

Present

Chairman Jerome Theobald; Vice-Chairman John Haggarty; Secretary James LaPoint;
Treasurer John Feik; Assistant Secretary George Firmstone; Tammy Jensen, Administrator;
Dan Guinther, Plant Superintendent; Mary Peters, Engineer

Absent

Assistant Treasurer James Brennan

Solicitor Anthony Magnotta

Visitors

Jerry & Cindy Davis

Pledge of Allegiance

Public Comment

Jerry and Cindy Davis from 736 Texas Palmyra Hwy in White Mills discussed their concerns with the Board regarding restoration on their property from the sewer project. The property was also affected by the PennDOT paving project on Rt.6. The Authority engineer and Authority representatives have been on-site during previous walk-throughs. The engineer told the property owners that the contractor would be on-site the next day. The Authority cannot change any issues that were related to the PennDOT paving project.

Motion

On a motion made by George Firmstone and seconded by John Feik the Board approved the meeting minutes from May 24, 2021, as presented.

Motion carried.

Roll Call

Mr. Firmstone, Yes

Mr. Feik, Yes

Mr. LaPoint, Yes

Mr. Haggarty, Yes
Absent

Mr. Theobald, Yes

Mr. Brennan,

Solicitor's Report

1. 1. SBR Tank Coatings & White Mills Valve Issue

Letters have been forwarded to Titan Industrial Services and Integrity Fusion Products concerning the necessary warranty work to be performed. We have received a reply from Titan Industrial Services, indicating that they have complied with all specifications for the Sherwin Williams product used in the tank coatings and do not have an explanation as to why the coatings are failing. I believe a follow up letter should be forwarded to Titan Industrial Services indicating that, whether the product is to blame or whether the materials were not allowed to cure properly, we are still expecting that they will comply with their warranty and perhaps extend their warranty to complete the repairs. We have as yet not received a reply from Integrity Fusion Products; however, we are still within the warranty for the valves.

2. ██████████ Gunuskey License Agreement

As a follow up to last month's report, I did receive a call from Tony Waldron and provided him with the information for ReLTEK so he may attempt to gain approval for the Gunuskey's use of the Railroad Right-of-Way Crossing for access to our property. I have not heard from him with respect to his efforts to obtain the necessary permission, therefore, I believe this matter should

be tabled for this meeting.

3. Northeast Infrastructure, LLC/Robert Suhosky

I received a reply from Attorney Bugaj enclosing a map and a request for two permits from the Cherry Ridge Realty permits to be transferred to this location. I did inform Attorney Bugaj that the map that was produced by his client is not an As-built of the system and that an As-built plan will be necessary.

I have been informed by Authority personnel that there are curb stops and other items of interest that are part of this plan that need to be clearly designated as being conveyed to the Authority. Therefore, I reiterated my request to Attorney Bugaj for an As-built and also for clarification as to whether one permit is being requested or two. I shall keep the Board advised.

4. White Mills Connections

Actions were filed against Mary Irwin, No. 213-Civil-2021; Loretta Nardone No. 220-Civil-2021; Corey Peterson, No. 212-Civil-2021; Jarl Thunberg No. 214-Civil-2021; Jeffery Adams, No. 241-Civil-2021, for failure to abide by the sixty (60) day hook-up notice from the Authority. Mary Irwin, Loretta Nardone and Corey Peterson were served between May 26th and June 2, 2021, by the Wayne County Sheriff's Department. Those three matters will be the subject of a Notice of Intent to take default judgment which will be filed prior to our meeting and will give them an opportunity for ten (10) days to file a reply to the Complaint. If they fail to file a reply to the Complaint within the ten (10) day period a Motion for Judgment will be filed with the Court, also requiring the homeowner to hook up to the system and pay all costs associated with said hook up. This will require testimony in front of Judge Edwards.

Jeffery Adams was just served on June 14, 2021, and Jarl Thunberg who is a New York City resident has not been served yet via certified mailed, registered return receipt. I shall keep you advised of the progress of the progress of all of these actions.

5. White Mills Restoration

The time for restoration work as set forth in the White Mills contract was extended to allow Leeward Construction additional time to complete said restoration work. The Authority is retaining a small amount of money left on retainage; however, I am uncertain as to whether that amount will be sufficient to cover the cost of the restoration if the Authority is responsible for said restoration. Therefore, I believe it is imperative that Leeward Construction either complete the restoration or we begin imposing the Liquidated Damage Clause in order to force them to complete the work. We have given several extensions and have met several times with Leeward to clarify the punch list and yet there does not appear to be any progress toward those items which we all agreed are punch list items.

Ultimately the Board must decide what is in the best interest of the Authority, however, there is a Liquidated Damage Clause provision in the contract and perhaps the threat of implementing that Liquidated Damage Clause will finally get Leeward Construction to complete the punch list items.

Engineer's Report

1. **1) WHITE MILLS SEWER INSTALLATION PROJECT (USDA RUS)**
2. Contract #1 – White Mills Sanitary Sewer Installation
1. Contract Information:

(1) Contractor: Leeward Construction, Inc

(2) Dates:

(a) Notice to Proceed: January 9, 2019

(b) Substantial Completion: November 20, 2020

(c) Final Completion: May 21, 2021

(3) Contract Amount: \$5,193,193.00

(a) Revised Contract Amount: \$5,412,931.41

1. Payment Applications:

(a) Payment Application #23 (Final) – \$3,225.00 (Not Submitted)

1. Schedule/Meetings:

(1) Punch List/ Warranty Items

1. Contract #2 – Pump Station, Conditioning Station, and Sanitary Sewer Installation

1. Contract Information:

(1) Contractor: Pioneer Construction Co, Inc.

(2) Dates:

(a) Notice to Proceed: October 24, 2018

(b) Substantial Completion: February 28, 2020

(c) Final Completion: May 21, 2021

(3) Contract Amount: \$2,560,969.00

(a) Revised Contract Amount: \$ 2,679,409.94

1. Payment Applications:

(1) Payment Application #13 (Final) – \$15,900 - *Not Submitted*

(a) *Actual Payment - \$10,300*

1. Contract Documents:

(1) “Certificate of Substantial Completion” - Complete/Approved

(2) Final “Over/Under” adjusting Change Order – Complete/Approved

(3) Certification of Contractors’ Release - Form RD 1924-9 - *Not Submitted*

(4) Certification of Release by Claimants - Form RD 1924-10 - *Not Submitted* Engineer’s certification letter indicating that the project was completed in accordance with approved plans and specifications and that all Punch list items have been completed – ***Signed/ Need Board Approval (Pending Contractor Submissions)***

(5) Board Resolution indicating acceptance of the project as completed and authorizing final payment – ***Need Board Approval (Pending Contractor Submissions)***

(6) Certification of Environmental Mitigation Measures – ***Signed/ Need Board Approval (Pending Contractor Submissions)***

(7) Consent of Surety Company to Final Payment - *Not Submitted*

(8) Builder's Warranty Form RD 1924-19 - *Not Submitted*

1. **2) CAPITAL IMPROVEMENT PROJECTs (PENNVEST)**

2. Schedule/Meetings:

1. Waiting on DEP for Final Walk Through:

(1) 2018 Sewer Main Replacement

(2) Cliff Street Area

(3) Lackawaxen River Rehabilitation Project

(4) SBR Rehabilitation Project

(a) Coating Issues:

(i) SBR Tank 3 draining this week

(ii) 3rd Party Lab

1. **3) 5th STREET BRIDGE REALIGNMENT**

2. Contract Information:

1. Contractor: Pioneer Construction Company, Inc.

2. Dates:

(1) Notice to Proceed: August 19, 2020

(2) Substantial Completion: November 2, 2020 (75 Days)

(3) Final Completion: November 17, 2020 (90 Days)

1. Contract Amount: \$179,903.00
1. Payment Applications:

(1) Payment Application #3 – Not Submitted

1. Schedule/Meetings:
1. Only Pave Restoration Remaining

(1) Holding off until Leeward is complete with their work at bridge

1. **4) toxic reduction evaluation study**
2. Kleinfelder TRE Final Report Submitted to DEP
1. **5) CRESTMONT SEWER MAIN PROJECT**
2. Design/ Permits
1. Updating for CWRA Comments/ Lateral Locations
2. Resubmit for PennDOT Review
3. Construction Cost Comparison:
 1. 2020 (Provided to RUS): \$2,742,600
 2. 2021: \$2,841,300

3. **6) Church street sewer main replacement**

4. Design/ Permits
1. Waiting on Survey

2. **7) Sewer Tapping fee calculation update proposal**

3. Received 2020 Audit
4. Report for July Meeting

1. **8) FINANCIALS**

The Authority has not received any test results from previous testing of the SBR Tanks. Next week Entech and the Authority will be meeting to inspect tank 3 after it is drained. Titan Industrial and Sherwin Williams will also be attending. The Authority may choose to conduct their own testing.

Leeward has informed Entech that that the White Mills Project restoration will be completed by June 30, 2021. Liquid damages may be assessed if the project is not complete by that date.

Texas SEO contacted the Authority regarding the PennDOT property having a failing system on Rt.6 in Indian Orchard. The property is not within the Texas Township 537 sewer service area.

Sally Talaga's property on Charles Street was discussed. A storm drain crosses Charles Street

to a culvert that drains to a creek on her property. The smaller rock from the sewer project has been draining into her yard. The drainage was not caused by the sewer project, but the rocks are from the project. CWRA will correspond with PennDOT to see if it is a township or state issue.

CWRA will deliver some bushes and mulch to 20 Evergreen Street White Mills for yard restoration.

Pioneer will be completing some paving in Canal Mobile Home Park for White Mills Project restoration at a cost of \$4500.00. The Board approved the expense.

The 5th Street Bridge Project paving will be done on July 1st. It is estimated that the Crestmont Project will cost an additional \$98,700.00 due to increased construction costs. The project will be scheduled to begin in 2022.

Motion

On a motion made by John Haggarty and seconded by James LaPoint the Board approved the revised Change Order #7 for Pioneer Construction – Contract 2 of the White Mills Project in the amount of -\$182,845.67. Motion carried.

Roll Call

Mr. Feik, Yes

Mr. LaPoint, Yes

Mr. Haggarty, Yes

Mr. Theobald, Yes

Mr. Brennan, Absent

Mr. Firmstone, Yes

Plant Report

- The monthly discharge monitoring and plant reports were reviewed.
- SBR Tank #3 draining began today.
- No comments were received from PA DEP on the annual plant inspection report. No report has been issued for the CSO.
- A new meter will be purchased for the CSO. The current one is approximately 20 years old.
- There was sewer backup near B&B Dodge and Grandview Ave. Large amounts of roots came down through the pipe and overflowed the manhole. DEP was contacted. Koberlein videoed the line. The Authority does not know exactly where all the lines are located in that area.
- The Standard Operating Procedure (SOP) for the collection system is almost complete. Entech is supplying information to Dan. The SOP will be signed off by the plant operators.

- Plant and lab training for employees was discussed. Dan said it takes time and can't always be done on a pre-determined schedule. The Board encouraged the continuation of in-house training and outside classes. The Board would like an additional employee trained as a plant operator.
- Leeward has brought to the Authority's attention that Canal MHP has not made full payment for their work in Canal Mobile Home Park as per the signed agreement. The Authority will look into the matter.

Administration Report

- The monthly invoices and financial reports were reviewed.
- 51 - 60 & 90-day delinquent sewer rent letters have been sent this month totaling \$12,478.43.
- Two Municipal Liens totaling \$1,148.01 will be filed with the Wayne County Prothonotary.
- White Mills Sewer Project – 4 properties remain to be connected.
- Two properties are scheduled for water termination on July 22, 2021.
- \$2,790.72 in Municipal Liens will be removed this week.
- One CWRA customer is scheduled for Sheriff Sale on August 11, 2021.
- Solicitor Magnotta will be asked to send letters to two property owners regarding a Sheriff Sale if their account is not brought current.

Motion

On a motion made by James LaPoint and seconded by John Haggarty the Board approved the monthly invoices for payment as presented. Motion carried.

Roll Call

Mr. LaPoint, Yes

Mr. Haggarty, Yes

Mr. Theobald, Yes

Mr. Brennan, Absent

Mr. Firmstone, Yes

Mr. Feik, Yes

The meeting was adjourned at 7:43 p.m.

The next Board meeting is scheduled for July 26, 2021.

James LaPoint, Secretary