

**MINUTES OF THE DECEMBER 21, 2022 REGULAR MEETING
OF THE MEMBERS OF
SWATARA TOWNSHIP AUTHORITY**

The regular monthly meeting of the Swatara Township Authority was held on December 21, 2022, at 6:00 P.M. The following members were present: Johnson (Chairman), Castellano (Vice Chairman), Mancuso (Treasurer), Cichy, Werner, Lawson, Belles, and Fleming. Also present were Moppin (Chief Operator), Varner (Foreman & Maint. Manger), Blackman (Executive Coordinator), Schober (*ARRO Consulting, Inc.*), and Coccorese (*Salzmann Hughes, PC*).

Chairman Johnson called the meeting to order at 6:05 P.M.

Following the Pledge of Allegiance, Chairman Johnson performed roll call of present board members and attendees. Mr. Johnson noted that Mr. Murphy is absent.

Chairman Johnson entertained a motion to accept and approve the minutes of November 16, 2022.

Mr. Varner noted a correction to page 1, third line down, to say that Mr. Varner stated that the *Rotork Actuator* is the *Master Station* that communicates to the probes for the *SCADA* system. Mr. Belles also noted a change to page 6, second to last paragraph, to say Ms. Castellano abstained as she will be working on an update.

Ms. Mancuso made the motion to approve the minutes with the noted corrections and Mr. Fleming seconded. Mr. Cichy abstained, as he did not attend last month's meeting. With no no-votes and no other abstentions, the motion carried.

Ms. Castellano presented the Executive Directors report and noted that it was previously emailed to Board members.

Ms. Castellano noted that Mr. Joshua Blouch, the new Mechanic at the treatment plant is working out well. Ms. Castellano also stated they will continue to accept resumes for open positions and will revisit whether or not to readvertise.

Ms. Castellano stated the one-time employee stipend was well-received, and employees expressed gratitude to the Board as did *AFSCME*.

Ms. Castellano discussed the Labor-Management meeting that was held on December 1, 2022, and noted that the MOU's approved at last month's meeting have been executed with *AFSCME*. Ms. Castellano also noted that the next step for the two COVID grievances from November of 2021 will be going to Arbitration and will be settled in 2023. Ms. Castellano stated the next scheduled Labor-Management meeting is January 5, 2023 and noted that *AFSCME* would like to continue to meet monthly.

Ms. Castellano stated the annual clothing order has been completed and distributed to employees and we will obtain more clothing as needed for new employees or employees in need of replacements.

Ms. Castellano stated she has not been contacted by *South Hanover Township* regarding the *IMA* and financing yet.

Ms. Castellano provided an update to the Board regarding the *ICA*. Ms. Castellano stated that the meeting was previously scheduled but it was canceled by *Capital Region Water (CRW)*, as they believe the agenda was too detailed. Ms. Castellano stated that Mr. Weaver of *Lower Paxton Township* stated that if no meeting has been set by mid-January, he will reach out to *CRW*. Ms. Castellano stated she also received a letter that has been circulating related to the rate increase by *CRW*, but she has not received such from *CRW*.

Ms. Castellano asked Mr. Coccorese if there is an update regarding the potential tax sale of the property on Eddington Avenue where pump station 5 resides. Mr. Coccorese stated there is currently no new updates.

Ms. Castellano provided the Board with an update regarding *HMS* and potential grant funding. Ms. Castellano noted that after much back-and-forth discussion with *HMS* things have moved along.

Ms. Castellano provided the Board with an update regarding *Fresh Express*. Ms. Castellano stated that Mr. Kobyashi of *Fresh Express*, is requesting a letter from the Authority stating that the items the Authority requested be fixed or implemented has been completed by *Fresh Express*. Mr. Moppin stated that the Authority is still awaiting two updated plans from *Fresh Express*.

Ms. Castellano asked Mr. Schober if there is an update regarding contacting *PennDOT* about the properties being taken by eminent domain. Mr. Schober stated there is no new update.

Ms. Castellano discussed the letter that will go out to customers with the fourth quarter invoices. Ms. Castellano noted that the letter will be sent out on brightly colored paper, listing updated information to the *Rates/Rules/Regulations (RRR)*, increases in the rates, the fee for the inspection of lines, and other updates to customers. Ms. Castellano also stated that Mr. Brooks of *DOCEO*, suggested that *Triscari* put up a coming soon notice on the Authority's website, in case customers were to click on the website while it is still being developed.

Ms. Castellano stated that the draft update of the *RRRs* has been sent to the Board to review the changes that have been suggested. Ms. Castellano noted that the *RRRs* will also be available on the Authority's website when it is launched, as well as other important information. Mr. Varner addressed the Board regarding section 2.03 of the *RRRs* and provided feedback regarding after hours lateral breaks and repairs. Mr. Varner suggested adding language that would allow customers or contractors to contact him, to provide them with verbal authorization to proceed with the emergency repair, with the understanding that they would come to the Business Office on the next business day to obtain the permit for the repair. Mr. Varner also noted that the Authority currently does not allow contractors to send pictures but would like to offer this option when work is done on the weekend. Ms. Castellano asked Mr. Varner how often this occurs. Mr. Varner stated it does not occur often, as contractors know that they close at 3:30 pm and are not open until Monday. Mr. Coccorese suggested having the on-call employee go out and inspect the work being done instead of relying on pictures and the contractor's word. Mr. Werner asked what procedure is currently in place regarding lateral repairs for homeowners. Mr. Varner explained the procedure currently in place to the Board. Mr. Cichy asked if there is currently a

charge to inspect the line when a homeowner puts in a new connection. Mr. Varner stated that he does not believe there is a charge, and he has asked Mr. Miller in the past and never received a response. Mr. Coccorese stated that it appears that in the tapping fee documentation the inspection cost is included. Ms. Mancuso suggested making changes to the language to state that there will be an inspection fee if the initial inspection fails. Ms. Mancuso also noted that the language is also missing information regarding the fee for returned checks, and it would need added to the *RRRs*. Mr. Cichy asked if the Authority would be able to go back on previous infractions from residents for retribution regarding section 3.15 and 3.16 of the *RRRs*. Mr. Coccorese stated that the language would relate to infractions moving forward. Chairman Johnson asked if the Authority is covered for fines deemed necessary for other businesses like *Fresh Express*. Ms. Castellano stated that she believed those types of infractions are governed by a federal agency. Mr. Schober confirmed that they are governed by the *Environmental Protection Agency (EPA)* pretreatment program. Ms. Castellano discussed water shut-offs and the procedure the Authority would need to follow. Mr. Cichy asked for clarification regarding bank bill payer section. Ms. Mancuso provided Mr. Cichy with a recap of the previous Board discussion explaining the section.

Ms. Mancuso motioned to authorize the Executive Director to send the Board-reviewed letter to the customer base, informing it of updates and changes to the Authority's updated *Rates/Rules/Regulations* subject to the Solicitor working on the language regarding the return check fee and the fee for re-inspections of laterals. Mr. Werner seconded, and Ms. Castellano abstained. With no no-votes and no other abstentions, the motion carried.

Ms. Castellano informed the Board that the Personnel Committee held a few meetings over the past month and holiday luncheons were held for treatment plant employees and Authority office staff.

Ms. Castellano informed the Board that Ms. Linda Zeiders has been in to continue to clean Mr. Miller's office and noted that checks are still being found, and boxes are being created of items that would need to be reviewed by other departments.

Ms. Castellano stated that the Budget and Audit Committee met a few times and will discuss their findings later in the meeting.

Ms. Castellano informed the Board that the Authority pulled back accounts with *Modern Recovery Services (MRS)* and those accounts will now incur the 5% late fee instead of the 31.25% late fee. Ms. Castellano stated that future discussion would be needed regarding establishing a program that would allow accounts to get caught up and will need assistance from Legal as well. Ms. Castellano noted that in the letter being sent to customers with the 4th quarter billings, it does inform customers of the change and she has informed office staff to take information of customers that call in requesting a payment plan or settlement, to take their information and the Board will have to discuss how they would like to proceed.

Ms. Castellano stated that *Lower Paxton Township* has reached out regarding FY2022 reconciliation and she will be getting back to Mr. Weaver with information.

Ms. Castellano stated that Mr. Robert Brooks of *DOCEO*, has been working on getting prepared for the website and working with *Triscari* and having an additional backup of our information hosted offsite which would cost about \$70.00 a month.

Ms. Mancuso motioned to amend agenda to include the potential motion to approve the offsite backups for the Authority and Mr. Fleming seconded. With no no-votes and no abstentions, the motion carried.

Chairman Johnson discussed the recommendation from Mr. Brooks regarding the offsite storage and informed the Board that they had a discussion during the luncheon at the Business Office and the cost savings to the Authority.

Ms. Mancuso motioned to approve moving forward with the information backup to the Cloud, and Mr. Belles seconded. With no no-votes and no abstentions, the motion carried.

Ms. Castellano stated photography was completed by *Triscari* at the treatment plant for the Authority's website. Ms. Castellano stated the website has the coming soon notice listed and she will be working on the verbiage and getting that to *Triscari*. Ms. Castellano stated there will be a soft launch at first and then the hope will be to have the payment section ready for the 1st quarter 2023 payments.

Ms. Castellano discussed the legal retainer with the Board and explained the breakdown of the retainer cost and the reasoning behind it.

Mr. Werner motioned to approve the update to the Legal Retainer Agreement for *Salzmann Hughes* and Mr. Stephen T. Coccoresse as Solicitor. Ms. Mancuso seconded. Ms. Castellano abstained as she is the Executive Director. With no no-votes and no other abstentions, the motion carried.

Ms. Castellano discussed the Tapping Fee Resolution that was previously authorized in 2013 but not signed, so it would need reauthorization at tonight's meeting.

Mr. Cichy motioned to approve the Tapping Fee Reauthorization Resolution and Mr. Belles seconded. With no no-votes and no abstentions, the motion carried.

Ms. Castellano discussed the *PennDOT* Utility Relocation Resolution and informed the Board that the letter approved at last month's meeting was completed and sent to *ARRO Consulting, Inc.* then Mr. Schober was informed that they needed a resolution for the *PennDOT* Utility Relocation.

Mr. Werner motioned to approve the *PennDOT* Utility Relocation Resolution and Mr. Lawson seconded. With no no-votes and no abstentions, the motion carried.

Ms. Castellano discussed the potential motion regarding the technical support for adjustments, calibration, and configuration associated with the installation of the *Rotork* project.

Mr. Cichy motioned to approve the associated *Rotork* cost regarding technical support for adjustments, calibration, and configuration and Mr. Lawson seconded. With no no-votes and no abstentions, the motion carried.

Ms. Castellano discussed the lateral permit letter for all incoming permit applications that Engineering and Legal has been assisting the Authority with. Ms. Castellano noted that the last

letter that could be found was from 2018 and believes this is something that should be done with each permit application to be documented. Ms. Mancuso motioned to approve authorizing Authority Staff to utilize the Board-reviewed lateral permit letter for all incoming permit applications and Mr. Fleming seconded. With no no-votes and no abstentions, the motion carried.

Ms. Castellano presented the Board with the *UC Solvency Fee* notice that came to the office and asked the Board if they would like to participate.

Ms. Mancuso made the motion for the Authority to not participate in *Unemployment Compensation Solvency Fee*. Mr. Lawson seconded, and Ms. Castellano abstained as she is the Executive Director. With no no-votes and no other abstentions, the motion carried.

Ms. Castellano stated that the Authority received a request from the *U.S. Census Department of Commerce* to participate in the census and asked the Board if they would like to participate. After discussion by the Board, they decided to have Legal review the request and provide the Board with their recommendation.

Ms. Castellano discussed with the Board the current request from staff to cease the use of the fax line at the Treatment Plant and Business Office.

Ms. Mancuso made the motion to cease the facsimile line at the Treatment Plant and the Business Office and Mr. Belles seconded. With no no-votes and no abstentions, the motion carried.

Ms. Castellano discussed with the Board why the physical address at the Treatment Plant was ceased and explained the current issues they are facing with receiving deliveries due to that change. Ms. Castellano proposed reestablishing a physical address for the Treatment Plant location.

Mr. Belles made to the motion to authorize the Executive Director to reestablish a physical address for the Authority's Plant location and Mr. Werner seconded. With no no-votes and no abstentions, the motion carried.

Mr. Varner addressed the Board regarding the current issues with *Pronto Plumbing*. Mr. Varner proceeded to inform the Board that he spoke with *Franklin Miller* and they stated the *Taskmaster Grinder* will be delivered tomorrow. Mr. Varner informed the Board that he will be renting a crane for the installation, and *Keystone Engineering* will be in to work on the electrical hook up in the new year.

Mr. Coccoresse presented the Solicitor's report.

Mr. Coccoresse discussed the *Pennsylvania Municipal Retirement System (PMRS)* changes to reduce the retirement age to 61 for reasons previously discussed. Mr. Coccoresse stated the Board had approved the document conceptually, but he is currently in possession of the official document to update the plan as it is related to the approval of the employee separation and release agreement to be discussed in Executive Session.

Mr. Schober presented the Engineer's report.

Mr. Schober stated the sampling for pretreatment is completed and currently inputting them into reports for submission.

Mr. Schober stated *ARRO Consulting Inc.* is currently investigating current zoning in the area to. Mr. Schober noted that *The McNaughton Company* provided potential EDU's information but *ARRO Consulting Inc.* will be taking a deeper look to ensure of proper sizing and should have completed information by the next meeting.

Mr. Schober provided an update on the Interchange project and noted that they met to discuss potential alternatives and will review them with staff in early January.

Mr. Schober discussed with the Board the *PennDOT Utility Relocation Resolution* that would accompany the letter requested by *PennDOT* from last month's meeting. Mr. Schober stated that the resolution would need to be signed by the Board.

Mr. Schober provided the Board with an update on the *Faulkner* dealership new campus and noted that they will be working with Authority Staff and the designer on developing a bypass pumping plan.

Ms. Castellano thanked Mr. Schober for his assistance these last few months.

Chairman Johnson informed the Board that it was recently brought to his attention that Ms. Jacquelyn Tindal, who works part-time in the Authority Office, has picked up additional hours with the change in staff. Chairman Johnson stated that Ms. Tindal has not been receiving holiday pay, vacation time, sick leave, or personal time, as she should have been.

Ms. Mancuso motioned to amend the agenda to add the potential motion to authorize holiday pay for part-time clerical staff. Mr. Belles 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 holiday pay for part-time clerical staff retroactive to 2022 and to authorize staff to look back three years for paid time off not previously credited. Mr. Werner seconded, and Ms. Castellano abstained. With no no-votes and no other abstentions, the motion carried.

Chairman Johnson adjourned the regular meeting at 7:39 P.M. to go into Executive Session to discuss personnel matters and legal issues.

Chairman Johnson reconvened the regular meeting at 8:11 P.M.

Mr. Coccoresse discussed the change to the *PMRS* retirement age and the reason for the change.

Mr. Belles motioned to amend the agenda to include the motion to accept the *PMRS* retirement changes. Mr. Werner seconded, and Ms. Castellano voted nay. With no other no-votes and no abstentions, the motion carried.

Mr. Werner motioned to approve the amendment to the *PMRS* program. Mr. Lawson seconded, and Ms. Castellano voted nay. With no other no-votes and no abstentions, the motion carried.

Chairman Johnson entertained the motion to approve the separation agreement of an Authority employee.

Mr. Cichy made the motion and Mr. Werner seconded. Ms. Castellano voted nay. With no other no-votes and no abstentions, the motion carried.

Chairman Johnson entertained a motion to approve the FY2023 budget.

Ms. Mancuso made the motion to approve the FY2023 budget. Mr. Belles seconded, and Ms. Castellano abstained. With no no-votes and no other abstentions, the motion carried.

Mr. Belles read a summary of the Audit & Budget committee findings and presented a memo to be placed with the Authority minutes. Mr. Belles noted that the Audit & Budget committee recommends approving the FY2021 audit report by *Boyer & Ritter*.

Mr. Belles made the motion to accept the FY2021 audit report by *Boyer & Ritter*. Mr. Lawson seconded, and Ms. Castellano abstained. With no no-votes and no other abstentions, the motion carried.

Ms. Mancuso addressed the Board and stated that the performance improvement plan and separation agreement is not regarding the Executive Director.

Chairman Johnson entertained a motion to adjourn the meeting. Mr. Belles made the motion, and Mr. Werner seconded. With no no-votes and no abstentions; the motion carried.

Chairman Johnson adjourned the meeting at 8:16 P.M.

Respectfully submitted,



Matthew D. Cichy
Secretary