

**BELLEFONTE BOROUGH
AUTHORITY
MEETING MINUTES
June 5, 2018, 2018 - 6:00 p. m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net**

CALL TO ORDER:

The meeting of the June 5, 2018, Bellefonte Borough Authority was called to order at the Bellefonte Borough Municipal Building at 6:00 p. m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

AUTHORITY MEMBERS PRESENT:

PRESENT:

Mr. Joe Falcone
Mr. Mike Schmidt
Mr. Doug Johnson
Mr. Brian Walker
Mr. Joe Beigle

EXCUSED: Mr. Frank (Buddy) Halderman
Mr. Brown

STAFF: Mr. Ralph Stewart
Mr. Matt Auman
Mr. Bob Cook

ENGINEERS: Mr. Eric Lundy
Mr. Bob Decker

AUDIENCE: Bob Leahey, McCrossin
Chuck Thompson, Nittany Engineering

MINUTES:

**Mr. Falcone moved to approve the May 1, 2018 meeting minutes;
Mr. Walker seconded the motion;
Motion carried.**

ORAL:

COMMUNICATIONS - WRITTEN:

Safe Drinking Water regulations have been changed by the DEP. Specifically the disinfection requirements rule was changed and there are new reporting formats being mandated. The changes will go into effect soon and the Authority will be required to submit sampling reports later on in the year.

Email to Don Holderman from Ben Whitesell at Ridge and High Streets regarding the public sewer system. He is not currently tied in and his home is for sale. He decided to get hooked into the public system and he inquired about the capacity fee being waived. In the past, if a customer had been paying towards the sewer system and was never connected, then the fee was waived. Whitesell has not been a paying customer and somehow got by without paying. In order to be consistent, the fee should be charged this customer. Mr. Auman stated that there is another scenario on Penn Street, but they have been paying for the sewer. They are slowly being weeded out.

**Mr. Mr. Johnson moved to not waive the fee for the Whitesell property;
Mr. Walker seconded the motion;
Motion carried.**

FINANCE COMMITTEE REPORT:

Water and Sewer Funds

Mr. Falcone reported on the water financials. Revenue is 44% of year to date budget. It is in line. Expenses seem to be in line as well. A few legal bills inflated the budget a bit. Everything is on pace in the water fund. Year to date: \$104,000; cash balance is \$570,000.

Wastewater fund is off due to the capital improvement project. This will be worked out in the coming months. \$1.6 million revenue, expenses seem to be in line expect with minor materials and supplies. Overall, the fund is in line with \$432,000 in checking, \$73,000 and just approaching \$1.2 million in money market savings.

**Mr. Falcone moved to approve the water and sewer reports;
Mr. Walker seconded the motion;
Motion carried.**

ENGINEER'S REPORT – WATER:

Mr. Lundy reported the following:

Waiting on plans for water service at one of the Burnham Farm Estates lots. It is pending development. Penn Terra was working on this, but he has not seen anything from them yet.

Dale Summit metering was discussed. At the last meeting something alternative was to be proposed. Mr. Stewart stated that they looked at a design prepared by LB Water and found it to be acceptable. They will proceed and later in the Executive Session some of the past invoking will be discussed.

Water Report – Matt Auman

May 1, 2018, repaired a 4-inch water main break at 121 W. Bishop; May 2, finished up the Benner Street water line replacement project; May 3 the plume flow meter was calibrated at Big Spring and Corning; May 7-8 the Zion Road pump house was worked on, removing some valves, and installation of a new tap. This was the leak that they had been looking for. There was a joint leak there. May 10-11 sewer manhole markers were installed; May 15, installed new water shut off at 463 Rancher Street; May 16 repaired a water leak on the Diamond, May 16-17 cleaned water boxes and did some leak detection; May 21-25 Riff Raff week and did some leak detection; May 29 more leak detection. A 200,000 gallon was repaired on Beaver Street. April reports were inadvertently put into the packet. The Corning line is more consistent now that leak has been repaired.

Waste Water Treatment Plant

Mr. Cook reported on the project progress. They are now working on the concrete walls for the digester. Things appear to be going fairly well with the construction schedule.

A tentative schedule was provided by McCrossin for the electrical scope is beyond the contract terms and has not been accepted as of today. There have been biweekly construction progress meetings. This past week a concern was raised with additional schedule items and equipment deliveries, incomplete design of piping layouts which were exaggerated or false statements. Everything has been documented in letter form.

Pay apps – Lepley has not submitted pay apps. McCrossin has Pay App. one and two in. The initial pay app was reduced by approximately \$60,000 in the mobilization category which they agreed to. Payment on that is recommended. They have also submitted pay app 2. Payment on 2 is also recommended.

Mr. Walker will abstain from the votes on the pay apps due to a conflict of interest.

**Mr. Falcone moved to approve Pay Application No. 1 in the amount of \$237,875.69;
Mr. Johnson seconded the motion;
Motion carried with one abstaining.**

**Mr. Johnson moved to approve Pay Application No. 2 in the amount of \$292,975.97;
Mr. Schmidt seconded the motion;
Motion carried with one abstaining.**

The NPDES renewal project was discussed. There are a few additional items. This is on target for August submittal.

Bulk Water Report

Bulk sales for May were approximately 411,000 gallons. May 14, 2018, RBC train one was cleaned and turned over. May 18 repair to the fly wall needed to be replaced. May 17, flow meters in the WWTP were serviced and calibrated and scrap metal was hauled.

As of today, there has not been anything received from Centre County Corrections regarding the letter – high phosphorus issues. Two week reply date would have been the beginning of this month. Mr. Cook stated that an industrial pretreatment permit can be issued with a phosphorus limit. If they do not abide by that, they will be put in the paper and the EPA will pay them a visit.

OLD BUSINESS:

Resolution for Use of Reserves

A resolution is proposed to use reserves for the WWTP project. Additionally, the Authority wants assurance that the account will be reimbursed. This is one document to show that intent.

**Mr. Falcone moved to approve the resolution;
Mr. Walker seconded the motion;
Motion carried.**

NEW BUSINESS:

Bidding Process re: Used Sewer Vacuum Catch Basin Cleaner

The Borough found a used sewer vacuum cleaner and it will need to go through the bidding process. Specs are being advertised to come in June 18, 2018. The bids will be opened on that date. They will then be reviewed and moved forward for acceptance. It is a budgeted item.

Approval to Sell WWTP surplus items via Auction

The RBC covers will be auctioned in increments of four sets. Typically, Municbid has been used for this type of auction. An ad will be run in the paper as well. Approval is needed to place this surplus on auction.

Mr. Johnson moved to approve the RBC covers for auction as stated in Mr. Stewart's letter;
Mr. Walker seconded the motion;
Motion carried;

Tractor Replacement

The tractor is used for spreading the biosolids and the tractor has been breaking down. It is getting older – it is a 1978 tractor. There is one that will be available via an online auction coming up soon. It is a nice tractor and used for the same purpose by another Authority. It has a good spreader with it. If the budgeted amount is exceeded, cuts will be made to make up for it. It is a 2006 and has not been used in the past three years. It is being stored in an enclosed building and has low hours. The tractor has three bids so far.

Discussion regarding delay at WWTP Project

Mr. Beigle discussed the project and asked that everyone be honest. The job was bid out and all of the specs get looked out when out for bid. That is what is bid on – the schedule and the work. Mr. Bob Leahy was addressed, and he was asked to give the straight truth. If there is a lie presented, all credibility is lost – engineers as well as the contractor. There will be no decisions made. It takes everyone working together to get a job done in a timely fashion.

Mr. Leahy stated that he received a letter from the Authority last week through the engineer, notifying him of concern with the construction schedule and that damages would be assessed. As was discussed at last Wednesday's meeting, the design that was proposed is not complete as of this date. He met with Nittany Engineering last evening and to date, they do not know how they are doing the plan, they do not know the equipment or the flows, and construction drawings have omitted many items and were at a 100 percent standstill. The drawings issued by the engineer, have no dimensions, and they do not even look like pipes, there are no elevations, and there is no consistency from one drawing to the next, and so on. Mr. Leahy stated he spent three hours last evening reviewing this. Nittany Engineering guaranteed that they would be provided the final drawings last night. A few hours were spent on existing drawings and he marked up all of the errors on the plans. They are still in the documents. He asked for flow diagrams, P&ID loops – the equipment is very sophisticated. Nittany approved the diagram of their flow and there are about 8 different errors that have been found on the drawings that have been approved. Mr. Leahy stated that they do not know how the sewer comes in and

leaves. It is that simple. Every single drawing has errors. There is an existing set of structural drawings that were not looked at when the new set was drafted. The tank was 108 feet long and the existing drawings show a different size. There are no tank pit locations shown and no elevations are shown. Mr. Leahy stated that he does not wish to argue with anyone and he does not make money off of change orders – they are a disruption. There is rebar standing, and all he gets is a photograph and someone trying to draw a pipe on it rather than provide an engineering drawing.

Mr. Decker emailed a second letter to Mr. Leahy. Mr. Leahy did not receive it. He stated that Nittany Engineering is going out and flagging in the yard. That is not design. The entire plant is being designed via survey flagging on piping.

Mr. Decker stated that Mr. Cook has been at most meetings, Mr. Stewart has also attended most. There were no major issues. All RFI's are responded to in a timely manner and also turn shop drawings around in a timely fashion. All of this is documented. The emailed letter was read aloud. Responsibility of pipes, fittings, valves, specials, couplings, equipment, and appurtenances was discussed.

Mr. Leahy worked on two other Bellefonte Authority projects for lesser money, that were designed with photographs, etc....Mr. Leahy rebutted that the contract drawings do not have equipment noted that are in the mechanical room. That was the first drawing that they revised. The contract drawings issued to Mr. Leahy does not show equipment.

A note was put on the plan that the contractor would be provided a revised layout per Nittany Engineering. It was provided to them. Mr. Thompson stated that they were never told about any hold ups on the project due to the design plans. The use of color was explained for clarification purposes. He stated that yesterday's meeting was a good meeting. He also stated that sometimes there are unforeseen things that can happen. Mr. Thompson also stated that there is a timing thing with rushing through to try to go through equipment. He stated that there is a process being followed and he feels that Mr. Leahy does not like those types of schematics.

Mr. Leahy inquired if the drawings are 100% today. Mr. Thompson stated that nothing was brought up until last Wednesday. MCC states delivery next week on the schedule. If there is an issue, the Authority will work with the contractor. Mr. Leahy was adamant that the drawings were not done yet. He stated he will be hiring an engineer to write a professional opinion as he does not feel that Bellefonte has professional engineers. The drawings are not complete.

The bid docs and drawings were discussed, and the question was always asked if the contractor had any questions. No questions were asked about the drawings. The project manager that was previously on the job did not have any questions. Mr. Leahy stated that he asked on day one of the job about an engineering spec-ing the pipe lines out as the drawings did not reflect what was on site. Every RFI has been answered with an incomplete drawing, although answered in a timely fashion. He reiterated that the system

has not been engineered. No one has taken the time to actually make a flow diagram of how the system is supposed to work. Mr. Thompson stated that there is a process for submittal approval. The clarification on the piping should not affect the project moving forward. He felt that the color photos and elevations were ideal for the contractor to work with. The field guys seemed satisfied with what they had to do.

Mr. Leahy asked to go to the project site and go by drawing by drawing and point things out to see if it all makes sense to Mr. Thompson. In the meeting yesterday, the equipment room was discussed. A fire exit was needed, and doors were added. Overhead doors were changed. Something simple like that was not on the plan. Doors are being moved; walls are being moved. Nittany Engineering stated to Mr. Leahy that they will not finalize the equipment room part of the project as the equipment would not be in until August. The point is simple – the design is not done. He has site guys trying to drill holes, trying to build, and trying to release materials and the design is not done. Regardless of what Mr. Decker says, the fact that drawings are being released on a daily basis in response to RFIs and they are not copied the same indicates that the design is not done. There were two drawings dated May 25, and they were supposed to be identical and did not match. They both had May 25 headings on the top and they were issued at the meeting as piping drawings. They did not match. The pipe fitter stated that they did not have the correct number of pipes.

There was a disagreement with what drawings were issued and the water line drawings. Mr. Thompson stated that Mr. Leahy is making a big deal of little things. Mr. Leahy stated that it is all a big deal and the fact of the matter is that questions will not be answered clearly, the design is not finalized, and drawings are not being issued.

The completion date of the project was discussed. If Mr. Leahy goes past the end date, he will come to the Authority for more money for the completion of the project. Additionally, the DEP deadline has it mandated to get up and operating. Mr. Leahy wishes to help the Authority out and is only asking that he is provided with a complete design. He wishes to walk the plant when the drawings are submitted to make sure they are complete. He asked that the changes be finished and one set of complete drawings is submitted.

The original completion date was established through a combination of things per Mr. Decker. The equipment lead times were identified in the bidding documents. Since then, the supplier has bettered that by four weeks. Mr. Walker was unclear as to why the end date was being argued over.

Mr. Leahy once again asked for a complete set of engineering drawings. The project is more than 61 days with no end in sight. Mr. Thompson stated that the schedule will be worked through. He stated that he looks at the next two weeks of work for issues and problems. There are no issues in the next two weeks. There was arguing over finishing the drawings between Mr. Thompson and Mr. Leahy. He asked Mr. Beigle to get him the

drawings as they are owed to him and asked that this be taken care of. When they are issued, he will confirm that a complete set of documents have been received.

Mr. Cook confirmed that the drawings for the two other projects with the Authority were done in the same manner.

Mr. Walker stated that if Mr. Leahy has a legitimate reason to delay the project, he would like him to tell the Board the reason for the delay, i.e. the project manager quitting. Mr. Leahy stated that the bid docs showed 400 feet of piping; there are thousands of feet drawn up now. This is another problem. He stated that everything was done after the contract was signed.

Mr. Thompson rebutted that the equipment room changes were submitted, and the contractor was notified that there would be changes. He offered that Mr. Leahy did not say anything about having an issue with the equipment room.

In closing, Mr. Leahy once again asked for the final design drawings. Mr. Johnson would like to see the drawings. Open communication was stressed.

There was no extension of the completion date requested by Mr. Leahy. Mr. Stewart said that this will cost the Authority money. Mr. Cook encouraged the Authority not to delay the project. A meeting will be held to review the drawings.

ADJOURNMENT:

**Mr. Johnson moved to adjourn;
Mr. Falcone seconded;
Motion carried.**

Meeting adjourned at 7:25 p.m.

Executive Session- Legal Issues