

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – AUGUST 17, 2023

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting on Thursday, August 17, 2023 at 6:00 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. Stanley Caroline, Jr.	Mr. Charles Gilbert	Mr. Charles Konkus
Mr. Joseph Lapia	Mr. Dylan Mace	Mr. Kevin McHugh
Mr. Bob Regola	Mr. John Slivka	

Absent:

Mrs. Barbara McIntyre

Others in Attendance:

Mr. Matthew Racunas, Solicitor
Mr. Chad Hanley, Consulting Engineer
Mr. Stanley A. Gorski, Jr., Authority Manager
Mrs. Johanna Wtorkowski, Finance Director and Assistant Secretary-Treasurer/Recording Secretary

2. Mr. Caroline led the Pledge of Allegiance.

3. Public Comments: None

4. Communications: None

5. Secretary's Report: Secretary's Report:

- A. Mrs. Wtorkowski requested the approval of the minutes for the regular meeting of July 20, 2023, as presented. A motion to approve was made by Mr. Lapia, and seconded by Mr. Gilbert. The motion passed unanimously.

This concluded the Secretary's Report.

6. Treasurer's Report – Charles Konkus:

Mr. Konkus requested the approval of the following requisitions:

- A. Revenue Fund Requisition No. 429: Scott Electric: \$225.49: A motion to approve was made by Mr. Lapia, and seconded by Mr. Regola. The motion passed, 7-0, 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. 430: \$173,939.06: A motion to approve was made by Mr. Mace, and seconded by Mr. Gilbert. The motion passed unanimously.

This concluded the Treasurer's report.

7. Authority Manager's Report – Stanley Gorski, Jr.:

- A. Mr. Gorski reported that there were no NPDES violations nor plant by-passes during July. Average plant flow was 2.70 mgd, maximum rainfall was 4.57", and total rainfall was 4.13" for the month. Mr. Gorski explained that, compared to the 2018-2019 period, rainfall is down, and if the trend continues, the numbers for average daily flow will be good for the Authority, regarding plant capacity.
- B. COA-Phase III Project:
1. Final restoration was completed. Mrs. (Connie) Detar was thankful for the check in the amount of \$275.00 (representing reimbursement of 50% of the cost to install a temporary fence during construction). Mrs. Detar signed a release related to this reimbursement. She also signed a release in regard to a reimbursement that she received from Kukurin Contracting, Inc., for damage to her permanent fence. All that remains for the project is a review of the CCTV inspection and obtaining updated as-built drawings from the contractor. The CCTV inspection report was mailed to Wade Trim's old address, and Wade Trim did not receive the report until today. Wade Trim will review the inspection report.

2. Mr. Gorski requested Board approval and authorization to submit to PENNVEST pay estimate No. 17, in the amount of \$324,992.00, as submitted by Kukurin Contracting, Inc., for the period ending August 8, 2023. A motion to approve was made by Mr. Regola, and seconded by Mr. Lapia. The motion passed, 6-0, with abstentions by Mr. Konkus, who is an employee of Scott Electric, and by Mr. Mace, who is an employee of Stone & Company. Memoranda, signed by Mr. Konkus and Mr. Mace, are attached to these minutes. Mr. Gorski stated that amount of retainage is being held until review of the CCTV sewer inspection and the correction of the as-built drawings. Mr. Caroline asked if the Authority has obtained a two-year bond from the contractor. Mr. Gorski stated that the Authority has a two-year bond.
- C. Mr. Gorski requested approval of the revised Internal Control Procedures for the Purchasing Cycle. Changes were made to include Mr. Wolinsky, Operations and Control Manager as an authorized purchaser, and to increase purchasing limits for the employees. Mr. Lapia asked what name is on the credit cards. Mrs. Wtorkowski stated that the employees' names and WWMA are printed on the credit cards. Mr. Lapia questioned the increases in purchasing limits. Mrs. Wtorkowski explained that the limits for the Finance Director and Operations and Compliance Manager were set to permit them to authorize purchases in the absence of the Authority Manager, and the proposed increase in the purchasing limit for the Authority Manager was based on previous Board discussions. Mrs. Wtorkowski explained that the policy also serves as instructions for the person who performs accounts payable duties. A discussion followed. A motion was made by Mr. Lapia, and seconded by Mr. Gilbert, to table this (item) until another meeting. The motion passed unanimously. Mr. Caroline asked members of the Board to submit comments to Mrs. Wtorkowski or Mr. Gorski in a timely manner, so that the revised policy can be approved at the September meeting.
- D. Mr. Gorski requested that the Board authorize the issuance of a First National Bank Visa credit card for the Operations and Compliance Manager. A motion to approve was made by Mr. Konkus, and seconded by Mr. Mace. The motion passed unanimously.
- E. Mr. Gorski reported that he reached out to the PaDEP to close-out the Consent Order and Agreement (COA). Mr. Gorski stated that during the first conversation with representatives of the PaDEP, Mr. Gorski explained that the sanitary sewer overflow (SSO) chambers were sealed shut, there is no chance of by-passing into the creek, and there is nothing to monitor. The PaDEP representatives stated that continued monitoring would not be required. Subsequently, however, Mr. Gorski received an e-mail from Mr. Chris Kriley, stating that continued monitoring will be required. Mr. Caroline instructed Mr. Gorski to stress to the PaDEP that there is nothing to monitor. Mr. Gorski stated that a meeting has been scheduled with the PaDEP for August 31, 2023, and he will discuss this issue with the representatives, at that time.
- F. Mr. Gorski reported that the Authority's plant inspection was held last month, with Mr. Zach Flannigan, of the PaDEP. Mr. Flannigan stated that he wants the Authority to address the solids in the final clarifiers. Mr. Gorski stated that the Authority easily passed all solids and effluent testing. Mr. Gorski is looking into a coagulant that would help reduce the amount of solids.
- G. Mr. Gorski stated that the Authority is looking into the possibility of participating in a pilot study for the use of peracetic acid as a form of disinfectant. Mr. Gorski explained that currently, 39-40 States have approved peracetic acid as a form of disinfectant, but the use of peracetic acid has not yet been approved for use in Pennsylvania. Mr. Gorski stated that it is difficult to find a laboratory that is certified to perform the required testing. Mr. Hanley will update the Board on this topic in his report.
- H. Personnel:

Mr. Gorski reported that the Authority's Chief Operator will be retiring on January 4, 2024. Mr. Gorski stated that he would like to start the process of posting for a maintenance position for November 2023. Mr. Gorski stated that Mr. Wolinsky is doing a good job. A discussion followed, regarding the maintenance position. This item will be discussed further, during the Executive Session.
- I. Mr. Gorski reported that the copier is nine (9) years old, and the company who provides maintenance of the copier is having difficulty in obtaining parts. Mr. Gorski stated that he would like to obtain proposals for the purchase or lease of a new copier. The last copier was purchased by the Authority. Mr. Lapia stated that Manor Borough leases a copier, does not pay a maintenance fee, and does not pay for toner. Mr. Caroline stated that the Penn Township Sewage Authority leases a copier, as well, pays a small amount per copy as a maintenance fee, but does not pay for toner. Mr. Gorski will obtain quotes from a few vendors.

This concluded the Authority Manager's report.

8. Consulting Engineer: Chad Hanley, HRG:

Mr. Hanley reviewed his written report dated August 17, 2023.

 - A. Peracetic Acid Pilot Program:
 1. Mr. Hanley reported that numerous municipalities throughout the State have expressed an interest in using peracetic acid for disinfection, so the PaDEP has already prepared protocol procedures for testing. HRG has contacted 27 local laboratories, and none of them are able to perform the required testing. There were a couple of laboratories within the United States, and a couple of laboratories located in

- Canada that can perform the testing. Mr. Gorski received pricing information from a colleague at the MAWC that included a \$4,000.00 set-up fee, and \$800.00 per sample. Mr. Hanley, Mrs. Schmucker, Mr. Gorski, and Mr. Wolinsky met yesterday with the head of microbiology at the Indiana University of Pennsylvania (IUP), who stated that he has the necessary equipment, and could provide testing at an estimated cost of \$50.00 per sample, with no set-up charge. Mr. Hanley is hopeful that the MAWC could share some of the costs, as they are experiencing the same roadblock in pursuing the use of peracetic acid. A discussion followed. Mr. Gilbert asked what the Authority would do, if the use of peracetic acid does not work out. Mr. Gorski stated that the Authority would continue to use chlorine for disinfection. Mr. Regola asked if the protocols are legislative or regulatory. Mr. Hanley stated that he did not know the answer. Mr. Regola explained that, if the rules are legislative, you would contact the Pennsylvania Senate Chair. If the rules are regulatory, you would contact the PaDEP. Mr. Regola recommended that the Authority model something very close, geographically, to the Authority.
- B. Mr. Hanley stated that a meeting will be held in two (2) weeks to discuss the Plant Process Improvements Project.

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

Mr. Konkus stated that he appreciates how HRG thinks outside of the box.

9. Solicitor's Report – Matt Racunas:

- A. COA-Phase III Project:
1. The Authority was able to get the release from Mrs. Connie Detar (COA-Phase III Project)
 2. The change order with Kukurin Contracting, Inc., was approved.
- B. Summer Grove Development:
1. The agreement for the Summer Grove Development was approved.
- C. Penn Township Sewage Authority (PTSA) Agreement:
1. Mr. Racunas is working with Mr. Schimizzi to finalize the agreement with PTSA. Mr. Racunas stated that Mr. Schimizzi should have a draft agreement to him, next week.
- D. Waste Management:
1. Mr. Racunas would like to schedule a status meeting with representatives of Waste Management. Mr. Caroline stated that he thought that the Authority was supposed to get information to Waste Management, regarding items in the current agreement that cause concern for the Authority. Mr. Racunas stated that representatives of Waste Management were supposed to submit to the Authority a list of their concerns.

This concluded Mr. Racunas' report.

10. Reports of Committees:

- A. Personnel Committee: Joseph Lapia:
1. Mr. Lapia stated that a negotiating meeting has been scheduled with representatives of the Union on August 24, 2023.
 2. There are a couple of items that will be discussed during the Executive Session.

This concluded the Personnel Committee Report.

B. Finance and Budget Committee: John Slivka:

1. Mr. Slivka requested Board approval of a transfer in the amount of \$126,640.15 from the Revenue Fund to the PENNVEST Account. A motion to approve was made by Mr. Gilbert, and seconded by Mr. Regola. The motion passed unanimously.

This concluded the Finance and Budget Committee report.

C. Legal and Engineering Services Committee: Kevin McHugh: There was no report.

11. Requisitions and PENNVEST Payments:

Mr. Caroline requested Board approval of the following Requisitions:

- A. Approve Capital Improvement Fund Requisition No. 108, in the amount of \$10,706.56: A motion to approve was made by Mr. Konkus, and seconded by Mr. Mace. The motion passed unanimously.
- B. Approve PENNVEST, Loan No. 75375, COA-Phase III, Requisition No. 14, and authorize submission to PENNVEST: \$324,992.00: A motion to approve was made by Mr. Regola, and seconded by Mr. Slivka. The motion passed, 6-0, with abstentions by Mr. Konkus, who is an employee of Scott Electric, and by Mr. Mace, who is an employee of Stone & Company. Memoranda, signed by Mr. Konkus and Mr. Mace, are attached to these minutes.

12. Board Member Comments: None

13. Executive Session: A motion was made by Mr. Lapia, and seconded by Mr. Konkus, to enter into an executive session to discuss personnel matters. The motion passed unanimously. The executive session began at 6:55 P.M.
A motion to return to the regular order of business was made by Mr. Lapia, and seconded by Mr. Konkus. The motion passed unanimously. The Board returned to the regular meeting at 7:42 P.M. The items discussed were personnel issues and potential litigation.
14. A motion to adjourn the meeting was made by Mr. Lapia, and seconded by Mr. Konkus. The motion passed unanimously. The meeting was adjourned at 7:43 P.M.


Barbara L. McIntyre, Secretary

MEMORANDUM

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

FROM: Charles T. Konkus

DATE: August 17, 2023


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 to of electrical purchases made by the Authority

Subject to be acted upon:

Approve Revenue Fund Requisition No. 429, Scott Electric, in the amount of \$225.49



(Member's Signature)

MEMORANDUM

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

FROM: Charles T. Konkus

DATE: August 17, 2023

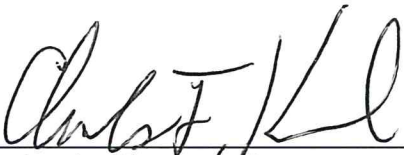
I, the undersigned, Director of Board of the Western Westmoreland Municipal Authority do hereby publicly announce and disclose that due to the following conflict, or possible conflict of interest, I am abstaining from voting of the hereinafter set forth matter coming before the Board of the Western Westmoreland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

Nature of Possible Conflict:

Employee of Scott Electric, a supplier to of purchases made by Kukurin Contracting, Inc., contractor for the for the COA-Phase III Project

Subject to be acted upon:

Approval and submittal to PENNVEST of Pay Estimate No. 17 in the amount of \$324,992.00, as submitted by Kukurin Contracting, Inc., for the period ending August 8, 2023



(Member's Signature)

MEMORANDUM

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

FROM: Charles T. Konkus

DATE: August 17, 2023

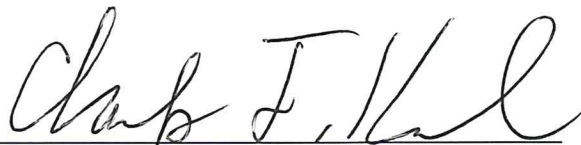
I, the undersigned, Director of Board of the Western Westmoreland Municipal Authority do hereby publicly announce and disclose that due to the following conflict, or possible conflict of interest, I am abstaining from voting of the hereinafter set forth matter coming before the Board of the Western Westmoreland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

Nature of Possible Conflict:

Employee of Scott Electric, a supplier to of purchases made by Kukurin Contracting, Inc., contractor for the for the COA-Phase III Project

Subject to be acted upon:

Approve PENNVEST, Loan No. 75357, COA-Phase III Project, Requisition No. 14, and authorize submission to PENNVEST, in the amount of \$324,992.00



(Member's Signature)

MEMORANDUM

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

FROM: Dylan Mace
DATE: August 17, 2023

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 Stone & Co., a supplier to of purchases made by Kukurin Contracting, Inc., contractor for the for the COA-Phase III Project

Subject to be acted upon:

Approval and submittal to PENNVEST of Pay Estimate No. 17 in the amount of \$324,992.00, as submitted by Kukurin Contracting, Inc., for the period ending August 8, 2023



(Member's Signature)

MEMORANDUM

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

FROM: Dylan Mace
DATE: August 17, 2023

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 Stone & Co., a supplier to of purchases made by Kukurin Contracting, Inc., contractor for the for the COA-Phase III Project

Subject to be acted upon:

Approve PENNVEST, Loan No. 75357, COA-Phase III Project, Requisition No. 14, and authorize submission to PENNVEST, in the amount of \$324,992.00



(Member's Signature)

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



Construction Status Report

Report Period: July-23

Prepared By: BMB

Date: Aug 11, 2023

Total Days: 730
 Days Expended: 805
 Days Remaining: -75

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

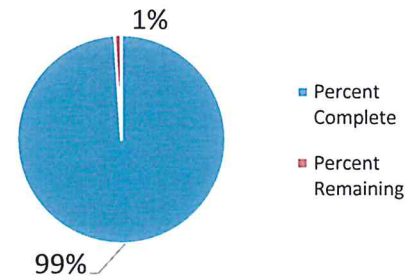
Contract	Contract Award	B Approved Change Orders	C=(A+B) Current Contract Amount	D Value of Work Completed to Date	E=(D/C) Percent Complete	F=100-E Percent Remaining	F=(B/C) Percent Change Orders
Kukurin Contracting, Inc.	\$ 4,744,447.00	\$ 331,036.99	\$ 5,075,483.99	\$ 4,543,500.05	99%	1%	7%

Retainage: \$ 46,000.00
 Net Amount Earned to Date: \$ 4,497,500.05
 Previous Payments: \$ 4,172,508.05
Balance Due This Pay Period: \$ 324,992.00

Balance to Finish Plus Retainage: \$ 577,983.94

COMMENTS:
Work Completed This Period:
 - Contractor remobilized to address remaining punch lists
 - Completed recleaning and CCTV of interceptor
 - Worked on addressing restoration punch list items
 - Provided CCTV report
 - Executed Change Order #6
 - Total Number of Construction Meetings:
 (6) Virtual Check-ins after bid during pipe shortage, (1) Preconstruction, (27) Construction Progress Meetings
 - Total Number of full Inspector Days: 300.5, 7 in June

Project Status



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



Kukurin Contracting, Inc.
Current Contract Amount w/ Approved Change Orders: \$ 5,075,483.99

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			\$ 6,055.07		Coordinated with Contractor. Change Proposal Request rejected, it is the Contractor's responsibility to repair and damage that occurs outside of trench line.
	04	Strapping Down Manholes	\$ 822.63				Proposal provided for ~\$820 / manhole. WWMA to strap down 7 manholes internally, one manhole (RM-01) to be strapped down by KCI. Incorporated on Change Order No. 3, Approved at Board Meeting on 10.20.22
	05	Broken 8" Water Line	\$ 8,420.62				Approved at Board Meeting on 10.20.22
	06	18" Drop Connection at RBR30	\$ 2,409.22				Approved at Board Meeting on 4.20.23
	07	18" Drop Connection at RM-3	\$ 2,141.73				Approved at Board Meeting on 4.20.23
	08	Pipe Material Escalation	\$ 265,992.00				KCI request for a change based on escalated pipe material costs from time of bid to actual construction. Requested \$577,179. WWMA provide letter to KCI proposing \$265,992.00. Potential Change Order has been submitted to DEP/PennVest for preapproval per requirements of the PennVest Loan. Approved at Board Meeting on 7.20.23
	09	Final Quantity Adjustment				\$ 531,984.00	Estimated amount. To be confirmed once last pay application submitted.

TOTAL \$ 331,036.99 \$ - \$ - \$ 531,984.00
TOTAL Approved as % of Contract Value: 6.52%
TOTAL Approved & Pending as % of Contract Value: -3.96%



Herbert, Rowland & Grubic, Inc.
220 West Kensing Drive, Suite 100
Cranberry Township, PA 16066
724.779.4777
www.hrg-inc.com

CONSULTING ENGINEER'S REPORT

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

Attn: Mr. Stan Gorski, Jr.
Report Period: July 2023
HRG Project Number: R008234.0426

August 17, 2023 Authority Meeting

RETAINER SERVICES (.0426)

- HRG prepared and submitted the 2023 Q2 COA report on July 24th.

GENERAL SERVICES (.0427)

- Landfill discharge: No significant updates. Previously, HRG provided PFAS data review from the landfill discharge and WWTP sampling and attended a meeting with WWMA and PTSA staff to discuss the service area agreement.
- On July 12th HRG met with Authority Staff and DEP to discuss the potential for a pilot peracetic acid disinfection program. At the request of the Authority, HRG has been preparing a net present value (NPV) of disinfection alternatives.

PLANNING MODULE REVIEWS (.0428)

- No planning module reviews were completed in the month of July.

NPDES PERMIT RENEWAL (.0429)

Previously, HRG assisted the Authority with coordination with DEP and additional sampling to meet the DEP detection limits.

- A Draft NPDES permit was received on May 10, 2023 and HRG reviewed and provided a Draft Permit Review Memo on May 16, 2023. HRG reviewed significant permit changes with Authority Staff on May 17.
 - HRG will prepare a proposal for the required TRE and WQBEL Reports for the Board's consideration following the issuance of the final permit (October / November).
- HRG prepared a comment letter to DEP on May 22, 2023.
 - The comment letter questions the addition of total aluminum and iron to the sampling requirements. Additionally, the comment letter requested confirmation of parameters to be included in the TRE and WQBEL Reports. DEP responded on June 23, 2023.
 - On July 12th, HRG confirmed with DEP that they will delay the issuance of the final permit and allow the Authority to obtain 7 additional samples of total aluminum and total iron,



which will have the likelihood of reducing the testing requirements from quarterly to annually. The delay in the issuance of the final permit will also provide the Authority with additional time to acquire needed testing equipment.

WWTP PROCESS IMPROVEMENTS (.0430)

LSA Grant Application

- HRG began to review project scope with the Authority Manager and will arrange site visits and product reviews to finalize project scope.

COVID-19 ARPA PA Small Water and Sewer Program Grant Application

- No significant updates. Previously:
 - HRG submitted the grant application for the plant instrumentation and SCADA upgrade project. Grant awards are expected in September.

WWTP Evaluation Study

- HRG received the preliminary effluent limits from DEP on May 22, 2023. HRG reviewed these and concluded there are significant differences between the effluent limits of the current stream conditions and a waterway that receives mitigated acid mine drainage flow. HRG continues to evaluate WWTP alternatives.

GIS SERVICES (.0431)

- No updates.

SMALL CAPITAL PROJECTS (.0432)

Chemical Addition Project

- No changes. HRG briefly reviewed the project with Authority staff and shall continue discussions in the future. HRG will explore chemical addition options as part of the WWTP Evaluation Study.

END OF ENGINEER'S RETAINER SERVICES AND ACTIVE PROJECTS REPORT

Herbert, Rowland & Grubic, Inc.



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