

KISKI VALLEY WATER POLLUTION CONTROL AUTHORITY

April 18, 2018

- CALL TO ORDER:** The Regular meeting of the Kiski Valley Water Pollution Control Authority was called to order on Wednesday, April 18, 2018 at 7:03 p.m. by Authority Chairman Bione in the Administration Office with the Pledge of Allegiance.
- ROLL CALL:** *Present:* Members of the Board: Bione, Kotvas, Luisi, Milie, Pascal, Pinto, Polczynski (via phone), Riedel, Sherbondy, Smail, Virostek and Wilson. Kolakowski – excused. Also present; Loperfito, Solicitor; Bauer, Engineer; Duryea, Plant Manager; and C. Milie, Office Manager.
- VISITORS:** Gene and Barbara Burns, North Apollo. Gene is also an employee at the Authority.
- MINUTES:** A Motion was made by Milie to approve the Minutes as printed. Kotvas seconded. Motion carried.
- TREASURER'S REPORT:** Luisi reviewed the Treasurer's report for the month of March, 2018. Luisi once again cautioned the Board on spending due to the cost of Special Counsel. A motion was made by Kotvas seconded by Riedel to approve the Treasurer's report. Motion carried.
- SECRETARY'S REPORT:** Milie, by direction of Secretary Polczynski, reported on the correspondence:
- A. AFSCME Council 13 - April 12, 2018 – A letter regarding the Supreme Court case on whether Fair Share Rules are Constitutional.
- A motion was made by Riedel seconded by Virostek to approve the Secretary's Report. Motion carried.
- ENGINEER'S REPORT:** Bauer reminded the Board, the Long Term Control Plan submitted to PADEP in 2008 and the NPDES Permit issued 10/2011 contain language that will require post construction monitoring. Because combined sewer overflows remain, water quality compliance monitoring of the Kiskiminetas River, along with flow monitoring for billing purposes will need to be implemented. Post Construction Compliance Monitoring Plan has been submitted to the DEP. Bauer contacted Paul Eiswerth, PADEP, to discuss the Post Construction Compliance Monitoring Plan and the Post Construction Flow Monitoring and Modeling Report. Mr. Eiswerth has the report and will review it when time permits. He has no expectation that the Post Construction compliance Monitoring Plan will be reviewed and or approved any time soon.
- KLH continues to work on updating seven of the Authority's eight pumping stations. System curves for each site have been developed. Preliminary plans have been transmitted to the Authority for review and comment. A meeting to review the preliminary plans with the Authority staff was conducted on March 22. KLH is moving forward to final design based on issues addressed at the review meeting.
- KLH has contacted PENNVEST and Janney to discuss funding options for the upcoming Pump Station Improvement project. Bauer provided Board Members with preliminary funding packages from each entity.

**COMMITTEE
REPORTS:**

Engineering: Chairman Luisi reported that the committee has discussed Debt Service allocation and Attorney Witherel has not yet responded to the Authority's inquiry.

Luisi questioned why there is such a high flow for Parks Twp. during dry weather. Gene Burns reported that Leading Technology uses a large amount of water at their facility. That could be cause.

EDU's were discussed and Luisi is questioning if all communities can supply the Authority with their EDU counts and if all community Engineers are using the same methods in their calculations.

Loperfito addressed the Franklin Twp. Authority matter reporting that they have rejected the latest proposal from Kiski regarding cost of service. Pascal once again objected to an outside community paying less than almost all of the 13 communities comprising Kiski Authority. Loperfito reminded the members that Kiski is under a mandate from DEP to take the FTMA 37 homes into the system. After discussion Luisi motioned, Kotvas seconded motion the following:

The rates to be paid by FTMSA, shall be based on the monthly rate of MAWT for debt service charges, plus treatment fees, based upon flow from water bills as provided by the municipal water source at a rate of \$3.75/1,000 gallons, and as updated from time to time hereafter by the Board of the Kiski Authority. Rates for well customers (non-public water sources) shall be a flat rate for treatment of \$37.50 per quarter (based on 10,000 gallons per quarter). In addition, FTMSA customers shall be subject to a 25% surcharge, as required by the Service Agreement of Kiski Authority. FTMSA customers shall also be subject to any capacity fee for tapping as approved by the Kiski Authority Board. At least 60 days prior to any revised schedule of rates, charges and fees imposed by the Kiski Authority, the same shall be submitted to FTMSA to notify their customers. Such new schedule of rates, charges and fees shall go into effect at the time specified in said statement, not earlier however, than sixty (60) days from the furnishing of said statement to FTMSA. A roll call vote was requested as follows: Bione – yes; Pinto – no; Luisi – yes; Polczynski – yes; Kotvas – yes; Milie – yes; Pascal – no; Riedel – yes; Sherbondy – yes; Smail – no; Virostek – no; Wilson – no. With seven yes and 5 no votes the motion is carried.

Bione noted that he understands the frustration over the rates. He also commented that the Authority is at fault with 1 & 1 coming into the system as well.

Luisi then spoke about the Pumping Station upgrades and his concern as to when to proceed. Should it be postponed until the Kirby Case is settled? Duryea remarked that the Authority may incur additional repair costs at some pump stations if the project implementation is delayed.

The interceptor between Allegheny Twp. and Washington Twp. was discussed. Loperfito addressed the status and proposed an agreement between Allegheny Twp., Washington Twp., and KVWPCA with Kiski taking ownership of the line. By taking ownership the Authority would save up to \$1,000,000 by not needing to upgrade the Beaver Run Pumping Station. Bauer stated that the line appears to be in good condition. Loperfito stated that all 13 communities must agree on the proposal. Loperfito then requested a continuation of the meeting until May 2nd be set to review the proposal prior to it being carried to each community. The meeting will be recessed to reconvene on the 2nd of May at 7 p.m.

Finance Committee: Committee Chairman Luisi introduced Requisition #36 for approval as follows:

Requisition #36	
KLH Engineers:	<u>\$733.00</u>
TOTAL	\$733.00

Riedel motioned to approve Requisition #36. Kotvas made a second. Motion carried.

Billing and Collections: Chairman Polczynski stated that according to the Service Agreement each community is responsible to make payment to the Authority for their residents' unpaid balances at the end of each year. Polczynski had distributed a chart showing the additional cost per billing period to each customer to make up the unpaid amounts; stating that the Service Agreement has been disregarded for years. Polczynski would like this to be considered for the next meeting. Pascal responded that this should be done going forward since it has been neglected for years.

Insurance: Chairwoman Wilson had no report.

Personnel: Chairman Pinto – no report

Public Relations: Chairman Riedel – no report

Manager's Report: Duryea reported that the plant was in compliance for the month of March with an average daily flow of 4.4827 mgd.

The lower portion of the press room walls have been sealed and painted to prevent water spray from seeping through and beneath the block walls.

Rusted and corroded doors throughout the plant that were no longer being used were removed.

The Safety committee continues to meet monthly.

Plant maintenance personnel and the Manager have researched various Variable Frequency Drives to select which drive to use in the pump station upgrades. A Yaskawa drive has been selected that is utilized in much of our newer large motorized equipment.

A new pump for the East Vandergrift pump station will soon be installed.

Loperfito was given a professional service agreement from CWM to review. He will review the Agreement and make any proposed changes necessary.

Solicitor: Loperfito called for an Executive Session to discuss litigation. At 9:06 Sherbondy Motioned to recess into Executive Session. Seconded by Milie.

At 9:20 the meeting reconvened. No official action was taken during the Executive Session.

Riedel motioned to permit the Authority Board to allow the Executive Committee to manage litigation affairs in the Kirby litigation. A second to the motion was provided by Pinto. Motion carried.

A motion was made at 9:22 p.m. by Pascal to recess the meeting and continue on May 2, 2018

The original Board Meeting of April 19, 2018 was extended to May 2, 2018 at 7:00 PM to discuss the potential acquisition of the Pine Run Conveyance line through Allegheny Township. This acquisition would be at no cost to KVVWPCA in accordance with the "Term Sheet for Consideration by Parties".

Board Members Present: Bione, Luisi, Smail, Sherbondy, Kolakowski, Kotvas, Pascal, Polczynski (by phone), Riedel, Milie, Wilson, Virostek; Pinto was excused. Also, present: Loperfito, Solicitor; Duryea, Authority Manager. Larry Loperfito reviewed the Term Sheet for Consideration by Parties and defined statements in the document as required for all Board Members to understand and discuss as appropriate.

AJ Bione provided reasoning as to why moving forward with the proposed agreement is for the good of KVVWPCA. Bob Polczynski provided some details of the televising and maintenance work that has occurred on the Pine Run Conveyance line over the last few years. It was uncertain whether the 18" section of line was televised; if this work was not done, Christine Wilson recommended that the televising be conducted to determine the condition of the line and whether there are existing major issues. It was agreed the televising is required (if it has not yet been conducted), however, a specific time frame was not established.

It was agreed that language will be revised in the seventh Whereas paragraph to indicate KVVWPCA will own and maintain only the main conveyance line and manholes and not be responsible for laterals. The language will be as follows: "*Whereas, MAAT is willing and shall convey to KVVWPCA all of its rights of way, together with the existing interceptor/collector line and manholes only, currently owned by MAAT, within the conveyed right of way, excluding any MAWT or MAAT lines and MAAT or MAWT customer laterals entering the right of way, at no cost to Kiski Valley Water Pollution Control Authority. Said line traverses through Allegheny Township and connects MAWT'S sewer line to KVVWPCA'S collection line infrastructure. Said line includes approximately 12,831 lineal feet of 15" diameter line and approximately 5,985 feet of 18" diameter line pursuant to Exhibit A, which is attached hereto and made a part hereof and which shall identify, with specificity, the transferred assets only, excluding therefrom any MAAT lines or laterals entering the right of way.*"

A motion was made by John Smail with a second by Todd Sherbondy to allow Larry Loperfito to move forward to submit information to approve the Term Sheet for Consideration by Parties subject to the amended language.

Roll Call Vote: Motion Passed Unanimously

Karen Virostek Motion to adjourn meeting at 8:33 p.m.; second by Vince Milie, Motion Passed.

~~Robert J. Polczynski, Secretary~~ Leonard J. Kotvas, Asst. Sec/Treas.

