

The October 23, 2023 regular monthly meeting of the Greater Hazleton Joint Sewer Authority was called to order by Chairman Sullivan at 6:30 PM. All participating in the meeting gave a pledge of allegiance.

October 18, 2023 Work Session Roll Call:

Eyerly – Present	Formica – Present	Gallagher – Present
George – Present ¹	Grink – Present	Pacelli – Present
Sherrock – Present	Sullivan – Present	Zola – Present

Also in Attendance during Work Session:

Gregory Olander – Director of Administration	Andy Nowak – Field Operations Manager
Attorney Joseph D. Ustynoski – Solicitor	Rachel Govelovich, P.E. – Gannett Fleming
Robert Dougherty, P.E. – RJD Engineering, Inc.	

October 23, 2023 Regular Meeting Roll Call:

Eyerly – Absent	Formica – Present	Gallagher – Present
George – Present ¹	Grink – Present	Pacelli – Present
Sherrock – Present	Sullivan – Present	Zola – Absent

Also in Attendance during Regular Meeting:

Gregory Olander – Director of Administration	Andy Nowak – Field Operations Manager
Attorney Joseph D. Ustynoski – Solicitor	¹ Rachel Govelovich, P.E. – Gannett Fleming
Robert Dougherty, P.E. – RJD Engineering, Inc.	

¹ via phone or Videoconference

PUBLIC COMMENT

There was no public comment received prior to or during the meeting to be presented.

Formica & Sherrock moved to approve the minutes of the September 12, 2023 Special Meeting.
 Passed: Aye-7, Nay-0, Absent-2

Formica & Grink moved to approve the minutes of the September 27, 2023 Regular Monthly Meeting.
 Passed: Aye-7, Nay-0, Absent-2

Directors’ Report -

MONTHLY FLOW REPORT

	<u>September 2023</u>		<u>Year to Date</u>		
			<u>Total</u>		<u>Average</u>
Total Flow	347,037,088	Gallons	2,295,408,720	Gallon	xxxxx
Total Flow Bypassed	39,148,756	Gallons	125,958,010	Gallon	xxxxx
Days Flow Bypassed	9	Days	46	Days	xxxxx
Total Flow Treated	307,888,332	Gallons	2,169,450,710	Gallon	xxxxx
Average Minimum	7.8	MGD	xxxxx	xxxxx	5.7 MGD
Average Maximum	21.2	MGD	xxxxx	xxxxx	14.3 MGD
Average Daily Flow	10.3	MGD	xxxxx	xxxxx	7.9 MGD

During the Work Session, the Director of Administration, Gregory Olander, reviewed the wastewater flows for September 2023 as presented in the monthly flow report. He said the flow to the treatment plant was recorded at approximately 347 million gallons with 307.9 million gallons being treated. He also stated that the average daily flow to the treatment plant for the month was 10.3 MGD and the year-to-date average daily flow increased to 7.9 MGD. He noted that the Discharge Monitoring Reports (DMR) were submitted to PADEP for September with no violations recorded.

Gregory Olander then reported that the revenues for September 2023 were \$1,021,272.27 and the billing for hauled waste received in September totaled \$202,869.10. He then stated that the overall customer collection rate for the month of September was 90.18% and the overall customer collections for the fiscal year are 94.96%. He then reported that a "Positive Pay" system and an ACH Debit Filter were implemented with the Authority's depository to combat fraud as discussed and approved at the last meeting. He reported that the installation of a new business server has been completed and migration of data and programs is in process. He then reported that the health insurance renewal meeting with PMHIC was held in early October and the Authority's insurance premiums are increasing by 17.6% for calendar year 2024.

Gregory reported that the flow meters for the CSO Flow Modeling Project were ordered, but they have not been received. He said the installation is expected to begin in the first week of November provided the meters are delivered.

Gregory then reported that an updated draft of the Title V Operating Permit was received from PADEP on October 10th and was returned to PADEP with comments. He said PADEP required the Authority to publish the pending issuance of the Title V Operating Permit in the local newspaper for three days to allow the public the opportunity to comment before it is sent to EPA for their comments. He said the public notice was advertised on October 11th, 12th, and 13th to meet the requirement. He then stated that the 2023 Stack Test Protocol was sent to PADEP before the end of August to allow their required 90-day review time before the test, which is scheduled for the second week in December. He then reported that the incinerator was taken offline on October 9th for the annual maintenance shutdown. He said it takes about a week for the reactor to cool enough to do work inside, so staff worked on other pieces of equipment until the doors were opened on October 16th. Gregory gave a list of work performed so far by the maintenance department and he said a more thorough report of the incinerator maintenance will be given by Gene Zynel at the next meeting.

Gregory reported that the Authority continues to receive requests from developers for allocation of sewer service. He said the Act 537 Plan of Study still has not been approved by PADEP, so we are still waiting to begin the process of determining projected sewer needs for the municipalities. He said that he sent an email to PADEP representatives with a meeting request to discuss capacity options at the treatment plant so development may continue. He noted that once a meeting is scheduled, Authority staff will meet with Gannett Fleming representatives to discuss possible options prior to the meeting.

Gregory then reported that he contacted PENNVEST as directed at the October 11, 2023 Special Meeting to inform them that the Authority would not be moving forward with closing on the Engineering loan. He then commented on an email that was distributed to the Board concerning the need to have an executed agreement with the Engineer on the Locust Street CSO Separation and Force Main replacement Project. He said to receive any funding from PENNVEST whether it be for the engineering loan or the

construction loan, an engineering agreement must be in place covering services from pre-design/design through construction phase services. He then stated that the Grant funding applications will be reported under the Engineer's Report. During the regular meeting Gregory reported that a pre-closing letter was received from PENNVEST, which allows the contractor to begin construction prior to the PENNVEST closing, which was postponed until after the Highway Occupancy Permit is received.

During the Work Session, Andy Nowak reported on the Area 2/3 Locust Street CSO Separation Project. He said investigative work was done on 600 properties to locate cross connections and illegal roof drain connections to the sanitary sewer. He said 40 sanitary to storm sewer connections were identified along with 180 roof drains connected to the sanitary sewer. He noted that the properties tested are the ones where the roof drains go underground rather than discharging on the surface. Andy then reported that he was contacted by a UGI Energy Services representative concerning natural gas prices. He said rates are still high and she recommended not doing anything contractual at this time. He said the Authority's current rate is lower than what can be purchased under contract even going out to a 3-year term. Andy also reported that he spoke with the Engineer for the Allen Ridge LLC development to go over the sewer infrastructure in the plans that he received from them. He said the developer will be required to replace some existing clay (VCP) lines due to heavy infiltration and add manholes to meet the minimum spacing requirements.

During the regular meeting, Andy reported that investigations and inspections were underway in the Nothgate Area. He said the crew uncovered a severe blockage in an 8-inch main line. He said if there are no objections, the Road Crew will flush the line to clear the blockage, which is only expected to take a few hours. *There were no objections from any Board Members.*

Gallagher & Grink moved to accept the Directors' Report and to have the written report on diverted flows made a permanent part of the record.

Passed: Aye-7, Nay-0, Absent-2

Engineer's Report – During the Work Session, Rachel Govelovich referenced a written Engineer's Report that was distributed to the Board. She reported that the third quarter RATA test report and the third quarter CEMS emissions reports were submitted to PADEP prior to the October 31, 2023 deadline. She reported on financing for the Locust Street CSO Separation and Force Main Replacement Project noting that there may not be a decision regarding grant awards by CFA at their November 21, 2023 Board Meeting. She said the Authority already secured a \$2,000,000 ARPA Grant through Luzerne County and funding offers (20-year loans at 1%) from PENNVEST for \$6,116,000 (Construction) and \$611,000 (Engineering). She reported that most items needed for the PENNVEST closing were submitted by the October 3rd deadline, but the remaining items needed to close on the loans are the Church Street Highway Occupancy Permit from PennDOT and an executed agreement with the engineer for pre-design/design through construction phase. She noted that the closing has been rescheduled to a later date, but construction may begin due to the issuance of a pre-closing letter from PENNVEST. She also reported that the PA Small Water & Sewer Grant for Area 10 (Phase 2) in the amount of \$400,000 is also on hold until the next CFA meeting or beyond. Rachel also reported that the Authority is still waiting for a response from PADEP on the Act 537 Plan of Study that was submitted in February 2023. She said the flow metering project is needed for both the Act 537 Plan and the Long-Term Control Plan (LTCP). She said GIS mapping of the sewer system in the service area is also needed as part of the Act 537 Plan. She said that submitting an Act 537 Plan Engineering scope of work for the Board's approval

has been on hold since February due to the lack of response from PADEP. She then noted that there has been no response to the request for a meeting with PADEP relative to sewer capacity. She also reported that there has been no response from PADEP regarding the Autumn & Ridge CSO Closeout Report that was submitted prior to the September 1, 2023 deadline.

During the Work Session, Robert Dougherty referenced a written report that was distributed to the Board. He said a booklet was prepared outlining the engineering work that has been done by his firm for the Locust Street CSO Separation Project since the Board approved the original agreement in October 2020. He reviewed a spreadsheet and backup documentation in the booklet distributed to the Board containing a summary of billing since inception with different work components categorized and totaled. He noted that there were components not part of the original proposal and additional items that had to be added because the project scope expanded. Bob then reviewed his new proposal, which contained a tally of work completed through September 30, 2023 and a breakdown of remaining work needed to complete the project. He said the work invoiced to date was \$330,377.14 and the remaining work as outlined in the proposal is \$149,250.00, which totals \$479,627.14. Board Member Zola asked several questions for clarification on the old proposal versus the new proposal and how that relates to the PENNVEST funding offer. Rachel Govelovich gave an explanation on the PENNVEST funding and drawdown process, stating that the funding offer of \$611,000 for engineering is the capacity available to borrow, if needed; however, PENNVEST will settle on the amount listed in the engineering agreement plus contingency, and PENNVEST will only issue loan funds for actual incurred engineering costs with documentation submitted to PENNVEST. There was additional discussion on procurement and bidding and Attorney Ustynoski noted that engineering is a professional service that is exempt from the bidding requirements.

During the Regular Meeting, Robert Dougherty stated that he would issue Notice to Proceed to the contractor for the Locust Street CSO Separation Project since issuance was previously approved by the Board and the pre-closing letter was approved by PENNVEST.

Formica & George moved to accept the Engineer's Report.

Passed: Aye-7, Nay-0, Absent-2

Solicitor's Report – Attorney Ustynoski stated that in addition to what was reported in executive session during the Work Session, he had a legal issue to discuss in executive session.

Grink & Formica moved to enter executive session for a legal issue.

Passed: Aye-7, Nay-0, Absent-2

After the Board moved out of executive session, **Grink & Formica** moved to accept the Solicitor's Report. Passed: Aye-7, Nay-0, Absent-2

BILLS AND CREDITS

Gallegher & Formica moved to approve payment of Gannett Fleming, Inc. invoices and requisitions from August 26, 2023 through September 29, 2023 totaling \$13,996.60 as listed in the following table:

<u>Requisition#</u>	<u>Invoice #</u>	<u>Description</u>	<u>Amount</u>
Operating Fund	051153.A*27959	Annual Service Work	\$ 4,496.32
Operating Fund	051153.B*27960	Attending Authority Meetings	\$ 679.96
Operating Fund	051153.E*27961	CSO Work	\$ 1,738.50
Operating Fund	051153.42*27958	2022-2023 Air Compliance	\$ 3,632.26
Operating Fund	051153.44*27962	Locust St CSO - PENNVEST	\$ 3,449.56
Total			\$ 13,996.60

Roll Call: Eyerly-absent, Formica-yes, Gallagher-yes, George-yes, Grink-yes, Pacelli-yes, Sherrock-yes, Sullivan-yes, Zola-absent (Passed 7-0-2)

Formica & Gallagher moved to authorize payment from the Operating Fund for Operating and Administrative Expenses (\$605,894.01); Construction in Progress (\$17,934.00); Debt Service Series 2018 Bond – BB&T (\$18,362.29); Debt Service PENNVEST Loan #27906 (\$11,152.44) from the month of September 2023.

Roll Call: Eyerly-absent, Formica-yes, Gallagher-yes, George-yes, Grink-yes, Pacelli-yes, Sherrock-yes, Sullivan-yes, Zola-absent (Passed 7-0-2)

Formica & Grink moved to approve issued credits report totaling \$3,015.74 from the month of September 2023.

Roll Call: Eyerly-absent, Formica-yes, Gallagher-yes, George-yes, Grink-yes, Pacelli-yes, Sherrock-yes, Sullivan-yes, Zola-absent (Passed 7-0-2)

OLD BUSINESS

None

NEW BUSINESS

Formica & Gallagher moved to approve a sewage connection allocation for one (1) EDU, at 230 gallons per EDU, in the City of Hazleton to Antonio Miguel Sime Mercedes for property located at Dina Avenue Lot 11, as described in the sewage permit application package.

Roll Call: Eyerly-absent, Formica-yes, Gallagher-yes, George-yes, Grink-yes, Pacelli-yes, Sherrock-yes, Sullivan-yes, Zola-absent (Passed 7-0-2)

During the Regular Meeting, Rachel Govelovich reported that she spoke with Robert Dougherty and with the PENNVEST representative concerning the amount of contingency allowable for the engineering loan. She said with a funding offer of \$611,000.00 and the engineering agreement amount of \$479,627.14, the contingency would be 27% to utilize the entire funding offer, if needed. Rachel stated that the PENNVEST representative said 27% was more than allowable and would not pass the legal department review. She said a contingency amount of 10% of the engineering proposal amount is standard and likely the most that will be approved.

Formica & Gallagher moved to approve the proposal from RJD Engineering, Inc. dated October 16, 2023, for engineering services as outlined in the proposal for the Locust Street CSO and Force Main Replacement Project (CAP Areas 2 & 3) for a project total not to exceed \$479,627.14 without additional authorization from the Board of Directors. Payments made for work completed through September 30, 2023 were \$330,377.14. The remaining balance for work outlined in the proposal from October 1, 2023 through project completion is \$149,250.00.

Roll Call: Eyerly-absent, Formica-yes, Gallagher-yes, George-yes, Grink-yes, Pacelli-yes, Sherrock-yes, Sullivan-yes, Zola-absent (Passed 7-0-2)

Formica & Gallagher moved to set the final costs at settlement for Pennsylvania Infrastructure Investment Authority (PENNVEST) Loan #77114 for Locust Street CSO Separation and Force Main Replacement Project Engineering Fees at a total of \$527,600.00, which are categorized as \$479,627.14 for Engineering Fees and \$47,972.86 for Contingency (10.0%) and proceed with settlement.

Roll Call: Eyerly-absent, Formica-yes, Gallagher-yes, George-yes, Grink-yes, Pacelli-yes, Sherrock-yes, Sullivan-yes, Zola-absent (Passed 7-0-2)

Gallagher & Grink moved to adjourn.

Passed: Aye-7, Nay-0, Absent-2

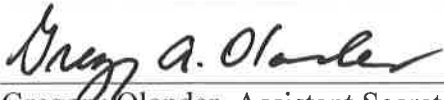
The regular meeting was adjourned at 6:51 PM

The next scheduled Work Session will be Wednesday, November 15, 2023 at 6:30 PM

The next scheduled Regular Monthly Meeting will be Monday, November 20, 2023 at 6:30 PM

Respectfully submitted,

Greater Hazleton Joint Sewer Authority



Gregory Olander, Assistant Secretary