

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – DECEMBER 21, 2023

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting on Thursday, December 21, 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 6:04 P.M.:

Board Members in Attendance:

Mr. Kurt Bonnet	Mr. Stanley Caroline, Jr.	Mr. Charles Gilbert
Mr. Joseph Lapia	Mr. Dylan Mace	Mr. Kevin McHugh
Mrs. Barbara McIntyre	Mr. John Slivka	

Absent:

Mr. Charles Konkus Mr. Bob Regola

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: Barbara McIntyre:

- A. Mrs. McIntyre requested the approval of the minutes for the regular meeting of November 13, 2023. 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:

Due to Mr. Konkus' absence, Mrs. Wtorkowski requested the approval of the following requisition:

- A. Revenue Fund Requisition No. 438: \$219,622.96: A motion to approve was made by Mr. Gilbert, and seconded by Mr. Lapia. 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 November. Average plant flow was 2.54 mgd. Total rainfall was 1.74" for the month.

B. COA-Phase III Project:

1. The project is complete. Mr. Gorski has been having issues with the PaDEP closing out the PENNVEST loan. Mr. Dale Mills has been requesting a lot of information on change orders that were submitted years ago, up to the most recent change order for quantity adjustments. Mr. Brad Boddy, Engineer for the project, has sent many documents to Mr. Mills, but Mr. Mills is requesting additional information. Mr. Gorski stated that he had asked Mr. Hanley if this was normal, and Mr. Hanley stated that this is not typical. Mr. Gorski stated that the requests are above the scope of the work, and Mr. Boddy will be submitting a request for an increase in the amount approved for construction management services. Mr. Hanley stated that the information that Mr. Mills requested is to substantiate the final quantity adjusting change order. Mr. Hanley stated that he has never seen an instance where this much information has been requested. Mr. Caroline stated that a meeting should be scheduled with the PaDEP, to find out exactly what Mr. Mills requires, so the Authority can submit it at one time. Mr. Mills has questioned why there was paving overlay, rather than full re-paving. PennDOT approved the paving work. Mr. Hanley explained that, while the PaDEP should not be concerned with paving, since the project was funded with a PENNVEST loan, the PaDEP has a responsibility to ensure that the project meets PENNVEST's requirements. Mr. Gorski will schedule a meeting with representatives of the PaDEP.

- C. Mr. Gorski requested that the Board approve the promotion of an Authority Employee to the position of Chief Operator, effective January 8, 2024, in accordance with the Collective Bargaining Agreement. Mr. Gorski recommended that the Board promote Edwin Howley, who has been working in the lab for a number of years. Mr. Gorski stated that he feels Mr. Howley is qualified for the position. Mr. Howley would have a thirty-day probationary period, at which time he could return to his current position of Plant Operator. A motion to promote Edwin Howley to the position of Chief Operator was made by Mr. Lapia, and seconded by Mr. Mace. The motion passed unanimously.
- D. Mr. Gorski requested Board authorization to advertise for sale on Municibid.com thirty-five fluorescent lighting fixtures from the main office, conference room, lab, sludge processing building restroom, and eyewash station. A motion to approve was made by Mr. Lapia, and seconded by Mr. Slivka. Mr. Caroline asked if a minimum bid amount would be stated. Mr. Lapia amended his motion to include a minimum bid amount of \$10.00, and to authorize the disposal of the lighting fixtures if no bids are received. Mr. Slivka seconded the amended motion. The motion passed unanimously.
- E. Mr. Gorski requested Board authorization for the Authority Manager to sign the documents required for the sale of the 2013 Chevrolet HD utility truck to Jeffrey Clark, of Indianapolis, Indiana, for \$38,600.00. A motion to approve was made by Mr. Mace, and seconded by Mr. McHugh. The motion passed unanimously.
- F. Mr. Gorski reported that the Aliquippa Water Authority (Aliquippa) was hacked by Iranians, because Aliquippa's system has Israeli software. Mr. Gorski assured the Board that WWMA's system is safe. Mr. Gorski explained that Aliquippa has direct internet connection, where the Authority does not. A discussion followed.
- G. Mr. Gorski reported that the 2013 Chevrolet HD utility truck sold on Municibid.com for \$38,600.00. The transfer of the vehicle will take place in January 2024.
- H. Mr. Gorski reported that the Authority received the NPDES Permit. The Authority will have a Toxic Reduction Evaluation (TRE) on free cyanide. The Authority must submit reports to the PaDEP by July 2024. This will provide the Authority with sufficient time to work with HRG and get the sampling plan set up. Mr. Gorski stated that Mr. Mark Wolinsky (Operations and Compliance Manager) has been doing a good job in setting up a sampling schedule for the new parameters.
- I. Mr. Gorski reported that he ordered a 2024 Chevrolet utility truck, but received word from the dealer that General Motors denied the order. Mr. Gorski stated that, since he was approved to purchase a vehicle with a maximum amount of \$65,000.00, he is able to order a Ford utility truck, for an additional \$310.54.
- J. Mr. Gorski reported that the Rotork actuator for the air system is inoperable, and replacement parts are no longer available. Mr. Gorski will be replacing the actuator with an AUMA actuator, at a cost of \$6,720.00, which is within Mr. Gorski's purchasing limit.
- K. Mr. Gorski reported that he has instructed Mr. Wolinsky to review the Authority's drug policy. Management is ready to work on updating the policy. Mr. Gorski stated that Attorney Campfield and retired Manager Kevin Fisher, along with Mr. Eugene Miklaucic, of Spectrum Medical Corporation, LLC, had been working on revisions to the policy.
- L. Mr. Gorski reported that he has one personnel item to discuss during the executive session.

This concluded the Authority Manager's report.

8. Consulting Engineer: Chad Hanley, HRG:

A. Update:

- 1. Mr. Hanley stated that HRG delivered hard copies of the Authority's Sewer System Annual Report to the Authority.
- 2. Mr. Hanley provided the Authority with a letter regarding the ADS meter purchase for the Authority's records.
- 3. Mr. Hanley reported that Samantha Schmucker is working on the scope of the proposal for the TRE and Water Quality Based Effluent Limitation (WQBEL) study for the new NPDES Permit. The proposal will be presented to the Board at the January 18, 2024 meeting.
- 4. Mr. Hanley has been working with Mr. Gorski on new processes for planning module reviews, pursuant to the Authority being released from the Consent Order and Agreement (COA).
- 5. Mr. Hanley reported that the Authority was not successful in securing a Small Water and Sewer Grant. This grant would have funded the second half of the Process Improvements Project. The Authority has already received a grant of \$300,000.00 toward this project. A meeting has been scheduled for January 4, 2024, to review the electrical and processing requirements with the vendor, in order to obtain COSTARS pricing.

This concluded the Engineer's report.

9. Solicitor's Report – Matthew Racunas:

- A. Mr. Racunas stated that he has one item that will be discussed during the executive session.

- B. Mr. Racunas stated that he wanted to update the Board concerning a recent case handed down by the Commonwealth Court on November 14, 2023, containing a ruling on the interpretation of recent amendments to the Sunshine Act regarding changes to Agendas. The interpretation previous to this case was that the majority of the Board could make a motion to amend the agenda, and, once that was approved, the Board could add items to the agenda, and take action on those items. The Commonwealth Court has struck down that provision. Now, the only ways that you can amend the agenda are if the items are de minimis with no cost to the Authority, or in the case of emergency. Agendas must be posted within 24 hours of the meeting, and the Authority is held to that agenda. Mr. Racunas stated that the Commonwealth Court wants more transparency, but he feels that this will lead to more entities ratifying required actions, which will result in actions taking place outside of the public meeting and posted to the agenda afterward. Mr. Racunas has asked his State Representative to lobby to change the law. Mr. Racunas stated that the Authority may still bring up new business to discuss. A discussion followed.

This completed the Solicitor's report.

10. Reports of Committees:

A. Personnel Committee: Joseph Lapia:

1. Mr. Lapia requested a motion to approve the Administrative position salaries for 2024 as set when the budget was adopted, at a 4.0% increase. A motion to approve was made by Mr. Gilbert, and seconded by Mr. Bonnet. The motion passed unanimously.
2. Mr. Lapia requested Board approval of Resolution No. 2023-03, recognizing the service of Rudy Brnilovich. A motion to approve was made by Mrs. McIntyre, and seconded by Mr. Slivka. The motion passed unanimously.
3. Mr. Lapia requested Board authorization to hire Mr. Slater McGonigle as a maintenance employee, with an effective starting date of January 8, 2024, pending all pre-employment, post-offer test results, and completing necessary paperwork. Mr. McGonigle would be starting out at a wage rate equal to 80% of the wage rate for the position, or \$25.02 per hour. A motion to approve was made by Mr. Gilbert, and seconded by Mr. Mace. The motion passed unanimously.

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 \$130,949.75 from the Revenue Fund to the PENNVEST Account. A motion to approve was made by Mr. Mace, and seconded by Mr. McHugh. The motion passed unanimously.
2. Mr. Slivka requested Board approval to Authorize and direct U.S. Bank National Association, as Trustee under the Authority's Bond Indenture, to purchase, to the extent permitted by the Indenture, U.S. Treasury Demand Deposit Securities - State and Local Government Series in the name of the Authority and in an amount or amounts specified by the Authority's Director of Finance, to be held in and for the benefit of, and purchased with money then held in, the Debt Service Reserve Fund established under the Indenture, pursuant to subscription for their direct issuance to the Authority, as filed with the U.S. Treasury by either the Trustee or the Authority's Financial Advisor on the Authority's behalf in the applicable amount or amounts, as and in the manner specified by the Authority's Director of Finance, which subscription is also authorized. Mrs. Wtorkowski explained that this type of security is exempt from arbitrage rebate. The Authority's Financial Advisor has stated that the Authority is nearing the limit of earnings on the bond monies. Mrs. Wtorkowski stated that this motion will authorize the Authority to submit an application allowing the Authority to purchase these securities, but the Authority will not have funds to invest until January 18, 2024, when the current United States Treasury Bill matures. A motion to approve was made by Mr. Gilbert, and seconded by Mrs. McIntyre. 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. 113, Scott Electric, in the amount of \$1,599.36: A motion to approve was made by Mr. Lapia, and seconded by Mr. Gilbert. The motion passed unanimously.
- B. Approve Capital Improvement Fund Requisition No. 114, in the amount of \$52,162.00: A motion to approve was made by Mr. Slivka, and seconded by Mr. McHugh. The motion passed unanimously.

12. Board Member Comments:

- A. Mr. Caroline told Mrs. McIntyre that he enjoyed working with her, he appreciated her dedication and commitment to the Authority, and we will all miss her.
- B. Mrs. McIntyre thanked Mr. Caroline, and stated that it wasn't always a pleasure, but she enjoyed most of her time with the Authority, and she learned a lot. Mrs. McIntyre thanked everyone for being so gracious and kind.

13. Executive Session: A motion was made by Mr. Lapia, and seconded by Mr. McHugh, to enter into an executive session to discuss personnel issues and matters concerning possible litigation. The motion passed unanimously. The executive session began at 6:40 P.M.

It is noted that Mr. Hanley left the meeting at this time.

A motion to return to the regular order of business was made by Mr. Lapia, and seconded by Mr. Gilbert. The motion passed unanimously. The Board returned to the regular meeting at 6:48 P.M. The items discussed were personnel issues and matters concerning potential litigation.

14. A motion to adjourn the meeting was made by Mrs. McIntyre, and seconded by Mr. Bonnet. The motion passed unanimously. The meeting was adjourned at 6:48 P.M.



Johanna Wtorkowski, Assistant Secretary-Treasurer

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



Construction Status Report

Report Period: November-23

Prepared By: BMB
 Date: Dec 14, 2023

Total Days: 730
 Days Expended: 898
 Days Remaining: -168

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	\$ (200,946.95)	\$ 4,543,500.05	\$ 4,543,500.05	100%	0%	-4%

Retainage: \$ -
 Net Amount Earned to Date: \$ 4,543,500.05
 Previous Payments: \$ 4,543,500.05
Balance Due This Pay Period: \$ (0.00)

Balance to Finish Plus Retainage: \$ -

COMMENTS:

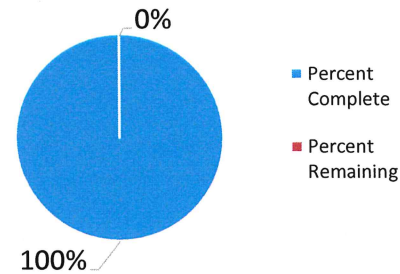
Work Completed This Period:

- Submitted as-built drawings
- Coordination of PENNVEST closeout
- Submitted permit closeout request documentation for NPDES Stormwater, NPDES Part II and Joint 105 Permits
- Submitted all close out documentation to DEP and requested final project inspection
- Coordination with Dale Mills regarding Change Orders

- 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





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. Stanley A. Gorski, Jr., Authority Manager
Report Period: November 2023
HRG Project Number: R008234.0426



December 21, 2023 Authority Meeting

RETAINER SERVICES (.0426)

- HRG prepared the 2023 Q3 COA report and submitted October 20th. The report requests from DEP that the COA be extinguished which was approved. No further reports shall be prepared.
- HRG prepared the Annual Report and provided a draft for the November meeting. A final report was provided on November 20, 2023 (in PDF) and hard copies will be delivered at the December Board meeting.
- HRG attended a meeting to discuss interceptor metering locations.
- HRG prepared a letter to document the ADS meter purchase.

GENERAL SERVICES (.0427)

- Service Area review
 - HRG has attended meetings regarding the service area agreement.
- Landfill discharge:
 - HRG reviewed field study data provided by Authority Staff that includes ammonia-nitrogen, BOD, and free cyanide levels in samples from five manholes in the WWMA system (Bushy Run, Larimer, Manor, Paintertown, and Tinkers Run). The samples were conducted during a time when the landfill was purportedly not discharging leachate.
 - 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.
 - HRG evaluated whether it is beneficial to accept leachate from Valley Landfill and prepared a memo to provide a more comprehensive understanding of both the financial and operational impacts to the WWTP. A draft memo was provided to the Authority Manager and a final memo was provided prior to the September 21st meeting.
- Peracetic Acid:
 - 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. HRG is waiting on further information from vendors.

PLANNING MODULE REVIEWS (.0428)

- HRG reviewed a sewage facilities planning module for PT Commercial Court (7 EDUs).

NPDES PERMIT RENEWAL (.0429)

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

- The final NPDES permit was received on December 8, 2023.
 - HRG will review the requirements of the permit and will prepare a proposal for the required TRE and WQBEL Reports for the Board's consideration in January 2024.

WWTP PROCESS IMPROVEMENTS (.0430)

LSA State-Wide Grant Project

- HRG is arranging an electrical review with Sanitaire to determine the extent of drawings that will be necessary to prepare. We are aiming for the first week in January to hold the meeting.
- Previously:
 - HRG reviewed project scope with the Authority Manager and arranged a site visit with Authority Staff and Sanitaire on August 29, 2023 to finalize scope.
 - HRG reviewed information provided by Sanitaire and provided comments on September 27, 2023.
 - HRG and Authority Staff met with PADEP on October 24, 2023 to discuss improvements.

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

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

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 updates. 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

CEH/SCS/kmg

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c: Ms. Johanna Wtorkowski