

**MINUTES OF THE REGULAR MEETING  
OF THE MEMBERS OF  
SWATARA TOWNSHIP AUTHORITY**

The regular monthly meeting of the Swatara Township Authority was held on April 20, 2022, at 6:00 P.M. The following members were present: Johnson (Chairman), Castellano (Vice Chairman), Mancuso (Treasurer), Cichy (Secretary), Werner, Murphy, Lawson, and Fleming. Also present were: Miller, (Business Manager), Marino (Administrative Assistant), Brenner (*ARRO Consulting, Inc.*), and Beaston (*Salzmann Hughes, PC*).

Chairman Johnson called the meeting to order at 6:03 P.M.

Following the Pledge of Allegiance, Chairman Johnson announced that the Authority Board met in executive session at 6:00 P.M. on April 6, 2022, to discuss personnel issues. Chairman Johnson noted that Mr. Cichy and Ms. Castellano were not in attendance of the April 6, 2022, executive session. Chairman Johnson performed roll call of present board members and visitors. Mr. Johnson noted that Mr. Belles, Mr. Morrison (*ARRO Consulting, Inc.*) were both absent, and Mr. Coccorese (Solicitor, *Salzmann Hughes, PC*) will be joining the meeting via zoom at 7:30 P.M.

Chairman Johnson entertained a motion to accept and approve the minutes of March 23, 2022. Ms. Mancuso noted corrections that needed to be made to the minutes. Ms. Mancuso noted a correction needed to be made on page 4, 1<sup>st</sup> paragraph, line 7, to correct line 7 to say smelled chlorine not smelt. Ms. Mancuso also noted a correction needed to be made on page 5, last paragraph to expand on the motion made. Ms. Mancuso stated that the motion she made was for the Authority to proceed with dryer/equipment purchase through *COSTARS*, and to task staff to continue to negotiate and execute any addendums as needed regarding equipment. Mr. Varner also noted that a correction needed to be made on page 2, last paragraph, line 10 need to state that Mr. Varner stated yes that the *Vactor* would require a CDL license.

Ms. Castellano motioned to accept the minutes with the three outlined corrections. Mr. Murphy seconded the motion, with no no-votes and no abstentions; the motion carried.

Ms. Castellano presented the Executive Directors report.

Ms. Castellano began by providing the Board with Policy & Procedure updates. Ms. Castellano presented the Board members with the draft COVID update policy memo that the Board had tasked her with updating at last month's meeting. Ms. Castellano read the draft COVID memo to the Board. Chairman Johnson presented the memo to the Board for a vote. Ms. Castellano motioned to approve the updated COVID policy memo to be sent to all employees. Mr. Werner seconded, with no no-votes and no abstentions; the motion carried.

Ms. Castellano stated there was nothing new to report on any potential grant funding. Ms. Castellano stated that two potential companies were interested in meeting to try and access funding through infrastructure funds. Ms. Castellano stated that she spoke with Mr. Coccorese, Ms. Brenner, and Mr. Morrison and they informed her that pursuing the presently available funding would not be the best use of the Authority's resources.

Ms. Castellano informed the Board that *Fresh Express* tried to cancel the meeting on March 30, 2022, last minute, but Ms. Castellano spoke to them regarding the importance of the meeting. Ms. Castellano noted that *Fresh Express* was then able to send one of their Directors, Safety Coordinator, and other staff members to the meeting. Ms. Castellano stated that the Authority requested that *Fresh Express* obtain an alarm system as well as perform dye testing, and she believes the dye testing was done yesterday. Ms. Castellano stated that *Fresh Express* also met with Mr. Moppin and Mr. Varner at the treatment plant. Ms. Castellano stated that she did inform *Fresh Express* that a second Notice of Violation (NOV) will be forthcoming due to their violation on March 26<sup>th</sup> where the Authority was unable to get a hold of any *Fresh Express* employees to speak to them about the violation. Ms. Castellano stated the violation was created by *Fresh Express* shutting down production and a chlorine dump to the plant again. Ms. Castellano thanked Mr. Varner and Mr. Shearn for installing equipment that allowed them to retrieve data from the equipment during the violation. Ms. Castellano stated *Fresh Express* did replace a piece of equipment and a meeting was held the following Thursday that week to discuss the violation. Ms. Castellano stated that *Fresh Express* is aware of the NOV forthcoming, and she explained that to them that the NOV is not a punishment but to cover the cost of things set in motion due to the violation. Mr. Moppin stated that the second chlorine dump to the plant was not as bad as the first incident, and a meeting was held to go over the permit details and he is hopeful they're no problems. Mr. Varner stated that after the meeting they did receive the flow data and other documentation that they had requested in the past. Ms. Castellano stated that she is hopeful that things will continue to improve. Mr. Varner stated that since Mr. Kobayashi is here that there doesn't seem to be even a faint smell of chlorine. Ms. Castellano stated that some of the *Fresh Express* staff are outsourced, and they have since performed training of their staff and contracted staff. Mr. Moppin stated they also provided a list of employee contact information. Chairman Johnson stated that he believes the meeting went well.

Mr. Murphy motioned to approve the NOV to *Fresh Express* for their second violation in the amount of \$15,000.00. Mr. Cichy seconded, and Ms. Castellano abstained as she helped to prepare the NOV and she is the lead contact for *Fresh Express*. With no no-votes and no additional abstentions; the motion carried.

Ms. Castellano stated that she is looking to the Board to Authorize her to pursue payment for properties being taken by eminent domain due to the I-83 project. Ms. Brenner stated that they reached out to *PennDOT* to see if reimbursement can be obtained for revenue lost. Ms. Brenner stated they were told that there is no official program for reimbursement, and they suggested the next steps would be to send an official letter to *PennDOT* to request reimbursement. Ms. Castellano stated that as *PennDOT* has started making offers, why would they not consider the utilities to escribe a value to lost revenue. Ms. Brenner stated that just because there is not a formal program, does not mean that *PennDOT* would not be willing to work with the Authority. Mr. Cichy asked if there was an amount we wanted to escribe for reimbursement. Ms. Castellano stated she would start with five year's worth of loss revenue and work our way down to possibly three years. Ms. Castellano stated she would be looking to the Board to authorize herself, along with engineering, and legal to pursue possible reimbursement.

Ms. Mancuso motioned to task the Executive Director along with legal, and engineering to pursue payment for properties taken by eminent domain for the I-83 project. Mr. Werner seconded, with no no-votes and no abstentions; the motion carried.

Ms. Castellano proceeded to discuss the option of water shut off's that was discussed during last month's meeting, but the option did not become available until April 1<sup>st</sup> and asked if the Board would like Mr. Miller to pursue. Mr. Miller stated that as of April 1<sup>st</sup> the Authority is allowed to pursue water shut offs. Mr. Miller stated that normally two quarter delinquent letters will be sent out and due around May 20<sup>th</sup>, and after that point a new group will be placed with *Modern Recovery Services (MRS)*. Once the new accounts are placed, we will send shut off notices through *MRS*. *MRS* will tag the properties and proceed with water shut offs with *Suez*. Mr. Miller stated the last group of shut offs were chosen as their accounts were lower than \$ 2,000.00, as they are the ones more likely to pay it and the ones with higher balances are more likely to file bankruptcy. Mr. Murphy asked if it would be worthwhile to go after the delinquent accounts on the I-83 list. Mr. Miller stated that only three properties on that list are delinquent. Mr. Miller stated that he spoke with *ARROW Land Solutions LLC*, the company that is working on the I-83 project, and they are aware of the balances. Mr. Cichy asked if anyone on the list would qualify for the *Low-Income Household Water Assistance Program (LIHWAP)*. Mr. Miller stated that a lot of the past due accounts would probably be eligible for the program. Mr. Cichy asked if the water shut offs would help the past due accounts with getting approval for the program. Mr. Miller stated that it probably would, but the Authority still has paperwork they need to file. Ms. Castellano stated that they are still working on deciphering how the funds can be distributed and if the Authority would have to pay any fees. Mr. Beaston (*Salzmann Hughes, PC*) stated that there is an agreement that the state would require the Authority to sign, and that is something that the state requires of any utility provider. Mr. Beaston stated that he knows initially the state required that participants sign up by January, but they sent the invites out after the due date, and he suggested it wouldn't hurt to submit it to the state.

Ms. Castellano stated a motion would be needed to amend the agenda to discuss the Authority's participation in the *Low-Income Household Water Assistance Program (LIHWAP)*. Chairman Johnson entertained a motion to amend the agenda to discuss the Authority's participation in the *LIHWAP* program. Ms. Castellano made the motion, Mr. Murphy seconded. With no no-votes and no abstentions; the motion carried.

Ms. Mancuso motioned for Mr. Miller to proceed with pursuing the Authority's participation in the *LIHWAP* program. Mr. Werner seconded, with no no-votes and no abstentions; the motion carried.

Chairman Johnson entertained the motion to approve Mr. Miller to pursue water shut offs for past due accounts. Ms. Mancuso made the motion, and Mr. Lawson seconded. Mr. Murphy asked what strategy Mr. Miller will follow to pursue water shut offs. Mr. Miller stated that he works with *MRS* to select the accounts turned over for water shut offs. Ms. Mancuso amended her motion to task Mr. Miller along with *MRS* to pursue water shut offs. Mr. Lawson seconded, with no no-votes and no abstentions; the motion carried.

Ms. Castellano provided the Board with an update regarding the biosolids hauling. Ms. Castellano stated that the Authority will continue hauling with *Synagro* and have had a good relationship with them. Ms. Castellano stated that the Authority currently did 30-day extensions, and another contract that got us through the bulk of winter. Ms. Castellano stated the proposed new agreement will be a two-year contract through April 30, 2024. Ms. Castellano stated herself and Mr. Moppin have been working with them on the agreement along with Mr. Hushon at *Synagro* and had legal weigh in as well. Ms. Castellano stated that there is one potential tweak to the proposed contract, and they will be speaking to Mr. Hushon about it tomorrow. Ms.

Castellano stated she would be looking for approval of the *Synagro* contract subject to staff and legal approval. Ms. Castellano stated that the question Mr. Coccorese has pertains the amount of tonnage that the Authority would be required to provide them a month. Mr. Cichy stated that the customer's legal name on the agreement shows Swatara Township instead of Swatara Township Authority. Ms. Castellano stated that she did mention it and they are to correct it.

Mr. Cichy motioned to approve the *Synagro* contract subject to staff and legal approval. Mr. Murphy seconded the motion, with no no-votes and no abstentions; the motion carried.

Ms. Castellano stated that *ARRO Consulting, Inc.* provided an update to the stakeholders and had sent it out to *Hummelstown Borough* and are hopeful to have a meeting with them to receive their input. Ms. Castellano stated that they did reach out, but it was regarding funding, and they had requested the Authority participate in a funding program that is a loan with Dauphin County. Ms. Castellano stated a meeting was held with staff and engineering and had determined that this wasn't something the Authority could do as we had already secured our funding for the project. Ms. Castellano stated a meeting was scheduled for tomorrow with *Hummelstown Borough*, but they asked to postpone the meeting, so they are now looking to schedule a meeting in May. Ms. Castellano stated that she will need to get a stakeholders update to *Lower Paxton Township* and *South Hanover*.

Ms. Castellano provided the Board with a signage and security update. Ms. Castellano stated that everyone is adjusting to the locks on her office/conference room. Ms. Castellano asked if the Board is okay with her leaving the doors open while she steps away from her office, while keeping all the files locked. Ms. Castellano stated that the signs outside the office are being updated and we are currently working on getting pricing. Ms. Castellano stated that Mr. Orth of *Swatara Township* has been very helpful with assisting us with our updates. Ms. Castellano stated that she is also working on figuring out temporary passwords so that others will have access to her office while she out of the country. Ms. Castellano stated that shirts were ordered for Mr. Moppin and Mr. Varner, and they have been received. Ms. Castellano stated that we will shortly have to discuss equipment and clothing purchases for employees and asked Mr. Moppin and Mr. Varner to start gathering the information.

Ms. Castellano stated that last month the *ARRO Consulting, Inc.* Professional Services Agreement for the Dryer Replacement Project contract was presented to the Board and Mr. Cichy had asked to see that again with the new changes before voting on the approval of the contract. Mr. Cichy mentioned that under specific services excluded, it states site survey and asked if there will be any site surveys needed. Ms. Brenner stated that she does not believe that there will be any surveying required for this particular project. Chairman Johnson noted a few typographical corrections on the agreement that would need fixed as well.

Chairman Johnson entertained a motion to accept the Professional Services Agreement from *ARRO Consulting, Inc.* for the Dryer Replacement project as presented with corrections to typographical errors. Mr. Werner made the motion and Mr. Fleming seconded. Mr. Cichy abstained due to working for an engineering company that represents several entities in the area with an interest in the dryer project. With no no-votes or no other abstentions, the motion carried.

Ms. Castellano stated the next approval they would be looking for would be for the pump station generators contract with *ARRO Consulting, Inc.* Chairman Johnson noted a few

typographical errors that needed corrected in the agreement presented. Mr. Cichy asked if there will be surveys needed with this project. Ms. Brenner stated that there will be. Mr. Cichy asked if the Authority would have to find a surveyor or will *ARRO Consulting, Inc.* recommend one. Ms. Brenner stated that they could recommend someone, but the Authority will need to enter into a separate agreement with that entity. Mr. Cichy asked if the schedule listed is only through the design phase or the bidding phase. Ms. Brenner stated that the schedule listed will be just through the design phase as permitting will have to be processed through *The Department of Environmental Protection (DEP)*. Mr. Cichy asked if an *ARRO Consulting, Inc.* employee will be on-site for the project. Ms. Brenner stated that staff will be onsite for construction progress meetings, as well as substantial and final completions meetings.

Chairman Johnson entertained a motion to approve the Pump Station Generators Agreement with *ARRO Consulting, Inc.* with corrections to typographical errors. Ms. Mancuso made the motion, and Mr. Werner seconded. With no no-votes, and no abstentions, the motion carried.

Ms. Castellano proceeded to discuss the purchase of a new Jet Flush truck. Ms. Castellano stated that Mr. Varner received the updated quote from *A&H Equipment Co.* with the extended quote date that would allow the Board to vote on the purchase at this meeting. Mr. Varner provided the Board with a brief description of the *Vactor Ramjet Jetter* vehicle and stated that Mr. Eric Kline (*A&H Equipment*) was very helpful, although the price did increase the Authority saved \$7000.00. Mr. Varner stated that Mr. Kline also stated that they would offer a loaner if our current flush truck goes down prior to receiving the new truck. Mr. Kline also noted that it would be at no cost to the Authority if something were to occur to the loaner while in our procession. Chairman Johnson asked what the total purchase amount is for the vehicle. Mr. Varner stated the current cost is \$274,126.00. Ms. Mancuso asked if trading in the old jet truck would be the best option over placing it out for bid. Mr. Varner stated that he has looked on *Municibid* and you could get more or less than the trade in amount when you place it out to bid. Chairman Johnson asked what the estimated delivery date is. Mr. Varner stated it would be about a year. Mr. Cichy asked under “Options” on page 4 of the quote, it says certified unit required and noted that certain trucks have weight restrictions. Mr. Cichy asked if that is something we needed to worry about. Mr. Varner stated that it is not. Mr. Varner also addressed the DOT regulations Chairman Johnson had asked about and stated that the trucks do not leave the state and only leaves the Township for inspections, so there would be no requirement of DOT registration.

Mr. Murphy motioned to move forward with the purchase of the new flush truck. Mr. Cichy seconded, with no-votes and no abstentions; the motion carried.

Ms. Castellano informed the Board that she is currently seeking approval to purchase larger computer screens for Mr. Varner. Ms. Castellano noted that it was brought to her attention when Chairman Johnson had been to Mr. Varner’s office, and they were reviewing plans on his smaller laptop screen. Ms. Castellano asked Mr. Varner if he would like one or two screens and Mr. Varner stated that one would work. Ms. Castellano also asked Mr. Moppin how his computer setup was, and he noted that he has two screens. Ms. Mancuso motioned to approve the purchase of a larger screen for Mr. Varner. Mr. Werner seconded, with no no-votes and no abstentions; the motion carried.

Ms. Castellano also asked the Board for approval to purchase a server cabinet for the Business Office. Ms. Castellano stated that with the new server and equipment that this would be

the next item needing purchased. Ms. Castellano stated that the server cabinet was recommended by Mr. Brenden Orth, *Swatara Township*, and approved by our IT consultant, Mr. Robert Brooks.

Mr. Werner motioned to approve the purchase of the server cabinet for the Business Office. Mr. Lawson seconded, with no no-votes and no abstentions; the motion carried.

Ms. Castellano also informed the Board that due to an accident outside of the Township office, the Business Office had lost power twice, and now will be purchasing battery back-ups for each of the computers. Ms. Castellano asked Mr. Moppin and Mr. Varner to let her know if they need them as well. Mr. Moppin did inform them that they already have them. Ms. Castellano told Mr. Moppin and Mr. Varner that if anyone needed one to let Ms. Marino know.

Mr. Varner addressed the Board regarding \$7,000.00 budgeted for a zero-turn mower. He stated that the place where they purchase their lawn mower equipment has a *Stag* that would be what the employees need but it would be \$7299.00 which is \$300.00 more than budgeted. Mr. Miller stated it was okay budget wise for Mr. Varner to proceed with the purchase. Mr. Varner also addressed the Board regarding the purchase of a wire tracer as it would be helpful at the plant. Mr. Varner stated that the louvers got stuck open and *Keystone Engineering Inc.* came out and they could not locate the issue. Mr. Varner stated that he found a wire tracer on *Grainger* for over \$2000.00 and noted that it is 98-6000 volts, can find wires up to 22 ft deep, as well as through different type of walls. Chairman Johnson asked if there is money in the budget for the purchase of the wire tracer. Mr. Miller confirmed there is money in the budget to cover the cost. The Board authorized Mr. Varner to proceed with the purchase of the wire tracer.

The Executive Director's report was accepted by acclamation.

Mr. Miller presented the Business Manger's report.

Mr. Miller stated that all of the yearend audit drops are completed. Mr. Miller also stated that today was the cut off for the 1<sup>st</sup> quarter invoices and once the late fees have been applied, he will work on the two quarter delinquent letters and tenant owner's letters. Mr. Miller presented the Board with his preliminary findings on his website research. Mr. Miller listed a few website providers to present. Ms. Mancuso asked if he was aware as to why the Township moved away from *Civic Plus*. Mr. Miller stated that he does not know officially. Ms. Castellano asked if this would be a professional services agreement. Mr. Beaston states that he believes so but would need to investigate it to confirm. Mr. Miller stated with the website, the Authority would possibly link it to the cloud system for our billing software as well. Chairman Johnson asked what timeframe Mr. Miller is looking at. Mr. Miller stated the sooner the better. Ms. Castellano stated that the office is constantly getting asked about the electronic payment option and it has been a year of the Authority gathering information from residents to begin offering this option. Ms. Castellano stated that having the website would also be helpful to get information out to the public about the Authority, especially with all of the upcoming projects.

Mr. Werner motioned to accept the Business Manager's report. Ms. Mancuso seconded, with no no-votes and no abstentions; the motion carried.

Ms. Brenner presented the Engineer's report.

Ms. Brenner discussed the ongoing project regarding sludge hauling and the situation with liquid hauling vs cake vs solids. Ms. Brenner stated that *ARRO Consulting, Inc.* reached out to landfills in the area to find if anyone would be willing to take the solids that are not dry. Ms. Brenner stated that one entity wanted the TCLP results and would be willing to take municipal solids, but they are working through the process. Ms. Brenner stated that they are finding that a lot of landfills are now opting not to take municipal sludge. Mr. Werner asked if COVID had something to do with it. Ms. Castellano stated a map was released that shows where COVID has spiked recently. Ms. Brenner stated they have been testing for COVID in wastewater since COVID started. Ms. Brenner stated that she will keep looking into a facility they have been able to identify and will send them the TCLP results once they are received.

Ms. Brenner stated that the new *National Pollutant Discharge Elimination System (NPDES)* permit issued is effective February 1, 2022. Ms. Brenner stated one requirement is that the Authority perform a headworks analysis for the industrial pretreatment program and submit it to the *Environmental Protection Agency (EPA)* for approval. Ms. Brenner stated that we have a year from the effective date to get it into motion. Ms. Brenner noted that the Authority must have an *EPA* headworks analysis done every 5 years in conjunction with the *NPDES* permit renewal. Ms. Brenner stated that the *EPA* will perform a review and those limits are then adopted into the resolution that the Authority has, which is the pretreatment resolution. Ms. Brenner stated the first step is sending the sampling plan to the *EPA* and she will work with Mr. Moppin on getting that completed. Ms. Brenner stated that the next piece will be to take all data and compile it into the *EPA* spreadsheet they provide, do the headworks analysis, and issue the new limit. Mr. Cichy asked if a resolution is needed, and if so, would the township have to get involved. While there was no final answer to Mr. Cichy's question, the Authority moved on and asked Ms. Castellano to distribute the headworks analysis memo to the Board for review.

Ms. Brenner stated that *ARRO Consulting Inc.* has submitted the Chapter94 report to *The Department of Environmental Protection (DEP)*.

Ms. Brenner presented a preliminary design map for the I-83 project that shows one area of significant conflict where *ARRO Consulting, Inc.* would suggest rerouting sewer and replacing it with a bigger sewer line but would need additional information from *Norfolk Southern* regarding the manholes. Ms. Brenner noted that they have submitted the information to *PennDOT* and are awaiting approval. Mr. Miller asked if *Norfolk Southern* would be okay with the Authority going through their property to relocate the line. Ms. Brenner stated they still need to speak with *Norfolk Southern*. Mr. Werner stated that he believes there is a 90-degree elbow by *PetSmart* that would overflow at times and asked if that would be eliminated. Mr. Varner stated that issue was fixed when work was done on Lancaster Street, and there have not been any issues since then.

Ms. Brenner provided a biosolids dryer update to the Board. Ms. Brenner stated an internal review was done on the draft contract for the equipment only and the comments were provided to *Sherwood Logan & Associates*, so they can go back to the manufacturer and request changes. Ms. Brenner stated that *ARRO Consulting Inc.* just received the revised agreement this afternoon prior to the meeting. Ms. Brenner stated that the pricing will only be held until April 30, 2022, and that she will be working towards getting everything reviewed. Ms. Castellano suggested setting up a zoom meeting to discuss the documents received.

Ms. Brenner noted that there are still some development reviews ongoing from the previous month but there were no new updates.

Mr. Mancuso motioned to accept the Engineer's report. Mr. Cichy seconded, with no no-votes and no abstentions; the motion carried.

Mr. Stephen Coccorese, *Salzmann Hughes, PC*, joined the meeting at 7:30 P.M. via ZOOM.

Mr. Coccorese presented the Solicitor's report.

Mr. Coccorese suggested a few changes on how the minutes are to be documented. Mr. Coccorese stated that when a vote is taken, the votes needed to be tallied. Mr. Coccorese stated a roll call was not needed for everything, as long as the minutes indicate which members voted "no" or abstained from voting. Mr. Coccorese noted that the way the minutes read now, it only mentions who motioned, who seconded, and that the motion carried. Mr. Coccorese continued to state that when a Board Member arrives late or leaves early, it should be stated for the record and noted in the minutes. Mr. Coccorese also stated that when the Board goes into executive session, the reason why the executive session is occurring must be stated for the record and noted in the minutes. Mr. Coccorese stated, for example, the Board should state that they are moving to executive session to discuss personnel matters related to employee discipline. Mr. Coccorese stated that it would make the public aware of what is being discussed during executive session. Mr. Coccorese also stated that if a Board Member is not present for the executive session, it should be noted in the minutes. Mr. Coccorese also stated, that when a Board Member is abstaining from a vote, the Board Member should be stating the reason why they are abstaining and should file a memo with the Secretary of the Board that gets attached to the minutes that indicates why the Board Member abstained and explains any potential conflicts of interest.

Mr. Werner motioned to accept the Solicitor's report. Mr. Fleming seconded, with no no-votes and no abstentions; the motion carried.

Mr. Beaston exited the meeting at 7:42 P.M.

Chairman Johnson noted that the Board will be moving into executive session to discuss employee discipline, hiring in the Operations department, and any edits to the Business Manager job description.

Chairman Johnson adjourned the Regular Meeting at 7:44 P.M. to go into executive session.

Chairman Johnson reconvened the Regular Meeting at 8:04 P.M.

Mr. Lawson motioned to approve the employee discipline as discussed in the executive session. Mr. Fleming seconded, and Ms. Castellano abstained as she is the Executive Director. With no no-votes and no other abstentions, the motion carried.

Ms. Mancuso motioned to approve the hiring of two Operators at the plant. Mr. Lawson seconded, and Ms. Castellano abstained as she is the Executive Director. With no no-votes and no other abstentions, the motion carried.

Mr. Fleming motioned to approve the advertising to hire three Assistant Shift Operators at the plant. Mr. Werner seconded, there were no no-votes and no other abstentions, the motion carried.



Ms. Castellano asked to address the Board and visitors regarding a personnel matter and waived her right to have this discussed in executive session. Ms. Castellano started by stating that everyone present is aware that the *Pennsylvania State Ethics Commission* is conducting an investigation into her that is related to her role as Board Member and Executive Director. Ms. Castellano stated that she chose to exercise her right to file a notification with the *Pennsylvania State Ethics Commission* that she believes the complaint against her is frivolous, which she did on Monday via certified mail. Ms. Castellano stated that she is not aware of who filed the complaint or what the exact nature of the complaint is, just that it is about her being in her position of Executive Director. Ms. Castellano stated that she wrote a detailed three-page letter for the *Pennsylvania State Ethics Commission* and provided them with a packet of supporting documentation of why there would be some people that may want to file such a complaint against her for improper reasons. Ms. Castellano continued to state that it is her opinion and thought that while one person likely signed the complaint, there is more than one person behind it. Ms. Castellano believes it would be due to decisions she has had to make in her current role as Executive Director that some people may not be happy with. Ms. Castellano stated that she is not sure what the complaint would lead or turn into. Ms. Castellano stated that she did speak with her children so that her family is aware of what is going on, so it helps lessen their concern. Ms. Castellano stated that their general consensus is that she fights it. Ms. Castellano continued to state that some people do not like females in an executive role, especially in a male-dominated industry. Ms. Castellano offered to resign from her position if the Board felt that her continuing in her role as Executive Director would be a distraction to the organization or the staff or otherwise negatively impact operations. Ms. Castellano stated that she will be stepping out of the room so a discussion can be held as to what the organization would like to do. Ms. Castellano reiterated that she waived her right for the Board to discuss this personnel matter in executive session. Ms. Castellano left the meeting at 8:14 P.M.

Chairman Johnson addressed the Board Members and staff present regarding this issue. Chairman Johnson stated that he believes that Ms. Castellano has done a great job in her current role as Executive Director and he noted that Ms. Marino has the contact information for Mr. Fry with the *Pennsylvania State Ethics Commission*, if any of the Board Members would like to contact him directly to make themselves available for an interview. Chairman Johnson then offered the floor to anyone that would like to comment.

Mr. Werner stated that he doesn't believe that they could find anyone more qualified for the job than Ms. Castellano. Mr. Werner continued to state that no one is more above board trying to do things the right way and trying to make sure they are not doing something unethically more than Ms. Castellano. Mr. Werner continued by stating that he has been on the Board for three years and that Ms. Castellano has always wanted to do the right thing whether it is for the employees, the Board, or the people that the Board represents. Mr. Werner continued to state that Ms. Castellano is willing to sacrifice to make everyone happy and thinks that the complaint is ridiculous.

Mr. Murphy stated that Ms. Castellano did the job for nothing and took time away from her family to see that things were done correctly like the union negotiations. Mr. Murphy also stated that Ms. Castellano made sure that the ratepayers and Board did well also, on top of handling COVID, death of Board Members, and to say that she would do anything like this is preposterous.

Ms. Brenner stated that from an engineering standpoint, Ms. Castellano comes at decisions from what is best for the employees and the ratepayers. Ms. Brenner stated that she has dealt with a lot of other entities and Ms. Castellano has always done what is best for the ratepayers and the Authority, and she hopes that she will continue to do so and that having someone that has been around for a while has been beneficial. Ms. Brenner also stated that she has not seen Ms. Castellano do anything unethical.

Mr. Cichy noted that he did not attend the executive session meeting on April 6, 2022, but asked if there is an issue with her being a Board Member and being in her position. Chairman Johnson stated no.

Ms. Mancuso stated that she would absolutely reject Ms. Castellano's resignation. Ms. Mancuso continued by saying that everyone that has been here starting back in December 2020 knows that the Solicitor at the time had spoken with the *Pennsylvania State Ethics Commission* to make sure things were done on the up and up. Ms. Mancuso proceeded to state that as she said back in the executive session meeting on April 6, 2022, that when you sit back and hear it all at one time, it is absolutely ridiculous and she would encourage anyone else to call and speak with Mr. Fry and provide their perspective as to what the Board was going through at that time and why the Board made the decision they did as Board Members.

Mr. Fleming stated that he felt the complaint is a frivolous matter, for this to be coming to light is frivolous, and for anyone in the township to be doing anything to try to remove Ms. Castellano from her position is frivolous.

Mr. Coccorese stated that the question the Ethics Commission is investigating does not seem to be whether Ms. Castellano can be a Board Member and the Executive Director at the same time, but rather if Ms. Castellano used her role as a Board Member to influence other Board Members to vote for her to be the Executive Director. Mr. Coccorese stated that there is no question that she is allowed to be a Board Member and Executive Director. Mr. Coccorese stated that when the Board originally offered Ms. Castellano the Executive Director job, the expectation was that she would resign from the Board shortly after taking the position. However, then Mr. Spare passed away, and things changed. Mr. Coccorese stated that the minutes from a couple of the Board meetings where these matters were discussed are not accurate or paint the correct picture of what occurred.

Ms. Mancuso stated to piggyback on what Mr. Coccorese just said that during her review of the matter she discovered that we need to do better with our minutes. Ms. Mancuso provided the below examples of minutes that things needed corrected or where things needed to be noted better.

- February 17, 2021, just to remind everyone, it was when the Board was considering the proposal from Mr. Kent Frese in executive session. Ms. Mancuso stated that it did get a little heated on her end because she did not understand what his role was going to be. The minutes correctly noted that "Ms. Castellano abstained, as she was not in the Executive Session" and noted that was good.
- March 17, 2021, an executive session was held to discuss Mr. Frese's progress with his review and analysis and that a special Board meeting was needed to receive and discuss his report. Ms. Mancuso stated that Ms. Castellano did not participate in the

executive session, but the minutes do not reflect that. Ms. Mancuso stated that she knows for sure, Ms. Castellano was not in the meeting at that time, but the minutes do not reflect that.

- March 25, 2021, this was the special meeting for Mr. Frese to present his report to the Board in executive session. Ms. Mancuso stated that Ms. Castellano was kept out of the executive session while Mr. Frese presented his report and answered questions from the Board. Ms. Mancuso stated that Ms. Castellano was then invited into the executive session so the Board could present her with the terms of a contract to serve as Executive Director as an independent contractor. Ms. Mancuso noted that Ms. Castellano was kept out of the executive session and abstained from voting on the contract offer, but this is not reflected in the minutes.
- April 21, 2021, executive session was held to discuss the change in plans that Ms. Castellano was now to be offered a position as an Authority employee instead of an Independent Contractor, per the advice from the Solicitor's office. Ms. Mancuso reminded the Board this was when they were going back and forth late in March. Ms. Mancuso noted that Ms. Castellano was kept out of the executive session and abstained from voting on the employment offer, but this is not reflected in the minutes.

Ms. Mancuso stated to an outsider coming in our minutes is our history, and we have to be very vigilant about it. Ms. Mancuso stated that us making a couple corrections to last months minutes was Ms. Mancuso reviewing them with a fine-tooth comb because of what she just went through with the interview. Ms. Mancuso asked the Board Members to take notes during the meeting and try to match them up, as best as they can, when they receive the minutes for review. Ms. Mancuso asked that if things need corrected, to please bring it to our attention.

Mr. Coccorese asked the Board, for those present during the meetings when the Board discussed Ms. Castellano's employment as Executive Director, if they recalled Ms. Castellano participating in the discussion or vote of offering her this role. Chairman Johnson stated that he did not. Mr. Coccorese stated that he was not at that March 25, 2021, meeting, so he wanted to see if anyone else remembered how it transpired. Ms. Mancuso stated that she remembered Ms. Castellano abstaining from the vote because she could not recall any other time anyone had abstained from something in the past. Chairman Johnson stated that it is much more difficult to find an omission in the minutes than to find something that is incorrect. Chairman Johnson stated that he was the Secretary at the time and apologized for missing it when preparing the minutes. Ms. Mancuso stated that it was on all of the Board Members because everyone missed it.

Ms. Mancuso addressed the Board prior to bringing Ms. Castellano back into the room. Ms. Mancuso stated that during the last Executive session meeting they spoke about reclassifying the position of the Executive Director to a full-time 40-hr work week position and believes that it requires a motion to make that reclassifying and present a new employment offer to the current Executive Director. Mr. Coccorese stated that was correct, as it was not on last months agenda so the Board could not vote on it.

Chairman Johnson stated that Ms. Castellano did offer to resign and that would require a motion from the Board, and it would also require a second from the Board. Chairman Johnson asked if any of the staff would like to say anything.

Ms. Marino stated that she spoke with Chairman Johnson and Ms. Mancuso and stated that this complaint is ridiculous. Ms. Marino stated that they kept going back to the minutes and she apologized for missing Ms. Castellano's abstentions as it was her first couple months working on the minutes and feels responsible that it is happening. Ms. Marino stated that it would be an absolute loss if the Authority loses Ms. Castellano. Ms. Marino stated that she previously worked at the plant, along with Mr. Moppin and Mr. Varner, and going from having that type of management to now having someone that truly cares about you as an employee, listen to you, and someone who will provide you with the equipment you need. Ms. Marino stated that they did not have that before, previous management did not care and to have someone like Ms. Castellano called into question isn't fair, not because she's doing something wrong but because she is doing something right, and that is sad. Ms. Marino continued by stating that she has a daughter who is 12 years old, and she is teaching her that as a woman, you have to work harder and be stronger and it is sad that in 2022 you still have to do that. Ms. Marino stated it would absolutely break her heart if Ms. Castellano were to leave.

Mr. Coccorese stated the investigation involves items that occurred prior to Ms. Marino starting and that the minutes is just one piece of it so she should not blame herself.

Chairman Johnson asked if Mr. Moppin had any comments. Mr. Moppin stated that a lot of the opinions of the guys at the plant is that Ms. Castellano doesn't have their backs, but they do not realize how much she has their backs and that she does care, and whatever they need she is there for them. Mr. Moppin stated that he personally doesn't want to see her go.

Mr. Varner stated that he was on his honeymoon when he received a call to meet on a Tuesday. Mr. Varner stated that apparently things had occurred, and he was scared to come to work not knowing what it was about it. He was surprised to learn that the meeting was to discuss offering him the Foreman position. Mr. Varner stated that no one previously ever looked at Mr. Moppin and himself as being able to do the supervisor jobs that they have been given the opportunity to perform. Mr. Varner stated it has been a pleasure meeting all the Board Members and working with the Engineers. Mr. Varner noted that for years the guys have been working with faulty equipment in the past and he gives all the credit to Ms. Castellano coming in and allowing them to purchase equipment they need like a new Jet truck, and a new TV rig. Mr. Varner stated that if it wasn't for Ms. Castellano they would still be working on the old mower and there are a lot of items that need fixed and replaced, and no one in the past would allow them to get the equipment needed. Mr. Varner stated that the guys at the plant do not believe that Ms. Castellano has their back, but last year she is the one that would go out and get water and Gatorade to put in the fridge for the employees.

Mr. Coccorese stated that Ms. Castellano first began to step beyond her role as a regular Board Member when an employee reached out to her with a note to talk about physical, verbal, and sexual abuse that occurred at the plant. Mr. Coccorese stated that the first thing she did was reach out to him and asked how to respond appropriately to the complaint instead of shoving it under the rug, which is how it would have been handled previously. Mr. Coccorese stated that Ms. Castellano along with legal spoke to employees and Ms. Castellano fought while on the Board to bring employees back who were wrongly dismissed in the past when there were

vacancies. Mr. Coccorese stated that Ms. Castellano fought for everyone down at the plant, even the ones who didn't know about the investigation. Mr. Coccorese stated that now Ms. Castellano is out in the hallway, probably in tears, after just offering to resign and for anyone to suggest that this was all a grand scheme of Ms. Castellano's is laughable and absurd.

Chairman Johnson asked Mr. Coccorese if he would recommend that the Board make a motion to deny her request to resign or if they just let it die for a lack of a motion. Mr. Coccorese stated that the Board cannot force her to work for the Authority if she wishes to resign, but they could deny her request.

Mr. Murphy motioned to reclassify the Executive Director as a full-time position. Mr. Werner seconded, there were no no-votes and no abstentions. Chairman Johnson stated for the record that Ms. Castellano is not in the room. The motion carried.

Mr. Murphy retrieved Ms. Castellano from the hallway and Ms. Castellano rejoined the meeting at 8:41 P.M.

Chairman Johnson informed Ms. Castellano that in her absence a motion was made and carried to move her position into a full-time position. Chairman Johnson congratulated Ms. Castellano. Ms. Castellano said thank you but that was not what she asked to be discussed. Chairman Johnson informed Ms. Castellano that there was zero consensus from the Board to accept her resignation. Chairman Johnson stated that everyone wants her here and she is doing a great job. Ms. Castellano stated that she is sorry this is happening. Chairman Johnson stated that it is not her fault.

Ms. Mancuso motioned to adjourn the meeting, and Mr. Werner seconded. With no no-votes and no abstentions, the motion carried.

Chairman Johnson adjourned the Board Meeting at 8:43 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Matthew D. Cichy".

Matthew D. Cichy  
Secretary

# Swatara Township Authority



## ADMINISTRATIVE OFFICE

PO BOX 4920  
595 EISENHOWER BOULEVARD  
HARRISBURG, PA 17111-0920

Administrative Office  
Phone: 717-564-1650  
Fax: 717-564-6361


## WATER POLLUTION CONTROL PLANT

8675 PAXTON STREET  
HUMMELSTOWN, PA 17036-8601

Operations & Maintenance  
Phone: 717-566-3361  
Fax: 717-566-2355

## MEMO

**To:** Authority Board  
**From:** Melissa DiSanto Castellano, Executive Director  
**Date:** May 18, 2022  
**Re:** April Meeting/Abstentions



I abstained from the following motions for the reasons noted:

- Approval of the NOV fine for Fresh Express.  
*I helped prepare the NOV fine and am the lead contact for this issue.*
- Approval of employee discipline.  
*I am the Executive Director.*
- Approval of employee hirings in the Operations Department.  
*I am the Executive Director.*

If you have any questions or concerns, please do not hesitate to contact me.

# memo

To: Swatara Township Authority  
From: Matthew D. Cichy  
Date: May 18, 2022  
Re: April 20, 2022 STA Meeting  
ARRO Consulting, Inc. Professional Services Agreement for the Dryer Replacement Vote Abstention

---

Comments: I abstained from the vote on the ARRO Consulting, Inc. Professional Services Agreement for the Dryer Replacement due to working for an engineering company that represents several entities in the area with an interest in the dryer project.