

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – APRIL 16, 2009

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting on Thursday, April 16, 2009 at 7:00 P.M. in the Authority conference room, duly advertised, as required, and with the following persons in attendance:

1. Roll Call:

Board Members in Attendance:

Mr. Larry Chrzan	Mr. Charles Konkus	Mr. Anthony Marks
Mr. Robert Pioth	Mr. Jared Squires	Mr. Tim Watson

Absent:

Mr. Leonard Santimyler	Mr. Sam Testa
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Others in Attendance:

Mr. John Campfield, Solicitor  
Mr. Mark Poole, Consulting Engineer  
Mr. Kevin Fisher, General Manager  
Mrs. Johanna Wtorkowski, Assistant Secretary-Treasurer/Recording Secretary

2. Mr. Pioth led the Pledge of Allegiance, and moment of silence for troops overseas and for the three fallen Pittsburgh Police Officers.
3. Public Comments: None – Mr. John Thornton, visitor, was in attendance.
4. Communications:
  - A. Mr. Pioth referred to the CHAR Report dated April 6, 2009.
  - B. Mr. Pioth referred to the PMAA Regions 9 & 10 Spring Dinner Meeting, which is scheduled for April 25, 2009, and asked anyone who is interested in attending to notify Mr. Fisher or Mrs. Wtorkowski.
5. 2008 Audit Report: Mr. John Sarp, of Sarp and Company, presented the Authority's Annual Audit Report for the year ended December 31, 2008. Mr. Sarp reported that the Authority received an unqualified opinion, which is the highest opinion possible, and he reviewed the audit report for the Board Members. Mr. Sarp stated that the audit did not identify any deficiencies in internal control, there were no misstatements, and there were no adjusting journal entries. Mr. Sarp thanked the Board, and commended Mr. Fisher and Mrs. Wtorkowski for their work. Mr. Sarp invited the Board to contact him at any time, if they should have questions. Mr. Marks asked if the management letters, which state that they are solely for the use of management, would be considered a public record. Mr. Sarp stated that they would be considered public record. A motion was made by Mr. Chrzan, and seconded by Mr. Konkus, to approve the 2008 audit as presented by Mr. John Sarp, of Sarp and Company. The motion passed unanimously.
6. Secretary's Report – Mr. Marks –
  - A. A motion was made by Mr. Konkus, and seconded by Mr. Chrzan, to approve, as presented, the minutes of the March 19, 2009 Regular Meeting. The motion passed unanimously.

This concluded Mr. Mark's report.

7. Treasurer's Report – Mr. Watson –

- A. A motion to approve for payment Revenue Fund Requisition No. 101, in the amount of \$150,115.45 was made by Mr. Konkus, and seconded by Mr. Chrzan. The motion passed unanimously.

This concluded Mr. Watson's report.

8. General Manager's Report – Kevin Fisher – Mr. Fisher added the following to the written report that was previously distributed.
  - A. Mr. Fisher requested Board authorization to replace the second channel monster for the influent raw sewage wet well. Mr. Fisher explained that this is a replacement of an existing unit, and there are no other exact replacements available. Mr. Fisher stated that he will obtain a letter from JWC Environmental, verifying that the channel monster is a proprietary, no-bid item. A motion was made by Mr. Chrzan, and seconded by Mr. Konkus, to purchase from JWC Environmental a channel monster, at a price of \$32,500.00, plus shipping of approximately \$1,700.00. The motion passed unanimously.
  - B. ALCOSAN:
    1. Mr. Fisher referred to the Basin Brief for April 2009, which was distributed to those in attendance.
    2. Mr. Fisher referred to an opinion survey of municipal elected officials. This survey is the result of a recent elected officials' meeting. During the meeting, there was discussion of the possibility of combining certain municipal services. Mr. Fisher stated that anyone who is interested in participating in the survey may do so on-line, as well as in paper-format.
    3. Mr. Fisher reported that the Authority received a letter from the PaDEP regarding the Consent Order and Agreement. The letter referenced a flow monitoring summary report that is to be submitted by all of the municipalities that are connected to the ALCOSAN system. Mr. Fisher explained that this flow monitoring report must be submitted to the PaDEP, either by WWMA or by 3 Rivers Wet Weather, on behalf of WWMA. In order for 3 Rivers Wet Weather to submit the report, an authorization form must be signed by the Authority's Chairman and General Manager. A motion was made by Mr. Chrzan, and seconded by Mr. Squires, to authorize Chairman Robert Pioth and General Manager Kevin Fisher to sign an authorization form, allowing 3 Rivers Wet Weather to submit the flow monitoring report to the PaDEP on behalf of WWMA. The motion passed unanimously.
    4. Mr. Fisher reported that the Authority will be hosting a tour of the plant facilities for a delegation of water sector executives from the former Soviet Republic. The tour will take place on Thursday, May 7, 2009, from 10:00 A.M. – 12:00 Noon. Mr. Fisher reported that he was contacted by Mr. Tanner Johnson, of the U.S. Department of Commerce. Mr. Fisher explained that the Authority was chosen from municipalities located within the Pittsburgh region, because the delegates were impressed with information that they read on the WWMA's website.

Mr. Marks asked Mr. Fisher if the Authority has received a letter from ALCOSAN stating that ALCOSAN is willing to accept past flow monitoring that ALCOSAN performed on the Ardara System. Mr. Fisher stated that he had not received the letter, and stated that the same flow data will be submitted to the PaDEP through the Three Rivers Wet Weather on WWMA's behalf, so in essence, they will have accepted the past flow monitoring information.

This concluded Mr. Fisher's General Manager's report. The complete report is attached to these minutes.

9. Consulting Engineer – Mark Poole, Wade Trim, Inc.:

Mr. Poole reviewed the written report dated April 16, 2009, which was distributed on April 9, 2009. The complete report is attached to these minutes.

A. Solids Processing Project:

1. Mr. Poole reported that the Authority met with Mr. Ray Lattner, of PaDEP, on March 31, 2009, to discuss the project. Minutes of this meeting were distributed to the Board. Mr. Poole reported that the meeting went very well, and stated that a portion of the project is an early bid package. The PaDEP is requiring only minor amendments to our Part II Permit. Mr. Poole reported that he is trying to schedule a meeting with Mr. Larry Gasparato, of Pennvest, and Mr. Steve Weitz, of the PaDEP, after the April 20, 2009 Pennvest meeting.
2. A design kick-off meeting was held on April 7, 2009 at the Authority offices. In attendance were Mr. Fisher, Mr. Pioth, and Mr. Spoonhoward from WWMA, and Mr. Poole, Mr. Tarun Sonkyha, Ms. June Marcum, and Mr. Mark Reynolds from Wade Trim.

3. Wade Trim has begun the preliminary design work on the Solids Processing Project. Surveyors from Wade Trim were on site from April 8, 2009 through April 10, 2009. Mr. Poole reported that he received the raw data today. A design meeting has been scheduled for Wednesday, April 22, 2009.
- B. Chapter 94 Report: The 2008 Chapter 94 Municipal Wasteload Management Report has been completed and submitted to the PaDEP. Electronic copies of the report were distributed to each board member this evening.
  - C. Wet Weather Issues:
    1. Mr. Poole reported that, according to Mr. Ray Lattner, the PaDEP is still in the process of reviewing the Long-Term Control Plan (LTCP) that was submitted by WWMA in 2007.
    2. Mr. Poole reported that Mr. Lattner indicated that the Part I NPDES Permit renewal review has been completed, but he is waiting for another department of the PaDEP to review the LTCP. Mr. Lattner stated that there will be no changes to the current Permit parameters.
  - D. Mr. Poole reported that an ALCOSAN basin engineers/managers meeting was held at the Greentree Municipal Building on April 15, 2009, at 1:00 P.M. Mr. Poole attended the meeting with Mr. Fisher. Mr. Poole reported that the next manager's basin meeting will be held on May 21, 2009, and the next elected official's meeting will be held on June 29, 2009, at 7:00 P.M., in Turtle Creek.
  - E. Mr. Poole reported that Wade Trim has prepared the quarterly tap fee calculations for the Penn Township extended service area, and has provided the information to Mrs. Wtorkowski. Mr. Poole reported that the by-pass weir calculations have been completed.
  - F. Mr. Poole stated that he distributed to Mr. Marks and Mr. Fisher a copy of a PaDEP news release that was released today, regarding new total dissolved solids discharge limits for Marcellus shale gas well frac water and acid mine draining water. Effective January 2011, any plants that receive this type of water will be required to meet certain total dissolved limits, which include solids, as well as chlorides and sulfates.

A lengthy discussion followed, concerning the PaDEP's discharge limit requirements for Marcellus gas well frac water.

This concluded Mr. Poole's Engineer's report. The complete report is attached to these minutes.

10. Solicitor's Report – John Campfield –

- A. Mr. Campfield reported that Authority representatives met with Mr. Terry Spaeder on March 23, 2009.
  1. There was a discussion regarding the remaining work that must be completed in order to close out the project, and preparation of a timeline for the work. The aerial photography should be completed by the end of April.
  2. The Authority needs to meet with Mr. Spaeder and Westmoreland Electric. Mr. Fisher stated that he has not heard from Mr. Spaeder. Mr. Campfield asked Mrs. Wtorkowski to set up a meeting between WWMA, Mr. Spaeder, Westmoreland Electric, and Mr. Campfield.
- B. Right-to-Know Law/Records Retention:
 

Mr. Campfield presented for Board approval Resolution No. 2009-02:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN WESTMORELAND MUNICIPAL AUTHORITY, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA, DECLARING ITS INTENT TO FOLLOW THE SCHEDULES AND PROCEDURES FOR DISPOSITION OF RECORDS AS SET FORTH IN THE MUNICIPAL RECORDS MANUAL APPROVED ON DECEMBER 16, 2008, BY THE LOCAL GOVERNMENT RECORDS COMMITTEE.

A motion was made by Mr. Konkus, and seconded by Mr. Marks, to adopt Resolution No. 2009-02. The motion passed unanimously.

A lengthy discussion followed regarding the Records Retention Law, specifically, the record-keeping of electronic information and the Authority's requirements regarding the processing of requests for information.

- C. Mr. Campfield reported that he filed replies on the Westmoreland Electric claim and the Trafford Borough issue. Mr. Campfield stated that he has received no responses yet. Mr. Campfield reported that a meeting has been scheduled for April 28, 2009 with Judge Caruso regarding the Trafford Borough issue. Trafford has requested a meeting with WWMA representatives. The meeting will take place on Monday, April 20, 2009.

This concluded Mr. Campfield's report.

#### 11. Reports of Committees:

Mr. Pioth announced the following committee appointments:

Legal and Engineering Services Committee:

Chairman: Mr. Testa  
Vice-Chairman: Mr. Marks  
Committee Member: Mr. Watson

Personnel Committee:

Chairman: Open (Mr. Pioth will serve as the interim Chairman)  
Vice-Chairman: Mr. Chrzan  
Committee Members: Mr. Konkus, Mr. Testa

Budget and Finance Committee:

Chairman: Mr. Chrzan  
Vice-Chairman: Mr. Watson  
Committee Members: Mr. Santimyer

Insurance Committee:

Chairman: Mr. Squires  
Vice-Chairman: Mr. Watson  
Committee Member: New Board Member Representing Irwin Borough

Grounds and Maintenance Committee:

Chairman: Leonard Santimyer  
Vice-Chairman: Mr. Marks  
Committee Members: New Board Members Representing Irwin Borough and Penn Township

Sludge Committee:

Chairman: Open (Mr. Pioth will serve as the interim Chairman)  
Vice-Chairman: Mr. Chrzan  
Committee Member: Mr. Squires

Mr. Pioth will serve as interim Chairman of the Personnel and Sludge Committees until Irwin Borough Council and Penn Township Commissioners fill their vacant seats on the Board.

- A. Grounds and Maintenance Committee – Due to Mr. Santimyer's absence, there was no report.
- B. Personnel Committee – Mr. Chrzan reported that an employee is currently on a short-term disability leave, and should return within a few months.
- C. Finance and Budget Committee –
  - 1. A motion was made by Mr. Chrzan, and seconded by Mr. Squires, to correct the amount of the certificate of deposit that was purchased on March 23, 2009 from First Commonwealth Bank for the Penn

Township Expansion Guarantee Project Area II Fund from \$115,192.73 to \$115,169.54, due to a difference in interest calculations. The motion passed unanimously.

2. Mr. Chrzan reported that the Authority received \$33,105.47 in interest in March, for a year-to-date total of \$62,304.98.
  
  - D. Insurance Committee – Jared Squires – There was no report.
  
  - E. Sludge Committee – Robert Pioth – There was nothing to add to the written report that was previously submitted.
  
  - F. Legal and Engineering Services Committee – Due to Mr. Testa’s absence, there was no report. Mr. Fisher stated that a meeting must be scheduled to finalize the engineering service agreements between WWMA and Wade Trim.
12. Change Orders and Pay Estimates – None
13. Requisitions:  
Mr. Pioth presented the following requisitions with the motions to approve as follows:
- A. Capital Improvement Fund Requisition No. 80 in the amount of \$7,721.32. Motion to approve was made by Mr. Chrzan, and seconded by Mr. Konkus. The motion passed unanimously.
  - B. 2005 Construction Fund Requisition No. 2005-48 in the amount of \$1,115.40. Motion to approve was made by Mr. Konkus, and seconded by Mr. Chrzan. The motion passed unanimously.
14. Board Member Comments – Mr. Marks asked Mr. Watson if Irwin Borough had appointed a WWMA Board Member, yet. Mr. Watson stated that a Board Member should be appointed next month.
15. There was no executive session.
16. A motion to adjourn the meeting was made by Mr. Konkus, and seconded by Mr. Squires. The motion carried unanimously. The time was 8:41 P.M.

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Anthony Marks  
Secretary