

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – APRIL 21, 2022

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting on Thursday, April 21, 2022 at 6:00 P.M. in the Authority conference room, duly advertised, as required, and with the following persons in attendance:

I. Roll Call 6:03 P.M.:

Board Members in Attendance:

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

Absent:

Mr. Mike Faccenda	Mrs. Barbara McIntyre	Mr. Tim Watson
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Others in Attendance:

Mr. Matthew Racunas, Solicitor
Mr. Chad Hanley, Consulting Engineer
Ms. Liz Lackey, 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

Attended Virtually:

Ms. Anna Barr, Herbert, Rowland & Grubic, Inc.

2. Mr. Caroline led the Pledge of Allegiance.

3. Public Comments: None

4. Communications:

- A. Mr. Caroline reminded those in attendance that the Commonwealth of Pennsylvania State Ethics Commission Statements of Financial Interests for 2021 are due to the Authority office on or before May 1, 2022.
- B. Mr. Caroline referred to the information that was distributed regarding the PMAA 80th Annual Conference & Trade Show that will be held from September 11-14, 2022 at the Erie Bayfront Convention Center, and asked that anyone who is interested in attending the session contact Mr. Fisher, Mr. Gorski, or Mrs. Wtorkowski.
- C. Mr. Caroline referred to a thank you card that was received from Mrs. Jamie Romagnoli, former Solicitor John Campfield's legal secretary.

5. Secretary's Report: Due to Mrs. McIntyre's absence, Mrs. Wtorkowski requested the approval of the minutes for the regular monthly meeting of March 17, 2022, as presented. A motion to approve was made by Mr. Konkus, 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 requisitions:

- A. Revenue Fund Requisition No. 390: Scott Electric: \$564.69: A motion to approve was made by Mr. Wolinsky, and seconded by Mr. McHugh. The motion passed, 6-0, with an abstention by Mr. Konkus, who is an employee of Scott Electric. A memorandum, signed by Mr. Konkus, is attached to these minutes.
- B. Revenue Fund Requisition No. 391: \$231,980.94: A motion to approve was made by Mr. Konkus, and seconded by Mr. Wolinsky. The motion passed unanimously.

This concluded the Treasurer's report.

7. General Manager's Report – Kevin Fisher:

- A. Mr. Fisher requested that the Board adopt Resolution No. 2022-04, Declaring that Designated Public Records of the Authority are Approved for Disposition. A motion to approve was made by Mr. Gilbert, and seconded by Mr. Mace. The motion passed unanimously.

- B. Mr. Fisher requested Board action regarding the continuing of the board members insurance policy with K&K Insurance, at a cost of \$400.00. Mr. Fisher recommended that the Board not renew this policy. The policy covers injuries sustained while travelling on Authority business. Mr. Racunas stated that the Authority's general liability insurance policy should cover personal injuries that are sustained while on Authority property. Mr. Konkus stated that personal automobile insurance should cover injuries while travelling in personal vehicles. A discussion followed. A motion was made by Mr. Wolinsky, and seconded by Mr. Lapia, to cancel the policy. The motion passed unanimously.
- C. Mr. Fisher requested that the Board ratify the General Manager's action to execute an electric power generation agreement with WGL Energy Services for a twelve-month period, at the rate of \$.11049 per kilowatt hour; to ratify the General Manager's action to execute an agreement with Keytex Energy to lock in a twelve-month mcf burner (basis only) rate of \$-.4196; and to authorize the General Manager to lock in a natural gas commodity rate at the lowest rate available. A motion to approve was made by Mr. Gilbert, and seconded by Mr. Wolinsky. The motion passed unanimously.
- D. Mr. Fisher requested that Board Members contact their State House and State Senate representatives to request letters of support for the Authority's Local Shared Account Statewide (LSAS) Grant Application. Mr. Hanley stated that his office will provide the Authority with a list of representatives that have already provided a letter of support.

This concluded the General Manager's report.

- 8. Assistant Manager's Report – Stanley Gorski, Jr.:
 - A. Mr. Gorski reported that there was a fecal coliform geometric mean violation and an instantaneous maximum violation in March. There have been no fecal coliform violations so far, in April.
 - B. There were no bypasses during March 2022. Total average daily flow at the plant was down, at 3.38 million gallons per day. Maximum plant flow for March 2022 was 4.5 million gallons. Total rainfall for March was down, at 1.9".
 - C. Mr. Gorski requested Board approval to hire one (1) summer employee for a period not to exceed 120 days. Mr. Gorski stated that the budget allowed for two (2) summer employees, but Mr. Fisher and Mr. Gorski feel that one (1) summer employee will be sufficient. After a brief discussion, a motion was made by Mr. Konkus, and seconded by Mr. Wolinsky, to authorize the hiring of one (1) summer employee for the time period that Stan (Gorski) mentioned, with an increase in hourly wage to \$15.00 per hour. The motion passed unanimously.

This concluded the Assistant Manager's report.

- 9. Consulting Engineer
 - A. Chad Hanley, Herbert, Rowland & Grubic, Inc. (HRG):
 - Mr. Hanley reviewed HRG's written report dated April 21, 2022.
 - 1. Chapter 94 Report:
 - a. Mr. Hanley stated that HRG submitted the Chapter 94 Report by the March 31, 2022 deadline.
 - 2. Consent Order & Agreement (COA) Quarterly Report:
 - b. Mr. Hanley stated that HRG is working on the COA quarterly report, which is due to the PaDEP by April 30, 2022.
 - 3. Mr. Hanley stated that he had nothing else to report, and asked if there were any questions regarding his report. There were no questions.

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

Mr. Fisher provided an updated on the COA-Phase III Project.

- 1. The contractor is temporarily off the job, and will be returning in the first week of May, at which time the televising (TV) work of the Paintertown Interceptor will be completed by Insight Pipe.
- 2. The mandrel testing was completed on March 7, March 8, and March 11, 2022. The mandrel tests passed, and all Paintertown Road inspection reports and photos were submitted to PennDOT. A walkthrough with PennDOT has been scheduled, in order to identify areas that need to be restored before Tresco Paving completes the final paving along the Paintertown Interceptor.
- 3. Mr. Lapia asked why the contractor is not cleaning up debris as they go. Mr. Fisher stated that the contractors do their means and methods differently, and the Authority cannot dictate the contractor's methods. Mr. Fisher stated that the area will be cleaned up when the work is completed.
- 4. The contractor will begin work near Manor Grille beginning the last week of May 2022.
- 5. Kukurin did not submit a pay application for March 2022.

- 10. Solicitor's Report – Matt Racunas

- A. Mr. Racunas reported that WWMA received a response from Greenland Construction, Inc., regarding the Authority's request that a final inspection be completed. Mr. Racunas stated that Greenland's attorney provided a respectful response, stating that Greenland has fulfilled the requirements of the contract. Mr. Racunas recommended that the Authority do nothing further on this issue.

This concluded the Solicitor's report, until the discussion regarding the Legal & Engineering Services Committee meeting.

II. Reports of Committees:

- A. Personnel Committee: Due to Mr. Faccenda's absence, there was no report.
- B. Finance and Budget Committee: Dylan Mace:
1. Mr. Mace requested Board approval of the transfer of \$125,148.65 from the Revenue Fund to the PENNVEST Account. A motion to approve was made by Mr. Wolinsky, and seconded by Mr. Gilbert. The motion passed unanimously.

This concluded the Finance and Budget Committee report.

- C. Legal and Engineering Services Committee: Kevin McHugh:
1. Mr. McHugh deferred to Mr. Racunas, to present to the Board the Legal & Engineering Services (L&E) Committee's recommendations regarding Valley Landfill and Concordia (Lutheran Ministries). Mr. Racunas stated that the L&E Committee will not be meeting monthly, but when they meet, they want to come up with action items and present to the Board recommendations on how the Committee believes the Board should act on certain issues.

Mr. Racunas stated that Authority representatives met with representatives of Valley Landfill (Landfill). The meeting went well, and both parties have an understanding on what is going on. Tomorrow, Mr. Racunas will set up another meeting with the Landfill. Mr. Racunas stated that the Committee wants to demonstrate to the Landfill that the Authority is working on an action plan. The Committee would like the Board to take action on the following items before the next meeting with the Landfill:

- a. The L&E Committee recommends that the Authority no longer bill Valley Landfill for additional legal and engineering fees associated with the ammonia issues that the Landfill is having.
- b. The L&E Committee recommends that certain standardized pollutant testing no longer be required of the Landfill, as they are not required.
- c. The Landfill has suggested that the Authority create a monthly surcharge rather than monthly billings for actual expenses, as they prefer known costs. Mr. Racunas stated that the Committee would like to continue this discussion with the Landfill.
- d. The Committee would like the Board to authorize HRG to work on a plant upgrade cost, with the Landfill and without the Landfill. Mr. Hanley would like to meet with Management Staff to determine the scope of the work, and will submit a proposal to the Board based on the scope. Mr. Caroline stated that information should be presented to the full Board. Mr. Caroline stated that Penn Township Sewage Authority received a PA One Call request that was submitted by Gibson-Thomas Engineering, requesting the marking of utilities from Franklin Township Municipal Authority's (FTMSA) sewage treatment plant to the Valley Landfill.
- e. Mr. Racunas stated that the Landfill would like WWMA to accept additional rainwater runoff (leachate) from the Landfill. Mr. Racunas stated that Mr. Gorski feels that the Authority could accept the rainwater runoff without adverse effects to the operation of the plant. Mr. Racunas stated that he is attempting to keep items narrowed in order to focus on the work that must be completed. Mr. Caroline stated that the Landfill has asked that the Landfill agreement be opened up for modification. Mr. Caroline stated that the Authority should review the agreement, and tell the Landfill now, if there is an item for which the Authority will never agree to amend in the agreement.

A lengthy discussion followed, concerning what improvements need to be made at the plant, and what improvements will be required, regardless of whether the Landfill remains in WWMA's system. Mr. Hanley explained that HRG needs to know the scope of the work that the Board is considering, such as, is the Board looking at just resolving the ammonia issue, or resolving the hydraulic issues at the plant, as well.

Mr. Lapia stated that the Board is being requested to take action on issues that have never been presented to the Board, previously. Mr. Racunas stated that the only things for which he would like the Board to take action this evening have been previously discussed with the full Board. The issue on whether or not to bill the Landfill for Legal and Engineering fees has been discussed with the full Board for at least the last two (2) months. Mr. Racunas stated that he wants the Authority to keep moving, and he doesn't want an issue to sit around and get stale. Mr. Lapia stated that issues that need to be presented to the full

Board should not be discussed at Committee meetings. Mr. Lapia stated that the Board has not been presented with enough information. Mr. Racunas stated that he doesn't know what other information he can provide. Mr. Racunas is asking for a Board decision on whether or not to bill the Landfill for legal and engineering fees, and to waive testing requirements that are not required. Mr. Lapia stated that he wants to know what testing will be waived, and why we have been doing it if it is not needed. Mr. Fisher stated that he has explained over the course of a year and a half that testing for the plant's NPDES permit renewal was required, in order to determine whether certain pollutants were entering the system from the Landfill or from other sources. There are seven (7) categories of pollutants. The Authority must still complete additional testing as a result of the pretreatment survey letter that was received from the PaDEP. The Authority still does not know if the next permit will have ammonia limits, as a draft permit has not yet been issued by the PaDEP. The Authority required the Landfill to complete one annual test for all of the pollutants, quarterly tests for metals only, and monthly tests for common pollutants (BODs, Solids, etc.). This is a common testing schedule for other municipal authorities. The Landfill doubled up on testing when they were not required to do so, at additional cost to the Landfill. Mr. Fisher stated that the monthly tests for common pollutants are still required. Mr. Fisher stated that the Landfill has, for several years, been asking for a number for ammonia limits. The Authority cannot provide the Landfill with a limit until the PaDEP issues the new permit, but the Authority provided the Landfill with an estimate based on the limit for domestic use, which is 30 parts per million (30 milligrams per liter), which is the limit for common domestic sewage. Mr. Fisher stated that both WWMA and the Landfill realize that they will never be able to meet this limit. Mr. Fisher stated that WWMA will need to address the nitrogen loading basis, whether the Landfill is in the system or not. Mr. Fisher stated that the Authority is faced with a plant expansion. Removing the landfill does not eliminate the issues at the plant. Mr. Fisher stated that HRG can use the data that was gathered during the plant modeling project that was completed by Wade Trim to explore various plant expansion options. HRG has the same software that was used by Wade Trim. A lengthy discussion followed.

The Board instructed Management to set up a future meeting with the landfill, to no longer bill the Landfill for legal and engineering fees related to the ammonia issue, to waive the testing requirement of certain pollutants as determined by Mr. Fisher, and to accept additional rainwater runoff from the landfill. HRG will meet with Management Staff to determine the scope of the project, and present a proposal to the Board for the evaluation of various plant upgrade options.

2. The L&E Committee considered the possibility of WWMA extending an interceptor to serve the area from Schramm's Farm to Concordia. Mr. Racunas stated that the L&E's action item was to have the Board authorize the investigation of a special tap and rate district to provide service to an area in Penn Township, and he asked Mr. Fisher to further explain. Mr. Fisher stated that there is the possibility of a capital contribution from Lutheran Ministries representing avoided costs to connect to FTMSA's system. Mr. Fisher stated that the length of the line is approximately 10,000 feet. Mr. Fisher stated that the Authority just installed 9,000 feet of interceptor in Paintertown within five months. The proposed interceptor would go through the Schramm property and serve several homes in the area. It would also serve the Kachonik property, which was approved in 2006 by the PaDEP for approximately 180 EDUs. At that time, Kachonik was also approved for a Part II permit. A special rate district would be created for this portion of Penn Township, so Member Municipalities would not pay for the cost of construction of the interceptor that serves only Penn Township.

Mr. Caroline stated that Penn Township is working on developments that will enter WWMA's system, namely, the Schramm Farm property, and if the developments are built, would result in additional properties entering the WWMA system. Mr. Caroline stated that Penn Township Sewage Authority has entered into an agreement with FTMSA to service the Oakwood Manor Development, with a reversal clause that states that the development must remain in FTMSA's system for ten (10) years, at which PTSA has an option to buy out of the FTMSA system. Mr. Fisher stated that PTSA knowingly violated the Service Agreement with WWMA. Mr. Caroline stated that Penn Township can approve any planning module, let the sewage go out to Murrysville if they want to, and say "Let WWMA sue us". Mr. Caroline suggested that Mr. Racunas meet with the solicitors for PTSA and North Huntingdon Township Municipal Authority to see if a solution can be reached. Mr. Gilbert stated that any agreements between PTSA and FTMSA should include an end date at which time reversal of flows must be made (not just an option to reverse flows), and that it should state that WWMA must have capacity at the plant to accept the reversal of flows. Mr. Fisher stated that WWMA invested \$50,000,000.00 to increase capacity within WWMA's system, and capacity is available at the Penn Township connection. Mr. Fisher stated that, at that time, the Authority acknowledged that the WWMA plant needed to be upgraded, and that the Authority has always acknowledged that the plant has a capacity issue. Mr. Fisher stated that Management has not pushed the

facts on the Board enough regarding the need for expansion at the plant, and the Board has not taken any action to expand the plant. Mr. McHugh stated that the reason for this discussion was that Concordia was waiting for a response, and he asked if a response would be provided to them. A response was not stated.

Mr. Fisher recommended that the Authority notify the PaDEP that Penn Township approved a development located within WWMA's service area that will be served by FTMSA without the approval of WWMA. No Board action was taken. Mr. Racunas stated that he will review the agreement between PTSA and FTMSA, and report back to the Board on his findings. Mr. Caroline ended the discussion at this time.

This concluded the Legal & Engineering Services Committee report.

12. Requisitions:

Mr. Caroline requested Board approval of the following Requisition:

A: Approve Capital Improvement Fund Requisition No. 87, in the amount of \$8,475.82: A motion to approve was made by Mr. Wolinsky, and seconded by Mr. Gilbert. The motion passed unanimously.

13. Board Member Comments:

A. Mr. Caroline stated that this was a great meeting, the meeting was good, and everyone participated.

14. Executive Session: None

15. A motion to adjourn the meeting was made by Mr. Lapia, and seconded by Mr. Wolinsky. The motion passed unanimously. The meeting was adjourned at 7.48 P.M.



Johanna Wtorkowski, Assistant Secretary-Treasurer

MEMORANDUM

TO: Secretary of the Board of Directors of
Western Westmoreland Municipal Authority

FROM: Charles T. Konkus

DATE: April 21, 2022

I, the undersigned, Director of Board of the Western Westmoreland Municipal Authority do hereby publicly announce and disclose that due to the following conflict, or possible conflict of interest, I am abstaining from voting of the hereinafter set forth matter coming before the Board of the Western Westmoreland Municipal Authority.

Nature of Possible Conflict:

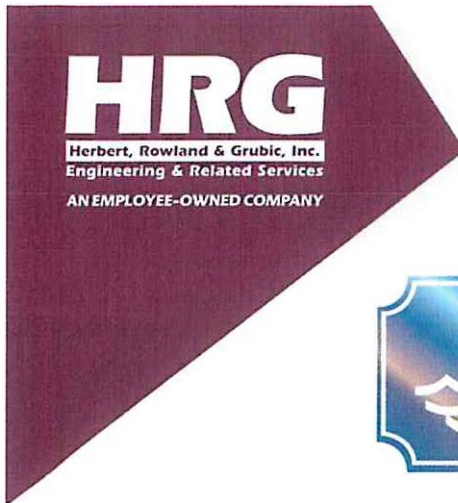
Employee of Scott Electric, a supplier of electrical purchases made by the Authority

Subject to be acted upon:

Approve Revenue Fund Requisition No. 390, Scott Electric, in the amount of \$564.69.



(Member's Signature)



200 West Kensing Drive, Suite 400
Cranberry Township, PA 16066
724.779.4777
www.hrg-inc.com



CONSULTING ENGINEER'S REPORT

Western Westmoreland Municipal Authority

Attn: Mr. Kevin Fisher

Report Period: March 2022

HRG Client Number: 008234

APRIL 21, 2022 AUTHORITY MEETING

Retainer Services (.0426)

- > HRG worked with the Authority on the preparation of the Chapter 94 Wasteload Management Report submitted to DEP on March 30, 2022.
- > HRG is preparing the COA quarterly report

General Services (.0427)

- > HRG attended the Legal and Engineering meetings held on March 3 and April 7.
- > HRG has been engaged on various conversations with Authority staff regarding service area and the landfill agreement.

Planning Module Reviews (.0428)

- > No reviews conducted this month.

NPDES Permit Renewal (.0429)

PRE-DRAFT PERMIT SURVEY

- > HRG reviewed the February 8 DEP correspondence regarding the Pre-Draft Permit Survey. DEP anticipates eleven (11) new water quality based effluent limitations (WQBELs) for toxic pollutants as part of the draft permit.
- > HRG participated in a video conference with DEP and WWMA staff on March 3 for clarification on procedures and next steps.
- > HRG assisted the Authority in completion of the requested survey which was submitted to DEP on March 8.
- > HRG is assisting the Authority with coordination with DEP and additional sampling to meet the DEP detection limits. HRG anticipates that additional sampling will eliminate at least five (5) of the eleven (11) WQBELs.
- > HRG prepared a Sampling Plan and is working with CWM Environmental to confirm sample reporting limits and costs.
- > HRG will prepare a proposal for additional work upon draft permit issuance in May 2022. HRG anticipates the permit to request TRE and WQBEL Reports.

WWTP Process Improvements (.0430)

LSA GRANT APPLICATION

- > HRG submitted the grant application on March 15 regarding plant instrumentation and SCADA upgrades. Responses are anticipated in Fall 2022.

PROJECT SCOPING

- > HRG discussed with the Legal and Engineering Committee the preparation of a proposal for a basis of design for an expansion to the wastewater treatment plant.

Capital Projects

CHEMICAL ADDITION PROJECT

- > HRG briefly reviewed the project with Authority staff and shall continue discussions in the future.

END OF ENGINEER'S RETAINER SERVICES AND ACTIVE PROJECTS REPORT

Please feel free to contact me if you have any questions regarding this report or other items.

HERBERT, ROWLAND & GRUBIC, INC.



Chad E. Hanley, P.E.
Group Manager | Water & Wastewater

CEH/LBL/ALB
R008234.0426

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C: Mr. Stan Gorski, WWMA Assistant Manager
Ms. Johanna Wtorkowski, WWMA Finance Director

The Western Westmoreland Municipal Authority
 COA Improvement Project - Phase III
 Bushy Run, Paintertown, & Manor Sewer Interceptor Upgrades



Construction Status Report

Report Period: March-22

Prepared By: BJB
 Date: Apr 11, 2022

Total Days: 730
 Days Expended: 317
 Days Remaining: 413

Construction Start Date: May 19, 2021
 Construction Completion Date: May 19, 2023

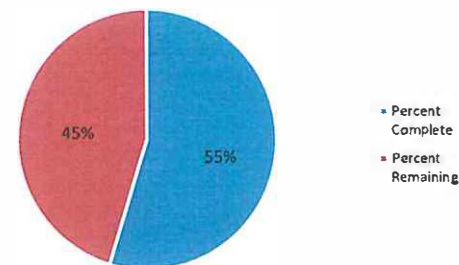
Contract	Contract Award	B Approved Change Orders	C=(A+B) Current Contract Amount	D Value of Work Completed to Date	E =(D/C) Percent Complete	F=100-E Percent Remaining	F =(B/C) Percent Change Orders
Kukurin Contracting, Inc.	\$ 4,744,447.00	\$ 51,250.79	\$ 4,795,697.79	\$ 2,622,149.71	55%	45%	1%

Retainage: 5% \$ 131,107.50
 Net Amount Earned to Date: \$ 2,491,042.21
 Previous Payments: \$ 2,491,042.21
Balance Due This Pay Period: \$ -

Balance to Finish Plus Retainage: \$ 2,304,655.58

COMMENTS:
Work Completed This Period:
 - Note that no payment application was submitted for this month.
 -KCI pulled off site temporarily on February 22. It was anticipated that they will be back on site 6 weeks from this date (mid-April). WT has checked in with KCI bi-weekly for status update.
 - A virtual check-in meeting was held on March 23. KCI confirmed that they will be back on site towards the end of April.
 - Madrel testing of Paintertown Interceptor was started on April 7th and anticipated to be completed the week of April 11.
 - CCTV inspection of the Paintertown Interceptor is tentatively scheduled for the week of April 18th.
 - Total Number of Construction Meetings:
 (6) Virtual Check-ins after bid during pipe shortage, (1) Preconstruction, (10) Construction Progress Meetings
 (1) Construction Meeting in March

Project Status



Western Westmoreland Municipal Authority
 COA Improvement Project - Phase III
 Change Order Summary



Kukurin Contracting, Inc.
 Current Contract Amount w/ Approved Change Orders: \$ 4,795,697.79

Note: Items in bold have been completed.

CO No.	CPR No.	Change Order Description	Approved		Pending		Comment
			Add	Deduct	Add	Deduct	
	01	Paintertown Rd - Remove Drop From Existing MH RPT-2	\$ 1,972.45				Originally \$4,383.01, negotiated to \$2,133.12 and then \$1,972.45. Incorporated on Change Order No. 1, Approved at Board Meeting on 12.16.2021.
	02	Davis Bacon Wage Rate Modification	\$ 49,278.34				Originally \$53,228.28, negotiated to \$49,278.34. Incorporated on Change Order No. 2, Approved at Board Meeting on 12.16.2021.
	03	Additional Paving between MHs 9 & 10			\$ 6,056.07		Coordinated with Contractor. Change Proposal Request rejected, it is the Contractor's responsibility to repair and damage that occurs outside of trench line.

TOTAL \$ 51,250.79 \$ * \$ * * *
 TOTAL Approved as % of Contract Value: 1.07%
 TOTAL Approved & Pending as % of Contract Value: 1.07%