

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – JANUARY 18, 2024

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting on Thursday, January 18, 2024 at 6:00 P.M. in the Authority conference room, duly advertised, as required, and with the following persons in attendance:

1. Roll Call 6:02 P.M.:

Board Members in Attendance:

Mr. Stanley Caroline, Jr.

Mr. Charles Gilbert

Mr. Charles Konkus

Ms. Lisa Kovac

Mr. Joseph Lapia

Mr. Dylan Mace

Mr. Kevin McHugh

Late Arrival:

Mr. John Slivka 6:07 P.M.

Mr. Bob Regola 6:15 P.M.

Absent:

Mr. Kurt Bonnet

Others in Attendance:

Mr. Matthew Racunas, Solicitor

Mr. Chad Hanley, Consulting Engineer

Mr. Stephen Flick, FWF Insurance Agency, Inc.

Mr. Kyle Flick, FWF Insurance Agency, Inc.

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:

A. Mr. Caroline reported that Mr. Kevin McHugh was reappointed to the WWMA Board of Directors for a five-year term.

B. Mr. Caroline reported that PMAA's Board Member Training will be held on Thursday, March 14, 2024, at the DoubleTree by Hilton Hotel, Pittsburgh-Cranberry, Mars, PA. Mr. Caroline stated that anyone who is interested in attending should contact Mr. Gorski or Mrs. Wtorkowski.

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

A. Mrs. Wtorkowski requested the approval of the minutes for the regular meeting of December 21, 2023 as presented. A motion to approve was made by Mr. Lapia, and seconded by Mr. McHugh. The motion passed, 6-0, with an abstention by Mr. Konkus, who did not attend the meeting.

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. 439 Scott Electric: \$192.46: A motion to approve was made by Mr. Mace, and seconded by Mr. Lapia. 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. 440: \$335,447.99: A motion to approve was made by Mr. Gilbert, and seconded by Mr. McHugh. The motion passed, 7-0.

This concluded the Treasurer's report.

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

A. Mr. Gorski deferred to Mr. Stephen Flick, who presented a review of the Authority's general insurance policy. Mr. Flick showed a PowerPoint presentation. Mr. Lapia stated that, if there is going to be a presentation, he wants it to be distributed to the Board prior to the meeting. Mr. Lapia asked what "Property in the Open" referred to. Mr. Flick stated that the Property in the Open could refer to the fence, itself. Mr.

Flick stated that he did not know what comprised this amount, but he would provide the Board with a list. A discussion followed, regarding Inland Marine coverage limits, Inland Marine inventory, and the deductible amount under the policy. Mr. Flick stated that his father, Ron Flick, requested quotes from Selective Insurance, ASTRA Insurance, and APEX Insurance. Mr. Flick stated that the insurance providers requested EMC's quote before providing their quotes. Mr. Lapia stated that FWF should not be providing the low quote to other insurers. Mr. Gorski read to the Board a statement issued by Mr. Flick, regarding the process for obtaining quotes from insurers. Mr. Stephen Flick and Mr. Kyle Flick left the meeting at this time. The time was 6:21 P.M.

It is noted that Mr. Slivka and Mr. Regola joined the meeting during Mr. Flick's presentation. Mr. Slivka arrived at 6:07 P.M., and Mr. Regola arrived at 6:15 P.M.

- B. Mr. Gorski reported that there were no NPDES violations nor plant by-passes during December. Average plant flow was 2.71 mgd. The yearly flow average for 2024 was 2.74 mgd. This will help with the Chapter 94 Report. The 2023 average will drop the 2018 average, reducing average flow over the last five years. Mr. Gorski stated that, if the Authority has another low-flow year in 2024, the Brush Creek Wastewater Treatment Plant will no longer be considered to be overloaded.
- C. COA-Phase III Project:
 - 1. Mr. Gorski spoke with Mr. Dale Mills, of the PaDEP, regarding requested information for final inspection and close-out of the project. Mr. Mills will be at the plant on the morning of January 24, 2024 to perform a final inspection. Mr. Gorski stated that he will ask Mr. Mills to submit any remaining requests for information that day. Mr. Lapia stated that Manor Borough received a Notice of Termination regarding Manor. Mr. Gorski stated that WWMA received a Notice of Termination denial letter regarding Paintertown Road. Mr. Gorski stated that the notice referred to silt stacks and vegetation that was not growing. Mr. Gorski stated that PennDOT completed an emergency repair along Paintertown Road, and the silt stacks and lack of vegetation are attributable to PennDOT's work. Mr. Gorski has not yet received word from Mr. Brad Boddy regarding additional costs related to Mr. Mill's requests for additional information.
- D. Mr. Gorski requested that the Board adopt Resolution No. 2024-01, Declaring that Designated Public Records of the Authority are Approved for Disposition. A motion to approve was made by Mr. Lapia, and seconded by Mr. Konkus. The motion passed unanimously.
- E. Mr. Gorski reported that the Pennsylvania Department of Labor and Industry posted the 2024 bidding threshold requirements. Purchases less than \$12,600.00 require no bidding. Purchases between \$12,600.00 and \$23,200.00 required three written or telephone quotes. Purchases over \$23,200.00 require formal bidding.
- F. Mr. Gorski reported that Authority employees Jayson Arnold and Slater McGonigle will be attending Vogelsang pump training in Ravenna, Ohio. Vogelsang provides training, hotel accommodations, and meals.
- G. Mr. Gorski has an update regarding a personnel issue that will be discussed during the Executive Session.

This concluded the Authority Manager's report.

- 8. Consulting Engineer: Chad Hanley, HRG:
 - A. Update:
 - 1. Mr. Hanley held an on-site meeting at the WWMA in early January with representatives of Sanitaire Xylem to review the Process Improvements Project. Mr. Hanley expects to receive a first draft from Sanitaire Xylem, soon.
 - 2. Mr. Hanley reported that HRG was involved in ongoing discussions regarding the Service Area in Penn Township.
 - B. Mr. Hanley requested Board approval of the semi-annual transfer from the Revenue Fund to the Capital Improvement Fund in the amount of \$298,078.71. A motion to approve was made by Mr. Konkus, and seconded by Mr. McHugh. The motion passed unanimously.
 - C. Mr. Hanley requested Board Approval of the proposal that was submitted by HRG for Toxic Reduction Evaluation (TRE) and Water Quality Based Effluent Limitations (WQBEL) Compliance Report, and sampling assistance, consisting of:
 - 1. Task 1-TRE Work Plan: \$1,600.00; Task 2-Data Review, Source Inventory, and Source Reduction Evaluation: \$14,000.00; Task 3-Final TRE Report: \$15,200.00, Total TRE: \$30,800.00 (Lump Sum);
 - 2. WQBEL, based on a time and materials basis, at a cost not to exceed \$40,500.00;
 - 3. Sampling Assistant, at a cost not to exceed \$7,000.00, plus reimbursables (Expense, Consultant). Sampling includes collecting samples and monitoring the stream.
- Mr. Hanley stated that the fees would be invoiced over a period of eighteen (18) months, as the report is not due to the PaDEP until July 2026. A motion to approve was made by Mr. Gilbert, and seconded by Ms. Kovac. The motion passed unanimously.

- D. Mr. Hanley requested Board approval to increase the Developer Review Fee for a full planning module review from \$150.00 to \$350.00. The fee for developer planning review-post card form would remain at \$150.00. Mr. Lapia asked how the Authority would recoup costs if the fees exceeded \$350.00. Mr. Hanley explained that HRG would only bill the Authority for the approved amount, and he is comfortable with the fee. A discussion followed. A motion to approve was made by Mr. Gilbert, and seconded by Mr. Mace. The motion passed unanimously.

Mr. Caroline stated that the meetings with representatives of the Valley Landfill have stalled, and he stated that the Authority needs to know what volume of leachate the Authority can accept. Mr. Racunas stated that he will schedule a meeting for February. A discussion followed.

This concluded the Engineer's report.

9. Solicitor's Report – Matthew Racunas:

- A. Mr. Racunas reported that the Authority received a decision for conditional use for the Concordia development. The decision requires Concordia to comply with existing municipal agreements. Mr. Racunas stated that Concordia is contemplating whether to continue with the development.
- B. Mr. Racunas reported that there have been ongoing meetings and discussions regarding the Service Area. A lengthy discussion followed.
- C. Mr. Racunas stated that he has been working with Mr. Gorski on administrative and personnel issues.

This completed the Solicitor's report.

10. Reports of Committees:

A. Personnel Committee: Joseph Lapia: There was no report.

B. Finance and Budget Committee: John Slivka:

1. Mr. Slivka requested Board approval of the fund transfers listed under Agenda Items 10B 1(a) and 10B 1(b), and investments listed under Agenda Items 10B 1(c), 10B 1(d), 10B 1(e), and 10B 1(f), including:

- a. Authorize a transfer in the amount of \$130,949.75 from the Revenue Fund to the PENNVEST Account, *and*
- b. Authorize a transfer in the amount of \$5,000.00 from the Revenue Fund to the Sick Pay Reserve Account, *and*
- c. Authorize the purchase of a Capital Improvement Fund two-month United States Treasury Bill, in the amount of \$8,865,000.00, providing the interest rate is positive, *and*
- d. Authorize the transfer of all moneys in the Debt Service Reserve Fund in excess of the \$2,175,262.50 Debt Service Reserve Requirement (approximately \$25,000) to the Debt Service Fund, pursuant to Section 5.01 of the Indenture, *and*
- e. Authorize the purchase, with available moneys in the Debt Service Reserve Fund, of a United States Treasury Bill, CUSIP No. 912797JP3, with a par value of \$2,200,000.00 and a maturity date of April 23, 2024, to be held in the Debt Service Reserve Fund, *and*
- f. Authorize the investment of the remaining available funds in the Debt Service Reserve Fund (approximately \$5,000) in U.S. Treasury Demand Deposit Securities - State and Local Government Series (DD SLGS) in the amounts and at the direction of the Authority's Director of Finance.

Ms. Kovac asked why the purchase was for a two-month Treasury Bill. Mrs. Wtorkowski explained that the Authority's financial advisor had recommended moving to short-term Treasuries. Mrs. Wtorkowski explained that the Authority is nearing its arbitrage limit, and the Financial Advisor is attempting to prevent arbitrage rebate. The Authority's Trust Indenture limits the types of investments the Authority may purchase, and states that the Authority may only invest with banks that maintain a specified level of capital. A motion to approve was made by Mr. Mace, and seconded by Ms. Kovac. The motion passed unanimously.

2. There was no Board action taken to change the insurance deductible.
3. Mr. Slivka requested Board approval of the general liability insurance policy with EMC Insurance for the period from February 17, 2024 through February 16, 2025, in the amount of \$53,608.00, with \$1,000.00 deductible. A motion to approve was made by Mr. Mace, and seconded by Mr. Gilbert. Mr. Konkus expressed his dissatisfaction in Mr. Flick's presentation. Mr. Konkus stated that, if Mr. Stephen Flick was unable to answer the questions, then his father should have attended the meeting. Mr. Caroline stated that Penn Township Sewage Authority redacts current premium amounts when seeking quotes. Mr. Lapia stated that the Authority should find another agent to request quotes from other insurers. Mr. Regola stated that he agreed with Mr. Lapia, stating that the Authority should send

out a request for proposal (RFP), next year. Mr. Racunas stated that the RFP should be sent out mid-year 2024. 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 Requisition:

A. Approve Capital Improvement Fund Requisition No. 115, in the amount of \$6,110.00: A motion to approve was made by Mr. Konkus, and seconded by Mr. Lapia. The motion passed unanimously.

12. Board Member Comments: None

13. Old Business: None

14. New Business: None

15. 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 7:14 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. Konkus. The motion passed unanimously. The Board returned to the regular meeting at 7:25 P.M. The items discussed were personnel issues.

16. A motion to adjourn the meeting was made by Mr. Lapia, and seconded by Mr. Regola. The motion passed unanimously. The meeting was adjourned at 7:25 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: January 18, 2024

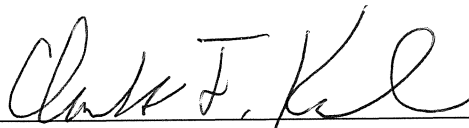
I, the undersigned, Director of Board of the Western Westmoreland Municipal Authority do hereby publicly announce and disclose that due to the following conflict, or possible conflict of interest, I am abstaining from voting of the hereinafter set forth matter coming before the Board of the Western Westmoreland 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. 439, Scott Electric, in the amount of \$192.46



(Member's Signature)



Construction Status Report

Report Period: December-23

Prepared By: BMB
 Date: Jan 11, 2024

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: \$ -

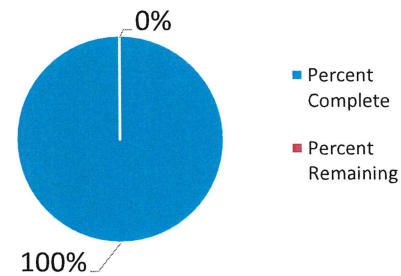
COMMENTS:

Work Completed This Period:

- Coordination of PENNVEST closeout
- Coordination with Dan Mikesic from PENNVEST regarding project closeout
- Coordination with Dale Mills regarding Change Orders and project closeout
- Scheduled final DEP Inspection for 1/17

- 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

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: December 2023
HRG Project Number: R008234.0426

January 18, 2024 Authority Meeting



RETAINER SERVICES (.0426)

- 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 were delivered at the December Board meeting.

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)

- No planning modules were reviewed in the month of December 2023.

NPDES PERMIT RENEWAL (.0429)

- The final NPDES permit was received on December 8, 2023.
 - HRG reviewed the requirements of the permit with Authority Staff on January 4, 2024 and prepared a proposal for the required TRE and WQBEL Reports for the Board's consideration.

WWTP PROCESS IMPROVEMENTS (.0430)

LSA State-Wide Grant Project

- HRG met with Sanitaire (Xylem), Kappe Associates, and Authority Staff on January 4, 2024 to determine the extent of drawings that will be necessary to prepare.
 - Grant funds need to be spent by June 2026 and due to lead times, the goal is for HRG to complete drawings and scope of work specifications in spring 2024, have COSTARS proposal and submittals approved in summer 2024, and for construction to commence in early spring 2025.
- 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

- HRG submitted the grant application for the plant instrumentation and SCADA upgrade project in December 2022. Grant awards were announced on December 19, 2023. WWMA did not receive funds.

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