

A Regular Meeting of the Bloomsburg Municipal Authority Board was held Tuesday, July 14, 2020, beginning at 4:00pm via teleconference through Zoom.

Board Chair Thomas Evans presided. Those present included Board Members, W. Carey Howell, Lawrence Mack, Michael Upton and Vincent DeMelfi joining at 4:16pm; Interim Plant Superintendent Mark Tappe; Maintenance/Collection System Supervisor Josh Young; George Myers and Jeff Slabinski, Myers Environmental Services; Solicitor Alvin Luschas, Luschas, Naparsteck & Crane LLP; Steven Siegfried, P.E., Rettew; Secretary/Office Manager Amber Kenney and Billing and Collections Director Amy Seamans. Also present on the teleconference were Chuck Wunz; Attorney Gary Cohen, Hall & Associates joining at 4:45pm and Peggy Miller, Rettew joining at 4:45pm.

APPROVAL OF JUNE 9, 2020 MINUTES

On a motion by M. Upton, seconded by L. Mack and voted on unanimously, the Board approved the June 9, 2020 minutes without any additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY OPERATING AND MAINTENANCE BILLS FOR JUNE

On a motion by M. Upton, seconded by L. Mack and voted on unanimously, the Board approved payment of the monthly operating and maintenance bills for June in the amount of \$248,325.94.

APPROVAL OF PAYMENT OF MONTHLY SEWER MAINTENANCE BILLS FOR JUNE

On a motion by M. Upton, seconded by L. Mack and voted on unanimously, the Board approved payment of the monthly sewer maintenance bills for June in the amount of \$11,542.69.

APPROVAL OF PAYMENT TO GHD, INC.

On a motion by C. Howell, seconded by L. Mack and voted on unanimously, the Board approved payment to GHD, Inc. in the amount of \$47,656.36 for final design, bid and award and construction phase services of the WWTP Improvements Project from the Construction account.

APPROVAL OF PAYMENT TO LUSCHAS, NAPARSTECK & CRANE, LLP

On a motion by M. Upton, seconded by C. Howell and voted on unanimously, the Board approved payment to Luschas, Naparsteck & Crane, LLP in the amount of \$560.00 for legal fees associated with the WWTP Improvements Project from the Construction account.

APPROVAL OF PAYMENT NO. 2 TO PERFORMANCE CONSTRUCTION SERVICES, INC.

On a motion by C. Howell, seconded by L. Mack and voted on unanimously, the Board approved payment No. 2 to Performance Construction Services, Inc. in the amount of \$434,347.23 for General Construction Services of the WWTP Improvements Project from the Construction account.

APPROVAL OF PAYMENT TO SMITH SERVICE AND MAINTENANCE

On a motion by M. Upton, seconded by L. Mack and voted on unanimously, the Board approved payment to Smith Service and Maintenance in the amount of 5,745.00 for dewatering press selective demolition and elevation change for the WWTP Improvements Project from the Construction account.

APPROVAL OF PAYMENT TO SMITH SERVICE AND MAINTENANCE

On a motion by M. Upton, seconded by L. Mack and voted on unanimously, the Board approved payment to Smith Service and Maintenance in the amount of 4,360.00 for dewatering press assembly for the WWTP Improvements Project from the Construction account.

APPROVAL OF PAYMENT TO XYLEM WATER SOLUTIONS USA, INC.

On a motion by M. Upton, seconded by C. Howell and voted on unanimously, the Board approved payment to Xylem Water Solutions USA, Inc. in the amount of \$201,380.96 for influent pumps for the WWTP Improvements Project loan from the Construction account.

APPROVAL OF PAYMENT TO FIRST COLUMBIA BANK & TRUST CO. FROM THE MUNICIPAL AUTHORITY EMPLOYEE PENSION FUND

On a motion by C. Howell, seconded by M. Upton and voted on Four (4) (C. Howell, M. Upton, V. DeMelfi and L. Mack voting “Yes”) to One (1) Abstention (T. Evans “Abstaining”), the Board approved payment to First Columbia Bank & Trust Co. in the amount of \$1,421.68 from the Municipal Authority Employee Pension Fund for second quarter trustee fees.

APPROVAL OF PAYMENT TO KORN FERRY FROM THE EMPLOYEES PENSION FUND FOR ACTUARIAL SERVICES

On a motion by C. Howell, seconded by M. Upton and voted on unanimously, the Board approved payment to Korn Ferry in the amount of \$3,197.25 from the Municipal Authority Employee Pension Fund for actuarial services.

GENERATOR FROM THE FLOOD MITIGATION AUTHORITY

Solicitor Luschas stated he reviewed a draft letter and has sent it to Columbia County Resiliency Officer, Eric Stahley. The County is allowing the Authority to use a generator that they no longer have use for. Staff stated it will probably be mounted at the Irondale pump station.

SOUTH CENTRE TOWNSHIP

Solicitor Luschas stated that the day after our last meeting, South Centre Township advertised an Act 537 Plan Update and there was a 30-day public comment period that would end on July 10, 2020. He along with T. Evans, G. Myers and C. Wunz started discussing what the benefits would be for Bloomsburg to provide sewage treatment services to South Centre Township. They feel that doing so would create a new revenue flow and it would also help create future economic development in the Township. Solicitor Luschas reached out to their Chairman, Attorney Frank Baker. The Township already had a work session advertised for July 8, 2020 so Solicitor Luschas, T. Evans, G. Myers, S. Siegfried and C. Wunz met with two of their township supervisors. C. Wunz then drafted and sent comments on July 9, 2020. It was noted in the letter that the Authority hadn’t met to formally adopt the comments so it does represent a final offer or a binding commitment. Solicitor Luschas asked the Board if they were interested in moving forward with discussions with South Centre Township and all agreed it was worth looking into.

MUNICIPAL INDUSTRIAL PRETREATMENT PROGRAM COPPER LIMITS

Peggy Miller, Rettew and Attorney Gary Cohen, Hall & Associates gave an update on the potential to adjust the copper limit in the MATB’s NPDES Permit. The following is a summary from P. Miller:

1. The existing NPDES Permit contains a very stringent effluent limit of 27.24 ug/L (.02724 mg/L) on an average monthly basis. The existing Permit expires March 31, 2022; thus the MATB must submit a completed Permit Renewal Application to the DEP by September 30, 2021. (This Renewal package may take 90 days to complete if no significant issues are included.)
 - a. MATB appealed this Copper limit in 2016/2017 but ultimately dropped the NPDES Permit appeal and accepted the limit.
2. The existing NPDES Permit contains language requiring the MATB to update its Local Limits (in its MIPP – Municipal Industrial Pretreatment Program) in accordance with new NPDES Permit limitations.
 - a. New Local Limits were developed and approved by the EPA on October 18, 2019
 - b. MATB approved and adopted these new Local Limits through Resolution 01-14-20.01 on January 14th, 2020.
 - c. The new Local Limit for Copper is 0.495 mg/L daily maximum; this is a significant reduction from the previous Local Limit (1.9 mg/L) and has had a significant effect on one of your permitted Industrial Users.
3. During the process of updating and adopting the new Resolution referenced above, it was recommended that attorney Gary Cohen review and advise accordingly on the adoption of same Resolution. During these discussions, it became evident that Gary’s experience would be very helpful in performing an overall review of the MATB’s MIPP. This was recommended due to multiple changes in MATB management personnel at the potw (and thus

implementation of the MIPP), updates by both DEP and EPA to the General Pretreatment Regulations, etc. The goal of Gary's review was to ensure that the MATB did not have exposure or liability in the MIPP.

4. Periodic conference calls have been held between Gary, MATB staff and counsel, MATB consultants (MES and RETTEW) to review and discuss MATB's MIPP.
5. As a part of Gary's review, he notably reviewed the existing NPDES Permit since the Permit contains MIPP compliance language, requires the update to Local Limits, etc.
 - a. During Gary's review of the Permit, he commented on the very stringent copper limit. Gary was provided with MATB's historical review/comment letters to the DEP during DEP's drafting of the Permit.
 - b. Gary provide statutory citation of instances and protocols that could be used to establish the basis for regulatory (DEP) relaxation of a limit such as the Copper limit.
6. During our conference calls, the issue of the upcoming NPDES Permit Renewal date was discussed. The concept of proactively approaching the DEP to ascertain their "buy in" for the MATB to do site specific data collection and studies was deliberated. The consensus was to approach the Department to determine whether or not they would allow this work to be completed; as well as whether or not the Department would consider modifying the Copper limit to a more favorable (or potentially eliminate it) level.
7. An email was sent to the Department on July 10th, 2020 citing Federal stature and requesting the Department's endorsement of the MATB proactively collecting data and performing studies for inclusion with the upcoming NPDES Permit Renewal package. On July 13th, 2020, the Department replied favorably to both the collection of data/studies and the potential to re-adjust the Copper limit.

At this point we are looking to develop a path forward to collect data, evaluate data and then determine if mixing studies are warranted. "We" (the discussion group consisting of Mark Tappe, Al Luschas, George Myers, Gary Cohen and myself) would like to prepare an outline of this path and present to the Board at your August regular meeting.

APPROVAL OF AUTHORIZING RETTEW TO PROVIDE AN ANALYSIS OF THE MINIMUM SERVICE CHARGE FOR SEWER SERVICE

On a motion by M. Upton, seconded by L. Mack and voted on unanimously, the Board approved authorizing Rettew to provide an analysis of the minimum service charge on a time and materials basis and not to exceed \$2,000.00.

APPROVAL OF CHANGE ORDER NO. 1 FROM MASTER MECHANICAL CORPORATION

On a motion by M. Upton, seconded by L. Mack and voted on unanimously, the Board approved Change Order No. 1 from Master Mechanical Corporation in the amount of \$3,474.31 for modifications to the HVAC equipment for the control building wet well access stairway that were due to the building code review for the WWTP Improvements Project.

APPROVAL OF PFM FINANCIAL ADVISORS, LLC REQUESTING PROPOSALS FOR THE REFINANCING OF THE AUTHORITY'S NOTE SERIES OF 2008 AND 2009

On a motion by L. Mack, seconded by C. Howell and voted on unanimously, the Board approved PFM Financial Advisors, LLC requesting proposals for the refinancing of the Authority's note series of 2008 and 2009.

APPROVAL OF A SEWER BILL CREDIT FOR AMANDA BOSTIAN AT 585 W. THIRD STREET OWNED BY KIMBERLEE BILODEAU

On a motion by C. Howell, seconded by M. Upton and voted on unanimously, the Board approved a sewer credit for Amanda Bostian in the amount of \$56.49 for the 06/30/20 bill at 585 W. Third Street for filling a swimming pool.

APPROVAL OF A SEWER BILL CREDIT FOR BOB LAUBACH AT 351 RAILROAD STREET

On a motion by C. Howell, seconded by M. Upton and voted on unanimously, the Board approved a sewer credit for Bob Laubach in the amount of \$83.81 for the 06/30/20 bill at 351 Railroad Street for filling a swimming pool.

APPROVAL OF A SEWER BILL CREDIT FOR CHRIS MARCERA AT 7 KENT ROAD

On a motion by C. Howell, seconded by M. Upton and voted on unanimously, the Board approved a sewer credit for Chris Marcera in the amount of \$118.71 for the 07/31/20 bill at 7 Kent Road for filling a swimming pool.

There being no further business, the meeting adjourned at 5:48pm.

AMBER KENNEY
Secretary/Office Manager