccine on March 22, 2021, as well as for an eighth employee, who will be receiving the first dose of the vaccine, next Thursday. Mr. Fisher expressed his appreciation, and that of the employees, to Mr. Gorski, for his efforts.

Mr. Fisher reported that the Pennsylvania Municipal Authorities Association (PMAA) conference is scheduled for August 29, 2021 through September 1, 2021.

- A. Mr. Fisher requested that the Board ratify the General Manager's actions to authorize emergency repairs to the centrifuge. The quote was estimated to be \$41,722.38, plus travel and on-site service. A motion to approve was made by Mr. Wolinsky, and seconded by Mr. McHugh. The motion passed unanimously.
- B. Mr. Fisher requested that the Board ratify the General Manager's actions to enter into an agreement for rental of temporary sludge dewatering equipment, at a rental rate of \$15,000.00 per month. Mr. Fisher stated that he anticipates a two-month rental, plus shipping costs for delivery and return shipping to the vendor. A motion to approve was made by Mr. Faccenda, and seconded by Mr. Lapia. The motion passed unanimously.
- C. Mr. Fisher requested Board authorization for Authority Foreman Michael Diana to attend the PennTec Conference from June 20-23, 2021. Mr. Fisher stated that he will be attending the conference. Mr. Fisher stated that he is a member of the state committee for the PWO, and he is on the Executive Board of PMAA's Western Section. Mr. Lapia asked if the Authority's Assistant Foreman is scheduled to be off, during this time. Mr. Fisher stated that the Assistant Foreman will be at work. A motion to approve was made Mr. Wolinsky, and seconded by Mr. Faccenda. The motion passed unanimously.
- D. Mr. Fisher requested that the Board authorize the General Manager to request a Letter of No Prejudice from PENNVEST for the possible early start of construction prior to closing of the PENNVEST loan, which is scheduled for May 12, 2021, and with that, a motion to authorize the General Manager to be signatory to PENNVEST Loan No. 75375 in regard to the COA-Phase III Project, and to authorize the Board to adopt a Resolution for reimbursement. The Resolution is part of the Letter of No Prejudice, and authorizes the Authority to reimburse the Capital Improvement Fund for early payments to the contractor. The amount of the PENNVEST Loan is currently \$11,025,000.00, which includes a 10% contingency, but it is anticipated that the funding offer will be reduced to equal the low bid of \$4,744,447.00, plus 10% contingency. Mr. Caroline asked why the Authority would borrow money and pay interest on it, when the Authority already has over \$3,000,000.00 in the Capacity Fee and Penn Township (Expansion Guarantee) Accounts. Mr. Fisher stated that the Authority is anticipating a required plant upgrade to address hydraulic issues, and to meet NPDES permit requirements, particularly in regard to ammonia and denitrification. Mr. Fisher stated that those costs will far exceed the monies in the Capital Improvement Fund. Mr. Fisher stated that the funds in the Capacity Fee Account and Penn Township Expansion Guarantee Account will permit the Authority to self-finance a portion, if not all of the design engineering, and possibly a portion of construction costs for the plant upgrades. Mr. Fisher stated that the Authority did this for the COA-Phase I and COA-Phase II Projects, by using monies from the Capital Improvement Fund to finance design engineering. Mr. Caroline stated that the required upgrades could take place 2-5 years from now. Mr. Caroline stated that he feels that the Authority could borrow the \$3,000,000.00 dollars in the future. Mr. Caroline stated that it seems crazy to him to keep the money, and borrow additional money for the future upgrade. Mr. Fisher stated that having the money in reserve assists the Authority with future bond ratings, when financing for the upgrade takes place. Mr. Caroline stated that he disagrees, stating that the Authority must prove that it has the revenue to cover the debt, or must raise rates to cover the debt. Mr. Caroline stated that the Authority transfers monies to the Capital Improvement Fund at the recommendation of the Consulting Engineer. Mr. Fisher stated that the Authority only has transfers to the Capital Improvement Fund if there are excess funds. Mr. Fisher does not anticipate a transfer for 2021. Mr. Fisher explained that, as the annual transfers are reduced (while capital expenditures are made), the reserve in the Capital Improvement Fund is diminished. Mr. Caroline asked Mr. Boddy if the monies in the Capacity Fee Account and Penn Township Expansion Guarantee Fund could be used for increased capacity in the lines, or just at the plant. Mr. Boddy stated that Mr. Campfield would have to answer that question. Mr. Boddy stated that he agreed with Mr. Fisher's recommendation to not decrease the amount of the PENNVEST Loan (by using funds from the Capacity Fee Account and Penn Township Expansion Guarantee Fund), stating that the Authority has earmarked this money for projects that will take place in the near future. Mr. Boddy stated that the Board should consider how this action would impact future funding through PENNVEST. A discussion followed. Mr. Caroline asked the Board for their comments regarding the use of monies in the Capacity Fee Account and Penn Township Expansion Guarantee Account. Mr. Lapia, Mr. Faccenda, Mr. Konkus, and Mr. Gilbert stated that the Authority should use these funds, now. Mr. Fisher stated that, as General Manager, he would recommend that the Board not use these funds, and instead, proceed with the full PENNVEST loan amount, stating that the Capital Budget that was approved by the Board in November 2020 indicates that the money would be better spent (toward

the design of the plant upgrade). Mr. McHugh stated that it is prudent to borrow when the rates are low. Mr. Boddy stated that the Authority has a PENNVEST offer for full funding of the construction cost of the COA-Phase III Project. Mr. Boddy stated that he does not know how a reduction in the borrowing amount will affect the loan with PENNVEST. Mr. Caroline stated that the PENNVEST loan would be reduced by \$11,025,000.00. Mr. Boddy explained that the funding offer is for 100% of construction costs, so the reduction in the PENNVEST loan would still provide 100% funding for construction costs. Mr. Wolinsky stated that he is not opposed to contributing to the cost, but he agreed with Mr. Fisher, stating that the Authority should not change the amount of the PENNVEST loan. Mr. Lapia stated that this issue was brought up three months ago. Mr. Wolinsky stated that the decision should have been made sooner. A motion was made by Mr. Faccenda, and seconded by Mr. Lapia, to use \$2,000,000.00 (towards the COA-Phase III Project construction costs). Mr. Fisher asked Mr. Caroline from which account the funds would be taken. Mr. Caroline stated that this is a Board decision, but did not think that the source had to be determined, at this time. Mr. Fisher stated that the source should be determined, now. Mr. Faccenda amended his motion to state that the Authority will use \$2,000,000.00 from either of the two funds (Capacity Fee Account and the Penn Township Expansion Guarantee Account towards the COA-Phase III Project construction costs). Mr. Lapia seconded the amended motion.

A roll-call vote was taken.

Mr. Caroline – yes	Mr. Faccenda – yes	Mr. Gilbert – yes	Mr. Konkus – yes
Mr. Lapia – yes	Mr. Mace – no	Mr. McHugh – no	Mr. Wolinsky – no

The motion passed, 5-3.

A motion was made by Mr. Konkus for Board authorization for the General Manager to issue to PENNVEST a Letter of No Prejudice for the COA-Phase III Project, PENNVEST Loan No. 75357, with a correct amount. Mr. Konkus amended the motion, to include authorization for General Manager Kevin Fisher to be a signatory for the PENNVEST loan, and to authorize a reimbursement Resolution. Mr. Wolinsky seconded the amended resolution. The motion passed unanimously.

E. Discussion regarding digester cleaning and Dystor cover replacement:

1. Mr. Fisher requested Board approval to authorize the Consulting Engineer to prepare and bid the digester cleaning, for bid opening by the April 15, 2021 meeting, and to proceed with the (one) Dystor cover replacement, pending final scope of work and authorization by the Legal & Engineering Services Committee to approve the Dystor cover purchase. Mr. Fisher stated that he would like to schedule the work to coincide with the rented belt filter press being on-site. The estimated cost was \$340,000.00 for both covers. Mr. Fisher expects the cost for one cover to be \$170,000.00. Mr. Konkus asked if there have been improvements to the new Dystor cover. Mr. Fisher stated that, according to Mr. Tom Mangione, of Evoqua, there have been no improvements to the material that is used for the Dystor covers. Mr. Caroline asked if there will be a problem extending the rental period for the belt filter press. Mr. Fisher stated that there would be no issues with the rented equipment. Mr. Lapia asked if the Authority has to have a cover on the digester. Mr. Fisher stated that an anaerobic digester must be covered. The sludge in the digester must be heated to 95°, in order to keep the bugs alive. The Authority must utilize the waste gas, or burn it. Mr. Caroline asked what kind of cover the digester had, before. Mr. Fisher stated that the digester used to have a floating, steel cover. Mr. Lapia asked if the Authority could return to this type of cover. Mr. Fisher explained that, in order to return to a floating, steel cover, the gas piping system would need to be changed. Mr. Gorski stated that the most recent price quote for cleaning the digesters was \$.78 per gallon, but this amount included rental of a belt filter press. Since the Authority is already renting the belt filter press, this amount will be lower. Mr. Fisher stated that the Authority had budgeted \$400,000.00 for the Dystor cover replacement, and \$210,000.00 for the digester cleaning. A brief discussion followed. A motion was made by Mr. McHugh, and seconded by Mr. Wolinsky, to authorize the bidding for the digester cleaning, and award, based on review by the Solicitor and Consulting Engineer, and Legal & Engineering Services Committee, and to authorize the replacement of the Dystor cover, upon review by the Solicitor, Consulting Engineer, and Legal & Engineering Services Committee. The motion passed unanimously.

F. Proposed Eighth Amendment to the Service Agreement:

1. Mr. Boddy reported that the Legal & Engineering Services Committee met on March 4, 2021, at which time the committee members looked at the draft Eighth Amendment to the Service Agreement that came from Penn Township. The proposed amendment would allow a development that is located within a portion of WWMA's service area, in Penn Township, to be served by FTMSA, until such time when PTSA constructs sewer lines that would be tributary to WWMA. This amendment was not intended to be a blanket agreement, but rather a template for future agreements. The Legal & Engineering Services Committee came to consensus on several items, including the following:

- WWMA should provide a response to PTSA.
- The provision should be set up as a global or master agreement.
- Any agreement between PTSA and FTMSA should include WWMA as part of that agreement.
- The agreement should include a reversal provision, which would reverse flows to WWMA.
- An up-front fee should be paid to WWMA, that should be included in the agreement, and that would be larger than the current capacity fee. The amount of that fee should be developed. A number of concepts were discussed, and it was suggested that Mr. Boddy and Mr. Fisher review concepts, and report their findings to the Board.
- An approach needs to be developed to provide a timeline for when PTSA sewer lines will have to be constructed to serve areas that had been developed. Proposed concepts included an EDU count that would trigger when PTSA would be given a certain amount of time in which to build the collection system. Mr. Boddy and Mr. Fisher were instructed to look at concepts in more detail, and report their findings to the Board.

Mr. Lapia stated that he does not remember authorizing the Legal & Engineering Services Committee to come up with a plan, but he does remember instructing Mr. Fisher to submit a survey to the Board, and he is not happy that the survey was not distributed. Mr. Caroline stated that Mr. Fisher did submit a survey to the Legal & Engineering Services Committee, but the survey contained items that the Committee felt were counter-productive to the purpose of the survey. Mr. Caroline and Mr. Wolinsky stated that it was their decision to not send out the survey. Mr. Lapia stated that it was not up to the Legal & Engineering Services Committee to decide whether or not to send out the survey. Mr. Caroline stated that Mr. Lapia was correct, and he apologized, stating that he would accept the blame. Mr. Faccenda stated that the entire Board should see the survey. Mr. Konkus stated that it appears that Mr. Caroline (as Manager of PTSA) did not run kicking and screaming from the (WWMA Legal & Engineering Services Committee) meeting. Mr. Konkus stated that he is confident that WWMA is ready to present something to the PTSA Board. Mr. Konkus stated that it sounds like Mr. Caroline was trying to find a solution that was a win-win situation for PTSA and WWMA. Mr. Caroline stated that this was not how he was looking at the situation. The PTSA Board sent an agreement to WWMA. WWMA was not making headway regarding a response. Mr. Caroline feels that WWMA made progress in preparing a response to PTSA. Mr. Konkus asked Mr. Fisher if he was happy with what came out of the meeting. Mr. Fisher stated that there was progress, because there was general consensus that there should be a reversal provision, there should be a buy-out in excess of WWMA's capacity fee, and PTSA should construction a portion of the line, within a certain period of time. Mr. Boddy stated that WWMA is getting a framework that can be presented to PTSA. Mr. Konkus asked Mr. Campfield for his opinion. Mr. Campfield stated that the Legal & Engineering Services Committee meeting went on for 3.5 hours, and it was a good conversation that showed maturity and working (together). Mr. Konkus stated that, as a member of the PTSA Board and a member of the WWMA Board, he is excited to hear that progress is being made. Mr. Boddy stated that he will meet with Mr. Fisher to develop a plan that will be presented to the full Board for their consideration. Mr. Konkus asked how this plays out with the developer's timeline. Mr. Konkus stated that Penn Township will not allow the township to lose (the tax revenue from) those homes. Mr. Boddy stated that, if the developer sees that there is progress, he thinks that their sixty (60) days would go longer. Mr. Boddy stated that, if there is no progress, the sixty-day timeline is real. After a brief discussion, it was determined that it would not be feasible to schedule a special meeting to speed up the negotiation process, as WWMA's meeting would have to be two weeks prior to WWMA's regular meeting. Mr. Lapia asked Mr. Fisher, Mr. Boddy, and Mr. Caroline if they were prepared to draft a letter to the PTSA Board. Mr. Caroline stated that it would just raise a question as to what the fee would be and the number of EDUs that would trigger a reversal of flows. A discussion followed. Mr. Fisher stated that there are a lot of details that need to be worked out, and that takes time. A tentative schedule is to approve a response at the April 15, 2021 meeting, which will be submitted to PTSA. Mr. Lapia suggested that any proposed response be sent to the full Board, so comments can be submitted to the Legal & Engineering Services Committee prior to the regular meeting. A discussion followed.

G. Village at Kistler Ridge:

1. Mr. Fisher apologized for not getting the packet to the Board, sooner. Mr. Fisher referred to the calculation for the additional capacity fee for the portion of the Village at Kistler Ridge that is not located within WWMA's service area, stating that the calculation was the based on an ENR number, and based on present worth, with payment being made up-front, rather than over an extended period of years. Mr. Fisher recommended that this calculation of the capacity fee be used for any area that is brought in to the Authority's service area. The funds from the 5th Amendment to the Service Agreement (Hampton Heights Development, North Huntingdon Township) would be deposited into the Capacity Fee Account.

Future capacity fees from the Area II portion of Penn Township (4th Amendment to the service area), would be calculated the same as the 5th Amendment to the Service Agreement, and paid up-front. The funds in the Penn Township Expansion Guarantee Fund (Capital Reserve Fund) will be transferred to the Capacity Fee Account. The calculation for the additional capacity fee would be calculated on an annual basis, rather than on a quarterly basis, as is currently being done. Mr. Lapia stated that this formula is for customers located within WWMA's service area. Mr. Lapia stated that customers that are out of the service area, and are requesting to be included in the service area, should not pay an additional capacity fee. Mr. Lapia stated that the developer will pay for the pump station and the lines. PTSA will be responsible for maintenance of the pump station. Mr. Lapia made a motion that the customers in the Kistler Ridge Development that are out of the (WWMA) service area pay the capacity fee in effect at the time of payment, and nothing additional. Mr. Faccenda seconded the motion. Mr. Caroline requested questions or comments on the motion. Mr. Fisher stated that this motion is contrary to the 5th Amendment to the Service Agreement, where some customers paid one rate, and others paid a different rate. Mr. McHugh stated that the Shuster Plan (Hampton Heights) paid the capacity fee, plus an additional \$330.00 per EDU. Mr. Fisher asked if the Authorities Act permits an additional 6%, in addition to the capacity fee. Mr. Campfield stated that the 6% is a cap. Mr. Caroline stated that he has changed his position on this issue, because PTSA will have the responsibility to maintain the pump station. Mr. McHugh stated that, if a customer is located within the service area, the capacity fee is \$1,500.00. If the customer is located out of the service area, the cost is higher. This is a cost of doing business. Mr. McHugh stated that, as a representative of North Huntingdon Township, it isn't right that North Huntingdon Township customers pay a higher fee than Penn Township customers. Mr. Wolinsky repeated a previous comment, stating that the additional capacity fee is consistent with how the Authority has previously handled customers that are located out of the service area. Mr. Gilbert stated that he agrees with Mr. Lapia. Mr. Konkus stated that he is leaning towards what Mr. Lapia said. Mr. Lapia stated that the customers that we bring in will contribute to the cost of the system, moving forward. Mr. Mace stated that he understands what Mr. Lapia is saying, and the Authority should be consistent, but he believes that there is a reason that the Authority has charged the additional fee in the past. Mr. Mace stated that he is ok with different rates. Mr. Campfield stated that he was looking at the Municipality Authorities Act, Purposes and Powers, Section 5607, sub-section "d, Powers", sub-section "24", which defines capacity fees. Mr. Caroline instructed Mrs. Wtorkowski to purchase a copy of the Municipal Authorities Act for each Board Member. Mr. Campfield stated that WWMA used to have a packet for new Board Members. Mrs. Wtorkowski stated that the new Board Member packet is available through WWMA's Microsoft Teams. Mr. Campfield suggested that the Board revisit this section of the Municipality Authorities Act before taking action. Mr. Fisher explained that, in 1994, Authority Consulting Engineer Mark Poole performed a 203 Capacity Fee Calculation for the Penn Township service area that is covered by the Fourth Amendment to the Service Agreement. This calculation was revised in 2005, and revised again one month later. This calculation is the capacity fee that is now in effect. Last fall, the capacity fee was reviewed, and a number of questions arose, particularly as it pertains to new construction. Mr. Boddy stated that the questions regarding replacement sewer lines include whether you maintain original costs and add new costs, or just include new costs: and whether you have to remove prior debt. The reason that the capacity fee was revised one month after the initial calculation in 2005 was because the Authority received a grant that had to be included in the calculation. Mr. Boddy stated that the amount of the debt would have to be deducted from the calculations. Mr. Boddy was unable to find any direction in the Municipality Authorities Act, regarding the inclusion of costs related to the original system. A discussion followed. Mr. Campfield stated that the Authority could use a number higher than \$1,500.00 (WWMA's current capacity fee).

A roll-call vote was taken.

Mr. Caroline - yes	Mr. Faccenda – yes	Mr. Gilbert – yes	Mr. Konkus – yes
Mr. Lapia – yes	Mr. Mace – no	Mr. McHugh – no	Mr. Wolinsky – no

The motion passed, 5-3.

H. Valley Landfill:

1. Mr. Fisher deferred to Mr. Gorski, who provided an update regarding the Valley Landfill. Mr. Gorski stated that the Authority received a letter from the Landfill in February 2021. Mr. Gorski stated that the Authority disagrees with the Landfill's sampling methods, testing results, timeliness of report submission (quarterly reports being submitted to WWMA three months later), the manner in which samples are taken, and the location of samples. Mr. Gorski stated that he prepared a draft response, and provided the draft to Mr. Boddy, Mr. Dan Goodwin, and Mr. Fisher. Mr. Gorski stated that Mr. Fisher completed his review, this afternoon. Mr. Gorski stated that the letter will be sent to the Landfill, next week, and a

meeting with the Landfill will be scheduled for the following week, to discuss these concerns. Mr. Gorski stated that a sampling site was set up at the Penn Township pump station, because the pump station accepts flows solely from the Landfill. Mr. Gorski stated that the Authority would like to put these issues on the table within the next two weeks. Mr. Gorski stated that the agreement was well-written, and permits the Authority to implement standards to address discharge that affects the WWMA treatment facility. Mr. Boddy stated that the Landfill cannot send flow that causes violations at the plant. Mr. Lapia asked Mr. Boddy if the Authority could require the Landfill to perform pre-treatment. Mr. Gorski stated that pre-treatment that is performed by the Landfill is a good idea, and the Landfill has asked for limits on ammonia. Mr. Boddy stated that the Landfill installed an aeration system, in the hopes of reducing ammonia limits. Mr. Konkus asked if the ammonia discharge at the Landfill is due to the age of the landfill, due to new hauling at the landfill, or is typical for a landfill. Mr. Boddy stated that these ammonia levels are typical for a landfill. A lengthy discussion followed. Mr. Faccenda asked Mr. Fisher if the Authority plans to redo the agreement. Mr. Fisher stated that the Authority would probably not redo the agreement, but may supplement the agreement.

7. Mr. Fisher reported that he received a telephone call last week from Mr. Connor Hagey, of Concordia Lutheran Ministries, regarding a proposed development located at the former "Blue Nine" section of the Westmoreland Country Club, located in Penn Township. Mr. Fisher stated that Concordia wants to direct flows from this development to FTMSA. Mr. Hagey has invited Mr. Fisher to attend a meeting that will be held at PTSA next week, to discuss this development. Mr. Fisher requested Board authorization to attend the meeting, along with Mr. Gorski. A motion was made by Mr. Konkus, and seconded by Mr. Mace, to authorize Mr. Fisher and Mr. Gorski to attend the meeting. The motion passed unanimously.

This concluded the General Manager's report.

9. Consulting Engineer – Brad Boddy, Wade Trim, Inc.:

Mr. Boddy reviewed his written report dated March 18, 2021.

A. COA-Phase III Project: Bushy Run, Paintertown, and Manor Interceptor Improvements:

1. Mr. Boddy reported that Wade Trim, Inc., issued final addendums for the project, to address contractors' questions. A virtual bid opening meeting was held on March 2, 2021. The Authority received nine (9) bids. The range of bids was large, ranging from \$4.7 million to \$16.3 million, with the majority of bids ranging from \$7.5 million - \$8.5 million. Kukurin Construction, Inc., (Kukurin) was the apparent low bidder. Wade Trim, Inc., (Wade Trim) reviewed the bid. A meeting was held with Mr. Billy Kukurin. Mr. Kukurin reviewed his bid, and is sticking with his bid. Wade Trim obtained background information on Kukurin in order to perform due diligence. Wade Trim obtained four (4) references for recently-completed projects, and received favorable reviews. Kukurin has been around for a long time, and has experience with jobs this size. Mr. Boddy recommended that the Board award the project to Kukurin Contracting, Inc., in the amount of \$4,744,447.00, contingent upon securement and final settlement of the necessary financing for the project, receipt of assigned agreement from Kukurin, and receipt of proper bonds and insurance. A motion to approve was made by Mr. Konkus, and seconded by Mr. McHugh. The motion passed unanimously.

B. Switchgear Replacement Project:

1. Mr. Boddy reported that the Authority is awaiting delivery of the Switchgear equipment. Delivery is expected to occur in early April 2021, with installation to take place shortly after delivery.

C. Toxic Reduction Evaluation (TRE):

1. Mr. Boddy reported that the TRE was covered earlier in the meeting.

D. Wade Trim began work on the Chapter 94 Report, for submittal to the PaDEP.

E. Wade Trim has been coordinating with PennDOT on the closure of highway occupancy permits for the COA-Phase I and COA-Phase II Projects.

F. Wade Trim is coordinating with PennDOT regarding bonding for the COA-Phase III Project and work on Paintertown Road.

G. Mr. Boddy reported that he had discussions with the Legal & Engineering Services Committee regarding the proposed Eighth Amendment to the Service Agreement.

H. Mr. Boddy referred to Mr. Fisher's report regarding information related to the digester covers.

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

10. Solicitor's Report – John Campfield:

A. PaWARN Program:

1. Mr. Campfield reported that he sent a Resolution to Mr. Gorski, who has decided to present the Resolution to the Board for consideration at the April 15, 2021 meeting.

B. 2021 Bond Issue:

1. Mr. Campfield reported that he received two communications, this week, with regard to the refunding of the Sewer Revenue Bonds. Mr. Campfield received a call from Mr. Mossie Murphy, of CIM Investment Management, Inc., (CIM) and from Attorney James Webster, Bond Counsel. The draft public offering statement was sent to Attorney Webster, today. Mr. Webster stated that the statement is fine. Mr. Webster will send the statement to CIM, tomorrow. Mr. Webster stated that Mr. Campfield, Mrs. Wtorkowski, and Mr. Boddy will need to review the statement, next week. Everything looks good for the refunding. Settlement will occur in mid-May 2021. Notices will be sent to the current bondholders. The 2015A Bonds are callable anytime. The Series 2015B and Series 2016 Bonds are callable April 15, 2021. A thirty-day notice must be sent to all bondholders.

This completed Mr. Campfield's Solicitor's report.

11. Reports of Committees:

- A. Personnel Committee: Joseph Lapia: There was no report.
- B. Finance and Budget Committee – Dylan Mace:
 1. Mr. Mace requested approval of a fund transfer listed under Agenda item 11B (1) (a), and investments listed under Agenda Items 11B (1) (b), and 11B (1) (c), as follows:
 - Item 11B (1) (a): Transfer \$128,937.74 from the Revenue Fund to the PENNVEST Account, *and*
 - Item 11B (1) (b): Purchase a 2015/2016 Capital Improvement Fund One-Month United States Treasury Bill, in the amount of \$6,895,000.00, *and*
 - Item 11B (1) (c): Purchase a 2015/2016 Debt Service Reserve Fund One-Month United States Treasury Bill, in the amount of \$250,000.00.

A motion to approve was made by Mr. Wolinsky, and seconded by Mr. Faccenda. The motion passed unanimously.

This concluded the Finance and Budget Committee report.

- C. Legal and Engineering Services Committee: Kevin McHugh: Mr. McHugh stated that all issues have already been discussed, this evening, and there is no report.

12. Requisitions and PENNVEST Payments:

- A. Mr. Caroline requested Board approval of Agenda Item 12A (1):
 - 12A (1): Approve 2015/2016 Capital Improvement Fund Requisition No. 70: \$18,833.13, and authorize submission to PENNVEST.

A motion to approve was made by Mr. Wolinsky, and seconded by Mr. Gilbert. The motion passed unanimously.

13. Board Member Comments:

- A. Mr. McHugh commended Mr. Fisher and Mr. Gorski on their work with the centrifuge, stating that they moved quickly to get the job done. Mr. Fisher stated that Mr. Gorski, Mr. Michael Diana, and the rest of the staff did a good job, working to get the job done.
- B. Mr. Lapia stated that the Board is receiving information for the Board meeting with not enough time to review the information. Mr. Lapia requested that a policy be put in place, stating that any changes to the agenda must be approved by the Chairman. Mr. Faccenda stated that he would like to see a deadline for the agenda. Mr. Fisher stated that he understands what the Board is saying, but he doesn't think that the Board appreciates things that happen at the last minute, that take urgency, that we can distribute to the Board. Mr. Lapia stated that these issues can wait until the following month. Mr. Fisher stated that the Board can wait a month to take action, but Management must address items as they occur. Mr. Mace stated that issues should be taken on a case-by-case basis, but agreed that it is difficult when the Board must come up with a vote on an important issue, when the Board has received the information, that day. Mr. Wolinsky suggested that the Board Chairman determine whether an item should be added to the agenda. Mr. Caroline stated that he should not be the only person to determine whether an item should be considered by the Board. Mr. Caroline stated that any information to be brought before the Board after the distribution of the meeting packets on the Friday before the meeting be submitted to Mrs. Wtorkowski by the following Monday. After Monday, if the information is urgent, Mr. Fisher will contact Mr. Caroline, to determine whether the issue should be added to the agenda. Mr. Fisher stated that, of the information in the packet that was distributed yesterday, only one item was pertinent to this evening's discussions (the Village at Kistler Ridge).

15. Executive Session: None

16. A motion to adjourn the meeting was made by Mr. McHugh, and seconded by Mr. Wolinsky. The motion passed unanimously. The meeting was adjourned at 9:24 P.M.

Johanna Wtorkowski
Johanna Wtorkowski, Assistant Secretary-Treasurer

Western Westmoreland Municipal Authority
Assistant Manager's Report
March 18, 2021 Board Meeting
Monthly Maintenance Report
February 2021

Weekly Plant Maintenance: (Performed Every Week)

- Gas Purifier Inlet & Outlet H₂S Readings
- Maintenance/Grease All 4 Digester Mixer Units
- Thickener - Oil and Torque Box Checks
- Clean Grit Pump Sight Glass
- Check Oil Levels in Both Final Clarifier Drives
- Clean RAW Sewage Level Control Transducers
- Pull and Pump Scum 2-3x week
- Broom/Hose Final Clarifiers
- Pump Final Scum Pits
- Remove Rags from Thickener Influent Box
- Dissolved Oxygen Sensor Maintenance
- Rotate and grease new RAW/Recycle Sewage Pumps
- Alternate Duperon Screening equipment/Washer Compactor

Monthly Plant Maintenance: (Performed Every Month)

- Gas Purifier pH Testing
- Fill Digester Overflow P-Traps
- Clean Boiler Strainers
- Flush Digester Level Sensors
- Bump Test All 36 Gas Monitoring Units
- Clean Grit Pump Screw Conveyor
- Wash Down Serpentine Conveyor & Tray
- Test Emergency Shower/Eyewash Stations
- Check/Replace all MCC's, RTU's, Drives and Centrifuge Panel Filters

General Plant Maintenance:

- Troubleshooting Pump Station wet well and screen room
- General maintenance performed on RAW sewage pumps
- Complete maintenance performed on Thicken sludge pumps and motors
- Complete maintenance performed on Roto Cut Grinders
- Complete maintenance performed on Centrifuge, pumps, motors
- Troubleshoot Recycle Pump – mechanical seal leaking
- Building Safety Inspections completed
- Complete maintenance performed on Boiler pumps and motors
- Complete maintenance performed on RAS pumps and motors
- Replaced plow shoes
- Wash and wax new 2021 Chevy 2500
- Complete maintenance performed on all Air Compressors
- Troubleshoot MCC#7 battery back-up
- Complete maintenance performed on all garage doors
- Troubleshoot Centrifuge gear box, motors, screw conveyor
- Repair D.O. Sensor
- Complete maintenance performed on all Entrance Gates
- Working on ARC Flash study
- Working on new interior lighting install
- Set-Up for new Mag Hydroxide and Settling Agent system – Power, piping, pumps, fittings, etc..
- Painting effluent water, city water and drain lines in control building
- Replaced 2 toilets in Locker room



Western Westmoreland Municipal Authority
ENGINEERS REPORT

March 18, 2021

Major engineering activities for the month are summarized below:

WET WEATHER ISSUES

- *COA / LTCP / CAP / TAPR:*
 - Upcoming Critical Dates:
 - Award COA Improvement Project Phase III by May 20, 2021
 - Start Construction by September 1, 2021

COA IMPROVEMENT PROJECT PHASE 3

- Issued final addendums for project to address contactor's questions.
- Held Virtual Bid Opening meeting on March 2, 2021
- Tabulated Bids and conducted review of individual bids (see attached Bid Tabulation Summary)
- Reviewed bid results and met with Kukurin (apparent low bidder) to discuss their bid.
- Requested apparent low bidder support information.
- Reviewing apparent low bidder support information.
- Developing recommendation for award (to be presented at Board Meeting)

SWITCHGEAR REPLACEMENT PROJECT

- Awaiting on delivery of Switchgear equipment. Anticipated to arrive in early April.

TRE

- Reviewed updated WWTP performance data
- Received and reviewed response letter from Valley Landfill
- Developing approaches to address denitrification within final clarifiers and sludge thickener.

MISC

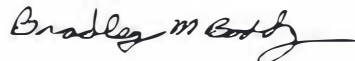
- Started drafting WWMA Chapter 94 Report
- Coordination with PennDOT for Phase 1 and 2 HOPs that have been closed for over 2 years regarding final inspection by PennDOT for final release of bonds.
- Held discussions with L&E Committee regarding proposed 8th Amendment to the service area.

Wade Trim, Inc.
Three Gateway Center
401 Liberty Avenue.
Suite 1600
Pittsburgh, PA 15222

412.454.5566
412.454.9001 fax
www.wadetrim.com

- Investigated historical approaches used by WWMA for fees charged to areas outside the WWMA service area that wanted to be served by WWMA. Letter summarizing findings was provided to General Manager.
- Coordinated with WWMA and BissNuss, Inc. regarding replacement of digester cover.

Respectfully Submitted,
WADE TRIM, INC.



Bradley M. Boddy, PE
Project Manager

BID TABULATION SUMMARY



Project Name: COA Improvements Project Phase III - Bushy Run, Paintertown, and Manor Upgrades
Owner: Western Westmoreland Municipal Authority
Engineer: Wade Trim, Inc.
Bid Opening Date: Tuesday, March 02, 2021

Rank	Bidder's Name	Bidder Address/Phone No.	Bid Total	10% Bid Bond	Notes and References
1	Kukurin Contracting, Inc.	1169 Route 286 Export, PA 15632-9425	\$4,744,447.00	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X
2	W.A. Petrakis Contracting, LLC.	1501 Pontiac Court Export, PA 15632	\$5,596,063.50	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X
3	Greenland Construction, Inc.	8908 Clearfield-Curwensville Hwy., P.O. Box 287 Clearfield, PA 16830	\$6,588,000.00	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X
4	Rudzik Excavating, Inc.	401 Lowellville Road Struthers, OH 44471	\$7,464,440.00	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X
5	Jet Jack, Inc.	5020 Thoms Run Oakdale, PA 15071	\$7,663,390.00	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X
6	Terra Works	49 S. Sheridan Road Clarion, PA 16214	\$8,241,720.00	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X

BID TABULATION SUMMARY



Project Name: COA Improvements Project Phase III - Bushy Run, Paintertown, and Manor Upgrades
Owner: Western Westmoreland Municipal Authority
Engineer: Wade Trim, Inc.
Bid Opening Date: Tuesday, March 02, 2021

Rank	Bidder Name	Bidder Address/Phone No.	Bid Total	10% Bid Bond	Notes and Exceptions
7	Alex E. Paris Contracting Co., Inc.	1595 Smith Township State Road, P.O. Box 369 Atlasburg, PA 15004-0369	\$8,664,486.00	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X
8	Glenn Johnston, Inc	1055 Center Street McKeesport, PA 15132	\$8,947,147.00	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X
9	Ligonier Construction Company	1350 Route #30 P.O. Box 277 Laughlintown, PA 15655	\$16,366,825.00	X	Noncollusion Affidavit: X Legal Status of Bidder: X Addendum Receipt: X



I certify that the bids received are true and correct as presented and/or Noted.

Professional Engineers Seal