

MUNICIPAL AUTHORITY MINUTES

The Municipal Authority of the Borough of Bedford met on the above date with members Matthew Bullington, Chris Bullington, Jim Gonsman, Allen Harr and Allen Lassinger in attendance.

Borough Manager Barbara Diehl, Assistant Borough Secretary Misty Hizer, Water Plant Superintendent John Whitmore, Wastewater Treatment Plant Superintendent John Flick, Public Works Superintendent Bo Ford, Tim Cooper, P.E. of Stiffler McGraw, and Solicitor Dean Crabtree were also present.

Authority members Larry Myers and Michael Meehan were absent.

Visitors included Brenda Erdos and Jeff Rinscheid.

Authority Chairman M. Bullington called the meeting to order at 8:01 a.m.

Motion was made by Mr. C. Bullington, seconded by Mr. Gonsman, to approve the Minutes of the December 6, 2023 Meeting. Motion carried by unanimous vote (5-0).

Motion was made by Mr. C. Bullington, seconded by Mr. Harr, to approve the list of unpaid Municipal Authority Fund 10 Invoices from December 7, 2023 to January 3, 2024. Motion carried by unanimous vote (5-0).

Motion was made by Mr. C. Bullington, seconded by Mr. Gonsman, to approve the January 3, 2024 Treasurer’s Report. Motion carried by unanimous vote (5-0).

Motion was made by Mr. C. Bullington, seconded by Mr. Lassinger, to approve Requisition #01-2024 Water – Fund 10 to 6 in the amount of \$100,000.00 and Requisition #01-2024 Sewer – Fund 10 to 8 in the amount of \$150,000.00. Motion carried by unanimous vote (5-0).

**ENGINEER’S UPDATE (Tim Cooper/John Clabaugh):**

**WASTEWATER**

**1. CONSENT ORDER & AGREEMENT (COA)/ CSO REMOVAL PROJECT**

- For reference, below is the timeline for the Amended Consent Order Agreement (COA):

<b><u>Task</u></b>	<b><u>COA Date</u></b>	<b><u>Status</u></b>
Complete Testing/Replacement of Laterals	<b>August 31, 2023</b>	<b>Ongoing</b>
1 <sup>st</sup> Round of Wet Weather Metering	<b>November 30, 2023</b>	<b>Ongoing</b>
Construct Improvements Based on Metering and/or Require BTMA Testing Program	<b>January 31, 2024</b>	
2 <sup>nd</sup> Round of Wet Weather Metering	<b>May 31, 2024</b>	

Construct Improvements Based on Metering	<b>September 30, 2024</b>
Design of Abandoned CSO Facility	<b>January 31, 2025</b>
Obtain Permits for Construction	<b>June 30, 2025</b>
Complete Construction, Abandon CSO	<b>December 31, 2025</b>

- The tasks and dates above have been updated to reflect the information included in the Sanitary Sewer Lateral Program Description that we were required to provide to support our request for the COA Amendment. The Amendment required that a renewal application for the treatment plant's NPDES permit be submitted. The amended NPDES permit has been issued by DEP.

## **2. INDUSTRIAL DISCHARGE LIMITS AND PRETREATMENT**

### Headworks Analysis:

1. Local limits have been accepted by EPA.
  - a. SMA awaiting information from MABB staff relative to a meeting to finalize Rules and Regulations for resubmission to EPA. Program cannot be approved until Rules and Regulations are approved.
  - b. Intermunicipal agreement between MABB/BTMA has been executed and ready for submission with final EPA documentation submission.

### Industrial Discharge Permits:

Awaiting directive from MABB staff relative to next industries for permit preparation.

## **3. FLOW METERING AT BTMA CONNECTION POINTS**

- We have continued to monitor the flow at the BTMA connection points.
- The 4<sup>th</sup> Quarter and Annual Flow Metering Reports will be available at next month's meeting.

## **4. BTMA AREAS 5 & 6- CARA HTS./SUNRISE TERRACE & SUNNYBROOK/ HAFER**

- BTMA applied to PENNVEST for the funding of this project and received a funding offer. The offer included only loan funds with no grant included. They also applied for an H2O grant, but the project was not selected for a grant when the announcements were made in December. It is not likely that BTMA will move forward with the project at this time but could in the future if a grant can be obtained.

## WATER

### 1. J.C. SMITH RESERVOIR DAM

- Property owners impacted by the property acquisition requests have been made aware of the requests by the Authority solicitor. We are currently awaiting acquisition of the necessary properties which is also being handled by the Authority solicitor.
- A grant application through the ARPA H2O Water Supply, Sanitary Sewer, and Storm Water program was submitted in December 2022. Unfortunately, the project was not selected for a grant when the announcements were made in December 2023. We cannot apply to PENNVEST until all permits are in hand.
- During the Pennsylvania Historical and Museum Commission (PHMC) review of the project plans, they identified a “known archaeological site,” namely the historical African American neighborhood informally known as “Little Africa.” As a result of these findings a Phase 1 Archaeological Survey was required. We gained access to the impacted properties and commissioned the necessary study. Representatives of Christine Davis Consultants completed the initial field work and reported on 9/20/2023 that significant artifacts had been found. Their representatives inquired about the potential to avoid the flagged area. Unfortunately, the identified area directly conflicts with the proposed embankment and cannot be avoided. As such, representatives from Christine Davis Consultants provided the scope of an “expanded Phase 1 Survey” along with cost estimates and timelines associated with clearing the site for construction. The cost of the Expanded Phase I Archaeological was authorized and we await completion of the final report for this field work. We have been told by the consultant that the findings in the expanded survey will likely lead to a Phase 2 survey being required.

### 2. HIGH HAZARD POTENTIAL DAMS GRANT PROGRAM

- MABB received a grant agreement from PEMA that confirmed a **\$612,323 grant** (with a \$329,713 match required) toward the cost of design of the Smith Dam and this agreement has been executed. A second grant agreement also came confirming a **\$144,300 grant** (with a \$77,700 match required) to be used toward the design of the Todd Springs Dam and it was also executed. Both grants came from the Fiscal Year 2021 allocations. The amount for Todd is significantly less than the amount requested. However, MABB previously opted to utilize the available funds to complete Phase 1 of the design.
- A second round of grant applications was submitted on behalf of MABB to support construction activities associated with the Smith Dam and the remaining design costs for the Todd Springs Dam. Additional information to support this application was provided to DEP in October.
- A representative from DEP reported that MABB was approved an additional \$196,271 in grant funds for their 2022 HHPD application. Like the 2021 grant, we have requested but received no formal notice of these grant funds aside from emails, but we have been completing the quarterly updates as required for the grant and as requested by DEP.
- Based on this information, the Todd Reservoir Dam has reportedly received funding support during the 2021 and 2022 cycles in the following amounts.

2021 HHPD Grant Amount	\$144,300
2021 HHPD Match Amount	\$77,700
2022 HHPD Grant Amount	\$196,271
2022 HHPD Match Amount	\$105,684
<b>Total Grant + Match Amounts</b>	<b>\$523,955</b>

MABB approved an engineering services agreement to begin the design process for the Todd Springs Dam, in order to utilize the grant funds. Funds from the 2021 cycle must be utilized by 9/14/2024.

**3. CHEMICAL FEED AT WTP**

-Detailed design drawings and specifications for the project continue to be prepared. Finalized, construction-ready plans and specifications are expected to be completed by early 2024.

-All documentation required for the Public Water Supply Permit Amendment application has been prepared and the application has been submitted to the Pennsylvania DEP. The Department has provided no indication of when its review will be completed but correspondence regarding specific details of the application was conducted on December 28th, indicating that the review is in progress.

-A letter with comments regarding the Land Development application was provided by the Township’s engineer on behalf of the Township. A response to those comments was prepared and we are currently awaiting a decision from the Township regarding preliminary plan approval.

**4. DEP REGULATORY ASSISTANCE**

- SMA staff continues to assist the MABB operational staff with updating and generating several reports and plans required by the DEP. Among the things we have been working on are:

- Emergency Response Plan Update. Draft copy submitted to MABB staff for review and additional information input.

**5. CAST IRON PIPE REPLACEMENT- PHASE 1**

- No PENNVEST requisition was prepared for this month since there were no expenses.

- PENNVEST has allowed us to move \$34,550.64 to the “Other” line item and these funds can be used toward the paving of the impacted streets next year. The money cannot be requested until we have paving invoices. So, the financing will need to be kept open until the paving is completed.

**6. CAST IRON PIPE REPLACEMENT- PHASE 2**

- Construction on the project is ongoing with Continental Construction crews working on Juliana Street and on the north side. Continental has submitted Pay Estimate No. 3 in the amount of **\$446,410.43** for the Authority’s approval. Construction has been proceeding according to schedule with no major issues to date.

*Motion was made by Mr. Harr, seconded by Mr. C. Bullington, to approve Continental Construction's Pay Estimate No. 3, in the amount of \$446,410.43 for the Cast Iron Phase 2 Project. Motion carried by unanimous vote (5-0).*

- PENNVEST Requisition No. 4 has been prepared to reimburse the Authority for construction, interest and Engineering costs for this month. The amount being requested from PENNVEST is **\$493,342.20**. A copy of the Project Budget Status sheet is attached to this report. We will need the Authority to approve the submittal of this requisition.

*Motion was made by Mr. C. Bullington, seconded by Mr. Gonsman, to approve PENNVEST Requisition No. 4, in the amount of \$493,342.20, for the Cast Iron Phase 2 Project. Motion carried by unanimous vote (5-0).*

## **7. PA SMALL WATER AND SEWER GRANT APPLICATION**

- A PA Small Water and Sewer Grant application package was submitted in December 2022 for the purchase and installation of nearly 200 data loggers, communication equipment and computer software for the MABB water distribution system. The grant awards were announced on December 19<sup>th</sup> and, unfortunately, the project was not selected for funding.

## **8. LSA GRANT APPLICATION**

- Grant applications for a wheel loader and the Barclay Waterline Replacement were submitted in November. Award announcements are expected in September 2024.

## **9. TODD SPRING DAM IMPROVEMENTS**

- Project kickoff is underway. A project coordination meeting with Rizzo International was held on December 7<sup>th</sup>. We are waiting for additional feedback from Rizzo and will be able to provide more specific schedules for the impending survey and geotechnical work once that information is received.

## **STORMWATER**

### **1. SOUTHWEST BOROUGH STORM SEWER PROJECT**

- A planning consultation meeting was held with PENNVEST to discuss funding opportunities on June 22<sup>nd</sup> at the Borough office. Based on the conversations with PENNVEST and DEP representatives at that time, the potential project would score very high and there is potential to be eligible for a significant amount of grant funding if the stormwater fees are set at the PENNVEST target rate of ¼% of the median household income. That would result in a residential fee of \$142.95 per year, or slightly under \$12 per month. As with other projects, the design and permitting for the project must be completed before an application can be submitted to PENNVEST. The Authority will also need to implement the stormwater fees before the PENNVEST application is submitted.

- MABB directed SMA to begin work on the design of the improvements outlined in the recent study performed on the southwest portion of the Borough, with a goal of submitting for PENNVEST funding in

February 2024. It is anticipated that permit applications will be submitted in January, but it is unlikely that permits will be in hand prior to the February application cut-off date.

- We are continuing to coordinate with the Township Engineers regarding the proposed stormwater improvements in the Borough and the detention basin being proposed by the Township. We have completed our alignments and are now working on addressing the numerous utility conflicts that will be encountered. It still appears that the Township is moving forward on the project with a goal of construction taking place in 2024. The work could potentially be taking place at the same time as the proposed work in the Borough. We have agreed to work together so the projects will complement each other.

## **2. NORTH STREET/ORCHARD WAY STORMWATER**

- We received a letter from the Township Engineer describing how they examined this area and they do not believe that the Township is significantly contributing to the storm water issues. We looked at this area again during heavy rain events. Based on what we saw, and took pictures of, we do not necessarily agree with the Township Engineer's assessment. However, the runoff from the Township should continue to be monitored in this area. The Authority has identified this as the next phase of storm water improvements following completion of the southwest portion of the Borough.

Ms. Erdos inquired about an update on paving. Mr. Cooper noted if new storm sewer pipe is installed in 2024, then paving would not occur until 2025. If new storm sewer pipe is not installed, paving would potentially occur in 2024. Ms. Erdos expressed concern about the trenches sinking on S. Juliana Street that are a result of the CIP2 project. Mr. Cooper noted he will address the issue with the contractor.

### **SUPERINTENDENTS' REPORTS:**

- Public Works Superintendent Bo Ford noted the department is currently preparing for an upcoming winter storm.
- Water Superintendent John Whitmore noted the water treatment plant is running well, with one reservoir full and the other almost full.
- Wastewater Treatment Plant Superintendent John Flick noted that previously ordered valve actuators have arrived and will be replaced one at a time. Good results are being seen at the farm and work on year-end reports has commenced.

### **BOROUGH MANAGER'S REPORT:**

- Motion was made by Mr. C. Bullington, seconded by Mr. M. Bullington, to accept the proposed engagement letter from WESSEL & COMPANY and to authorize Manager Diehl to sign on behalf of the authority. This audit is for the financial statements of the Authority for 2024-2025-2026. Motion carried by unanimous vote (5-0).
- Motion was made by Mr. Lassinger, seconded by Mr. Harr, to accept the proposal from Entech Engineering, Inc. for Industrial Discharge Program. Motion carried by unanimous vote (5-0).
- As of January 1, 2023, 1,020 out of 1,455, or 70.1%, sewer laterals have had a successful pressure test. 296 are currently on contractor's lists, 66 are on the Borough's list for work and 85 have done nothing. Surcharges will be added to the January 2024 bill for the 85 in non-compliance.

Mr. Rinscheid asked if any improvements have been seen at the WWTP from implementation of the sewer lateral program. Mr. Flick noted that improvements have been seen at the WWTP, but there are still some problem areas that need addressed. The WWTP was able to handle all but one storm in 2023.

- Manager Diehl requested an Executive Session to discuss a potential litigation matter.

Executive Session was entered into at 8:21 a.m.

Executive Session was exited at 8:29 a.m.

There being no further business, a motion to adjourn was made at 8:29 a.m.