

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

5 PM Executive Session: Legal Matters

CALL TO ORDER:

The meeting of the November 6, 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 Beigle
Mr. Frank (Buddy) Halderman
Mr. Mike Schmidt
Mr. Doug Johnson

EXCUSED: Mr. Joe Falcone
Mr. Greg Brown
Mr. Brian Walker

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

ENGINEERS: Mr. Bob Decker
Mr. Chuck Thompson

MINUTES:

Mr. Halderman moved to approve the October 2, 2018 meeting minutes;

**Mr. Johnson seconded the motion;
Motion carried.**

ORAL: None.

COMMUNICATIONS - WRITTEN:

Letter from Weis Markets re: Water System Agreement

Mr. Stewart reported that the tap fee reimbursement per lot should be according to the agreement. Originally no number was given. For anyone that would want to tap in to the system, there is a hefty fee. Money is collected from the lot purchaser and sent to Weis.

Letter from DEP re: Changes to Safe Drinking Water Regulations

The DEP updated their fee schedule. The DEP budget last year was \$7 million short. All fees were raised to compensate.

Email from Robert Port re: Water Service to Autumn Ridge

Mr. Port emailed and stated that the costs came in too high. Unless price numbers come down, he has only a few options. Walker was not possible and Howard costs were too high. There was some back and forth. They checked into the fire sprinkler regulations. They need a tank and booster pump on site to serve the homes on that site.

Mr. Stewart suggested bringing Old Business items up on the agenda because there were some people in the audience.

OLD BUSINESS

Halfmoon Hill Property – Proposed Rules Change

Draft at the table to change the regulations to accommodate this property. The Authority has the ability to update rules without a public hearing. It will be put into resolution format to be adopted.

The stakeholders were in the audience. They were provided with a copy of the rules change. They opined that the change was more than fair.

**Mr. Johnson moved to approve the rule changes as outlined.
Mr. Mr. Schmidt seconded the motion;
Motion carried.**

Centre County Christian Academy

Mr. Stewart offered that since this involves the Borough service even though it was a temporary situation in 1979, given that it was meant to be temporary, precedence would not be created. Solicitor Tom Schrack thought the Authority could rest on the fact that, in this case, it was meant to be temporary. There is documentation to back this up.

**Mr. Halderman moved to allow the Christian Academy to link to the Spring Benner Walker Sewer Authority, as proposed;
Mr. Johnson seconded the motion;
Motion carried.**

FINANCE COMMITTEE REPORT:

Budget – Lori Walker, Finance Director

The Water Fund does not see an increase. There was a little extra that was put into capital projects. This fund worked out well. Mr. Auman also had a punch list of projects which included waterline replacements which will include Monroe Street.

There is legislation out about going to the curb box into the house and having the Authority be responsible for that due to lead lines. Nothing has been decided on this yet, per Mr. Stewart.

Mr. Johnson asked that the water line replacement be coordinated with the pavers. It was confirmed that the work is coordinated as such. The paving of Bishop street was discussed briefly.

Mr. Stewart stated that the three storage tanks at Corning will need to be rehabilitated at some point. The budget primarily is an operating budget with some small amounts towards capital.

The potential of Rutter's in the Bellefonte area was discussed briefly.

Preventative maintenance \$75,000; boom mower \$10,000; and a vehicle for the superintendent split up for \$2,000 were included in the budget.

Sewer Fund was discussed. A loan is due in full next year. That was the one taken out in case payment was not received. The rate increase was not where it was projected to be at \$130.00 a quarter. Ms. Walker inquired about possibly bumping that up a little. She asked for feedback from Authority members. I &I was discussed briefly. \$3.00 was suggested. Ms. Walker said that she can figure that in and with one more month, the project may be able to be projected better. It was clarified that this increase would be \$3.00 per quarter. Refuse and taxes will be clearer next month as well. There has been

incremental increases over the past few years in anticipation of the wastewater plant project.

Mr. Johnson inquired about the fees as Council members would ask him. The Authority owns all the residential water meters. If a meter fails, the Borough is responsible unless it is something that occurred as a fault of the homeowner. Commercial customers are responsible for their own meters.

ENGINEER'S REPORT – WATER:

Big Spring Cover –

The contractors finally got back on-site October 16, 2018 and finished installing the drain. Certificate of completion was done, and it was sent over to DEP on October 19. Their cost included a \$71.00 per hour labor rate. Their cost still exceeded \$20,000. It was recommended payment NOT TO EXCEED \$20,000 for final payment. The contract was lump sum. The DEP will be at the project on November 7 to do a final walk through. No issues are anticipated.

At the mediation, the electrical change order, time, and materials would be evaluated. There were several things questioned. Best case scenario is \$4,700 if the certified payroll, are accurate and true. Worst case scenario \$7,582. The pay app would be put together for this and the Borough would redline it. There was about \$4,500 unjustifiable charges. They were also supposed to complete the work within thirty days of the agreement with the DEP permit deadline left hanging.

Water

Mr. Auman reported that there were 5 manholes that were raised this past summer and there were three more out toward Robin Road that were paved over. They will be raised as well. Eight were found buried for thirty-plus years.

Sewer

Mr. Lundy stated that the schedule impact is down to 25-30 days. McCrossin was asked to give an updated realistic schedule at this point with any cost impact.

Work change directive 2 and change order no.2 was being recommended for approval. It is a negative change in the amount of \$6,444.64. There is no time impact.

amount **Mr. Halderman moved to approve the change order No. 1 in the amount of \$6,444.64 credit;**
Mr. Johnson seconded the motion;
Motion carried.

Pay Application 7 McCrossin in the amount of \$384,307.7; Lepley Pay App No. 5 was in for \$129,756.61. On McCrossin they are past 50% so their retainage went from 10 to 5 with this pay app.

Mr. Halderman moved to approve Pay App 7 from McCrossin and Pay App 5 from Lepley in the amounts of \$384,307.70 and \$129,756.61, respectively;
Mr. Johnson seconded the motion;
Motion carried.

Sewer

Bulk water sales were 140,000 gallons. Tank No. 1 was placed online. October 10, the south clarifier was repaired and while it was down the wear shoes were replaced; October 11 did start up for the mixers and EQ basin No. 2 and No. 3. One of the motors will be replaced. October 15 reactivated the sludge unit and RBC 3 was turned over to the contractor; October 16 submitted nutrient credit verification forms to Pa DEP. October 22 received nitrogen credit registration letter from DEP approving the sale of the credits. There was six loads of scrap metal hauled to Beech Creek for \$5,831. November 1 auction ended for the third set of RBC covers for \$4,239.

Centre County Corrections - Update

November 2 staff met with Centre County Corrections, and they hired a consultant. They are working through a few issues. They are asking for a change in the phosphorus limit that was set in the permit bumping it up to 6. Water conservation was built into the building when it was constructed. The usual dilution value is not present, as with other places. They are going to install an auto sampler and sample twice a month and give the Borough the results. They have done a lot of due diligence trying to find the phosphorus issue and it is moving forward.

Mr. Stewart remarked that this is the time to sell nutrient credits, 10,478 nitrogen credit are available and possibly sold. The Authority also had 1,307 phosphorus credits. 1,094 are under contract. The deadline is the end of the month.

Mr. Leahy of McCrossin came in at the end of the meeting. He wondered why no Authority members were attending the regular update meetings.

NEW BUSINESS:

Daily Water Withdrawal Report October 2018

ADJOURNMENT:

Mr. Johnson moved to adjourn;

**Mr. Halderman seconded the motion;
Motion carried.**

Next meeting will be Tuesday, December 11 at 6 p.m. A reminder will be sent out a week prior.

Meeting adjourned at 6:30 p.m.

Mr. Leahy spoke to the Authority about the project. He stated that he keeps getting half answers on all the questions. He does not know if the lowest responsible bid was acceptable when it was designed. The engineers are contacting the vendors trying to make changes behind the scenes for the design of the project midstream. About four months ago, he mentioned that the equipment room has no concrete pads under any of the equipment. He questioned that prior. It is a wet environment and the equipment will rust. The equipment was set this week and now the engineer is requesting concrete pads. He stated that he has built many treatment plants and he continues to get half answers. He received emails today that he is not being cooperative. He has tried to warn the Authority from the beginning about the issues and the warnings went ignored.

He has a \$605,000 change order which will probably escalate from there. He stated that if the issue is not addressed now there will not be an operable system. He stated that the Authority members are not concerned with what is happening.

Mr. Beigle rebutted by stated that he likes to deal with people that are honest and straightforward and give answers when they are due and not play bull with him when he is giving his own personal opinion. When he asks someone to do something for him and they give him a cost – he expects an honest cost to be given – not a frivolous cost but a cost and do something and be honest when it is done. When he does jobs on the side, he gives prices and sticks to these prices because that is the price he gave out. Even if he had to do some extra work he still sticks with that price as given.

He wanted to see honesty and integrity from the individuals doing the work at the project. No smoke and mirrors - no one likes smoke and mirrors. People need to be honest and do the job that they are supposed to do. He stated that this is his own personal opinion and how the other members feel are up to them.

Mr. Decker stated that Leahy stated that the engineers are talking with his vendors who they worked with design and permitted the project with. He stated that Evoqua was contacted about flipping the two sides of the pipe. They stated that it was not an issue to do. He stated that Mr. Leahy would rather get a \$130,000 change order due to concern about Bob Cook and the plant. A change order that was given to move the pipe was ridiculous in Mr. Decker's opinion and there is no change in it only a solution to avoid interference with some pipe.

Mr. Leahey inquired about how many times the pipe in question was moved - the answer zero. He claimed that the equipment was designed to run into the pipe. The pipe is welded to the trough. The request was to move this pipe. He priced it out at \$60,000 to move one pipe. If you go down and look at what was requested, that is the cost. He priced out two because two were needed, per his understanding.

Mr. Thompson stated that there are always conflicts on projects and solutions are sought from the contractors. If there is a conflict with a pipe, there was an effort to resolve it as quickly as possible when brought up. That is the process that is followed. The supplier was contacted because there is a working design relationship with them that has lasted for some time. This will continue. He stated that some things are not picked up and they are proceeding to resolve the issues.

Mr. Leahy stated that a typical engineer takes the as built and overlays the project on that plan. This was never done. Photos were taken, and pdfs were done. The job was never engineered. He said that he got 9 emails with the exact same thing today. It does not change. He opined that he thought that with Mr. Stewart attending the meetings, that information would be relayed but he knows he is busy. Mr. Leahy stated that he came tonight to relay that the exact same thing that he complained about back in August is still going on. Design was not finished, and the project is going in to December and he is looking into a time extension for the same reason back in August. He does not feel that the change orders are unreasonable. Pipe costs money to weld. Just because he receives a pdf with a few red lines asking a pipe to be moved, and it is priced out does not make him dishonest. The price came from the pictures. He does not believe that the engineers looked at the asbuilts before designing the project.

Mr. Decker and Mr. Leahy argued between each other about the job not being engineered correctly and the job not being constructed within budget. Mr. Leahy stated that when he comes in in a few months and he presents a change order he wants to hear a reasonable response – not you did the job off of a picture.

Mr. Johnson moved to adjourn;
Mr. Schmidt seconded the motion;
Motion carried.

Meeting adjourned at 7:14 PM.

Executive Session: Legal