



## **Regular Meeting (6:00 PM)**

### In Attendance:

#### Board:

J. Marc Kurowski, P.E., Chairperson  
William J. Cluck, Esquire, Vice-Chairperson  
Darryl S. Waters (via speakerphone)  
Garvey Presley, Jr.

#### Staff:

Shannon M. Gority, P.E., Chief Executive Officer (via speakerphone)  
Jack Lausch, Director of Administration  
David Nowotarski, CPA, Chief Financial Officer  
David W. Stewart, P.E., Director of Engineering  
Karen M. McKillip, Archivist  
Tammie Sheaffer, Office Manager  
Tanya Dierolf, Sustainability Manager  
Sheri Byrne-Long, Engineering Project Coordinator  
Andrew Bliss, Community Outreach Manager  
Mike McFadden, Superintendent – Drinking Water  
Jess Rosentel, Superintendent – Wastewater

#### Consultants:

Steven E. Grubb, Esquire (Goldberg Katzman, P.C.)  
Ed Ellinger, P.E. (HRG)  
Mike Mehaffey, P.E. (Gannett Fleming)  
Herb Higginbotham (AECOM)  
Randall L. Henne, P.E. (CDM Smith, Inc.)

#### Others:

Tim Dean, P.E. (Amec Foster Wheeler)  
Andrew Donaldson, Senior Environmental Scientist (JMT)  
Frederick Douglas (Cosmos Technologies, Inc.)  
Matt Crow (Hazen & Sawyer)

### **I. Call to Order - Pledge of Allegiance - Roll Call:**

The meeting was called to order by Chairperson Kurowski at 6:15 PM.

Chairperson Kurowski noted that Board members Kurowski, Cluck and Presley were present and that Mr. Waters and Ms. Gority are participating via conference call. Ms. Skotedis is not present.

## **II. Chairperson's Announcements:**

- A.** An executive session under Section 708(a) of the Sunshine Act was held today at 5:00 PM to hear a confidential report on personnel matters from the Personnel Committee; discuss legal issues surrounding a street sweeping contract; discuss legal strategy regarding legal disputes and potential litigation with the City of Harrisburg pertaining to transfer transition issues, as well as issues surrounding defense/indemnity issues with the City of Harrisburg in two pending personal injury cases.
- B.** The next Regular Meeting is scheduled for Wednesday, March 22, 2017 at 6:00 PM and is open to the public.

## **III. Committee Reports**

**Personnel Committee:** Mr. Cluck reported that the Personnel Committee has developed a 360° Review Process for the CEO and Directors. More information will be available at the next Board meeting.

## **IV. Staff Reports:**

The Monthly Management Report was provided to the Board in advance of the meeting and posted to CRW's website.

Mr. Cluck asked questions relative to the Monthly Management Report and responses were provided from the floor by CRW staff as follows:

- Clarification of legacy accounts under Estimated Meter Readings: Accounts that are being estimated for an extended period and Customer Service is determining whether these are vacant properties or customers that are not responding to requests to schedule inside access to perform actual meter readings.
- Request for copy of the AWTF Sewer Bonds Refinancing Preliminary Official Statement (POS): Mr. Nowotarski will provide copies of the final Official Statement to Board members.
- Twitter complaint received from customer requesting shut off a party line: Mr. Cluck to forward the complaint to Mr. McFadden for response.

- Clarification of the project that CDM Smith is coordinating with PennDOT's consultant modeling of Paxton Creek: The project deals with the Long Term Control Plan and MS4 Permit. PennDOT has identified the flooding of Paxton Creek as a key issue for the Harrisburg Transportation Center and CRW is sharing information relative to hydraulic modeling of CSO's.
- Confirmation that, although PADEP has not acted on the 2014 MS4 Permit Application, CRW is required to submit a new application by September 2017: Mr. Stewart confirmed that CRW will request a refund of the previous permit application fee since no action was taken on it.
- Confirmation regarding reporting the five (5) water main breaks that CRW responded to that were detected by sounding equipment to PADEP: Mr. McFadden stated that those types of incidents are non-reportable and were not reported to PADEP. PADEP only needs to be notified if a water main break flows into a stream.
- Clarification as to whether the grease blockage in a sewer main on South 13<sup>th</sup> Street was a residence or commercial establishment: Mr. Rosentel confirmed that it was a residence.
- Availability of ArcGIS Online Maps displaying storm inlet maintenance on website: Mr. Stewart confirmed that they are.
- Role of the Board in the Asset Management Program: Mr. Stewart is planning for a presentation of an overview of the GIS program at the April Board meeting and would like to present on the Asset Management program at a subsequent meeting. The staff has developed an Asset Management Policy that may require Board level approval.
- Clarification of Board action requirement regarding the Public Communications – Strategic Plan Communications Project: Mr. Bliss responded that this project is in the RFP process and relates to customer research under the Strategic Plan with funding authorized within the 2017 Budget. The Board may want to take action on this matter.
- Clarification regarding CRW issuing Street Cut Permits and the fee(s) charge associated with this process: Mr. Stewart reported that the City of Harrisburg passed an Ordinance that placed this responsibility onto the utility that it services (water or sewer). CRW is developing a process relative to this new responsibility and the fees for administration have not been determined.
- Main contributor for the loss of over 4,000,000 gallons of water in January: Mr. McFadden reported that there was a major water main break on Cameron Street.
- Clarification of a meter pit issue: Customers that have service lines longer than 100 feet generally have a meter pit closer to the main. Sometimes there are issues with getting the auto-read meter readings from meter pits.

- Clarification of a hydrant connection as referred to in Exhibit K to the Drinking Water Report: A hydrant connection is when someone applies to place a meter on a hydrant for construction. The water is then tracked through that meter and billed by CRW.
- Clarification of the Upper Reservoir water leakage: CRW previously made an attempt to repair the Upper Reservoir only to have a new leak detected. During the first quarter of 2017, CRW anticipates inspection and repair to the Upper Reservoir will occur.
- Clarification of lab and instrument taps: This is a tracking of on-line meters to get real-time tracking.
- Clarification if items removed during the cleaning of the sewer interceptors are being tracked other than sediment: Mr. Stewart noted that some of the larger items are being documented such as car bumpers, tires, license plates, etc. This is reflective of how long the interceptor cleaning has been neglected.

Mr. Cluck commended the AWTF staff for doing a great job in removing the biosolids at the plant, and for recently to mitigate the impact of longer hours to accommodate the interceptor cleaning in the Shipoke area.

Mr. Presley asked questions relative to the AWTF Monthly Report and responses were provided from the floor by CRW staff for the following:

- Anaerobic Digester Ragging: Mr. Rosentel explained the procedure. He also advised that the larger fix will be the Headworks Screening Project.
- Status of the hydro turbine at Drinking Water: It is back on line as of February 22nd, however, it will be taken off-line when the B-line is assessed during the month of March.

There were no questions by Board members Kurowski or Waters.

## **V. Minutes of Previous Meetings:**

A motion was made by Mr. Cluck, seconded by Mr. Presley, that the Minutes of the January 25, 2017 Regular Meeting be approved as presented.  
The motion was unanimously approved.

## **VI. Modifications or Deletions to the Agenda:**

The following motion will be added to the Agenda as published under Engineering:

**D. Street Sweeping Services:**

1. **Motion to Rescind:** The Board rescinds the motion passed at the January 25, 2017 meeting which read: "Street Sweeping: Services Contract: Motion: The Board authorizes the execution of the contract for street sweeping services with Reilly Sweeping, Inc. for a not-to-exceed fee of \$575,000. Funding Source: Wastewater #80251521-52100 – Ww FMnt Shared Services."
2. **Street Sweeping Services – Recommendation to Reject Bids:**  
**Motion:** The Board rejects all bids received on December 2, 2016.

**VII. Public Comments - Agenda and/or Non-Agenda Items (3 minutes):** None.

**VIII. Old/New Business:**

**Executive:**

A motion was made by Mr. Cluck, seconded by Mr. Kurowski, that the following item be approved, Executive Item A.:

**A. Resolution No. 2017-049 – Adoption of Minimum Participation Levels for the Advanced Wastewater Treatment Facility Headworks Screening Project:**

**Motion:** The Board approves Resolution No. 2017-049 which establishes the following minimum participation levels for the Advanced Wastewater Treatment Facility Headworks Screening Project:

MBEs – 15.0% of the total dollar amount of the General Construction contract;

Other DBEs (WBE, Veteran, Service-Disabled Veteran or LGBT Business Enterprise) - 5.0% of the total dollar amount of the General Construction contract;

MBEs – 5.0% of the total dollar amount of the HVAC Construction contract;

Other DBEs (WBE, Veteran, Service-Disabled Veteran or LGBT Business Enterprise) – 2.0% of the total dollar amount of the HVAC Construction contract;

MBEs – 5.0% of the total dollar amount of the Electrical Construction contract; and



Other DBEs (WBE, Veteran, Service-Disabled Veteran or LGBT Business Enterprise) – 2.0% of the total dollar amount of the Electrical Construction contract.

The motion was unanimously approved.

A motion was made by Mr. Cluck, seconded by Mr. Presley, that the following items be approved by consent, Executive Items B., C. and D.:

**B. Resolution No. 2017-050 – Adoption of Minimum Participation Levels for the Water Services Center Chlorine Scrubber Installation:**

**Motion:** The Board approves Resolution No. 2017-050 which establishes the following minimum participation levels for the Water Services Center Chlorine Scrubber Installation:

MBEs – 50% of the total dollar amount of the General Construction contract; and

Other DBEs (WBE, Veteran, Service-Disabled Veteran or LGBT Business Enterprise) – 2.0% of the total dollar amount of the General Construction contract.

**C. Resolution No. 2017-051 – Adoption of Minimum Participation Levels for the Water Services Center Plate Settlers Installation:**

**Motion:** The Board approves Resolution No. 2017-051 which establishes the following minimum participation levels for the Water Services Center Plate Settlers Installation:

MBEs – 5.0% of the total dollar amount of the General Construction contract; and

Other DBEs (WBE, Veteran, Service-Disabled Veteran or LGBT Business Enterprise) – 2.0% of the total dollar amount of the General Construction contract.

**D. Resolution No. 2017-052 – Adoption of Minimum Participation Levels for the Water Services Center Generator Installation:**

**Motion:** The Board approves Resolution No. 2017-052 which establishes the following minimum participation levels for the Water Services Center Generator Installation:

MBEs – 5.0% of the total dollar amount of the Electrical Construction contract; and

Other DBEs (WBE, Veteran, Service-Disabled Veteran or LGBT Business Enterprise) – 2.0% of the total dollar amount of the Electrical Construction contract.

The motion was unanimously approved.

A motion was made by Mr. Cluck, seconded by Mr. Kurowski, that the following item be approved, Executive Item E.:

**E. Great Harrisburg Litter Cleanup Contribution:**

**Motion:** The Board authorizes the contribution not-to-exceed \$2,000 to Tri County Community Action to sponsor and support the Great Harrisburg Litter Cleanup. The in-kind support will not exceed \$700. Funding Source: Wastewater #80504542-54201 Ww – Community Outreach.

This event will occur on Saturday, April 22, 2017 and volunteers are needed.

CRW's in-kind services will be through a monetary sponsorship of vehicles and our award winning water for the volunteers. Mr. Grubb noted that CRW needs to be in compliance with the Municipal Authorities Act relative to charitable contributions in excess of \$1,000. It was noted that the monetary sponsorship to this organization is more than a monetary contribution to a charitable organization, as it is part of CRW's Mission Statement relative to Street Sweeping and keeping trash out of our operating systems.

The motion was unanimously approved.

A motion was made by Mr. Kurowski, seconded by Mr. Presley, that the following item be approved, Executive Item F.:

**F. Legal Counsel for Water Allocation Permit:**

**Motion:** The Board authorizes the CEO's engagement of Barnes & Thornburg for legal services and Geosyntec for biological technical services to support CRW's negotiation of the Water Allocation Permit renewal with PADEP. Scope of services and estimated fees will be established and brought back to the Board as Task Order assignments after engagement, review of PADEP's files and development of a strategic approach. Funding Source: Water #60504541-54100 – Wtr Legal Services.

A discussion was held with Board members regarding the effects of a possible increase in CRW's required conservation release amount in the next Water Allocation Permit being negotiated with PADEP. An increased conservation release would result in less water available during time of low flow and drought. If CRW is unable to withdraw adequate water from DeHart, CRW would need to use our alternative water source (Susquehanna

River), thereby incurring additional operational costs related to pumping and additional treatment costs – estimated at approximately \$1,000 per day.

During the discussion it was noted that CRW is already releasing more water than mandated by our Water Allocation Permit which expired in 2011. By law, CRW is permitted to continue to operate under the existing expired Water Allocation Permit. The purpose of this motion is for CRW to engage legal counsel and a biologist in our defense of the terms of the Water Allocation Permit.

Board members voiced concern and inquired about CRW seeking legal counsel within the Harrisburg area.

The motion failed with Board members Kurowski, Cluck, Presley and Waters being opposed to the motion.

**Administrative:**

A motion was made by Mr. Kurowski, seconded by Mr. Cluck, that the following items be approved by consent, Administrative Items A., B. and C.:

**A. Resolution No. 2017-007 – Right-to-Know Policy:**

**Motion:** The Board approves Resolution 2017-007 which adopts a Right-to-Know Policy under the name of Capital Region Water.

**B. Resolution No. 2017-008 – Schedule of Fees for Right-to-Know-Requests:**

**Motion:** The Board approves Resolution 2017-008 which adopts a Schedule of Fees for Right-to-Know Requests under the name of Capital Region Water.

**C. Resolution Nos. 2017-009 through 2017-048 for Destruction of Records:**

**Motion:** The Board approves Resolution Nos. 2017-009 through 2017-048 for destruction of records as detailed in Exhibit “A” of each Resolution.

The motion was unanimously approved.

**Finance:**

A motion was made by Mr. Cluck, seconded by Mr. Kurowski, that the following item be approved, Finance Item A.:



**A. FY2017 As-Needed Services - ARCADIS:**

**Motion:** The Board authorizes the CEO to approve the engagement of ARCADIS to provide financial and technical assistance on an as-needed basis for FY2017 under the Rate Schedule provided in the February 14, 2017 Proposal. Funding Source: Admin #10004541-45103 – Adm Financial Advisor Fees.

The motion was unanimously approved.

A motion was made by Mr. Kurowski, seconded by Mr. Presley, that the following item be approved, Finance Item B.:

**B. Resolution No. 2017-053 - Sewer System Revenue Bonds – Series of 2017:**

**Motion:** The Board adopts Resolution 2017-053 which authorizes the Issuance of the Sewer System Revenue Bonds, Series of 2017 in a Principal Amount Not-to-Exceed \$65,000,000 (the “2017 Bonds”).

Board members noted they were pleased to see CRW has the ability to seek financing again. Mr. Nowotarski indicated that CRW will continue to seek funding from PENNVEST, however, CRW will seek the maximum amount of \$65,000,000 at this time due to scheduling in order to require multiple Bond issues which contain transaction fees. He further noted that any funds not needed in 2017 would then be utilized towards 2018 Capital Improvements for the Sewer System.

Mr. Nowotarski also reported that Standard & Poor has agreed to provide a Green Bond rating for free under a pilot program. This program is valued at \$35,000.

The motion was unanimously approved.

A motion was made by Mr. Cluck, seconded by Mr. Kurowski, that the following item be approved, Finance Item C.:

**C. Financial Consultant - Public Resources Advisory Group:**

**Motion:** The Board authorizes the continued engagement of Public Resources Advisory Group for financial advisory services in accordance with a February 15, 2017 Letter Agreement to be billed hourly for work completed under the updated fee schedule provided. Funding Source: Admin #10004541-45103 – Adm Financial Advisor Fees.

The motion was unanimously approved.

**Engineering:**

A motion was made by Mr. Cluck, seconded by Mr. Kurowski, that the following item be approved, Engineering Item A.:

**A. Task Order 2017-06-01 Cityworks Support with CH2M:**

**Motion:** The Board authorizes the Director of Engineering to execute the Task Order 2017-06-01 dated February 7, 2017 with CH2M for Cityworks Support for a not-to-exceed fee of \$116,353.52. Funding Source: Water #60504541-54104 – Wtr Engineering Services and Wastewater #80504541-54104 – Ww Engineering Services.

The motion was unanimously approved.

A motion was made by Mr. Cluck, seconded by Mr. Presley, that the following item be approved, Engineering Item B.:

**B. MS4 Permit Obligation - Paxton Creek Sediment TMDL - TMDL Plan:**

**Motion:** The Board authorizes the Director of Engineering to execute the contract with HRG for the Preparation of the Paxton Creek Watershed TMDL Plan for a not-to-exceed fee of \$149,900. CRW will be responsible for 1/3 of the cost, sharing the fee with Susquehanna Township and Lower Paxton Township (not-to-exceed \$49,966.67). Funding Source: Wastewater #80800801-80100-00070 – Ww GSI Design – PROF SERVICES.

The motion was unanimously approved.

A motion was made by Mr. Kurowski, seconded by Mr. Presley, that the following item be approved, Engineering Item C.:

**C. 2016-11: Sewer Replacement Project – Change Order No. 2:**

**Motion:** The Board authorizes the Director of Engineering to execute Change Order No. 2 with HRI, Inc. in the amount of \$108,300 Funding Source: Wastewater #80800801-80100-00032 – Ww Sanitary Sewer Coll Sys-I.

The motion was unanimously approved.

A motion was made by Mr. Cluck, seconded by Mr. Kurowski, that the following item be approved, Engineering Item D.1.:

**D. Street Sweeping Services:**

1. **Motion to Rescind:** The Board rescinds the motion passed at the January 25, 2017 meeting which read: "Street Sweeping: Services Contract: Motion: The Board authorizes the execution of the contract for street sweeping services with Reilly Sweeping, Inc. for a not-to-exceed fee of \$575,000. Funding Source: Wastewater #80251521-52100 – Ww FMnt Shared Services."

The motion was unanimously approved.

A motion was made by Mr. Cluck, seconded by Mr. Presley, that the following item be approved, Engineering Item D.2.:

**D. Street Sweeping Services:**

2. **Street Sweeping Services – Recommendation to Reject Bids:**  
**Motion:** The Board rejects all bids received on December 2, 2016.

The motion was unanimously approved.

**IX. Board Comments:**

There were no comments from Board members Waters, Cluck and Kurowski.

Mr. Presley asked if CRW budgets for fines or NOV penalties, and Mr. Nowotarski stated that monies are not budgeted for this type of expenditure. On the rare occasions that CRW would be fined, fines would be charged to the respective operating account number, and budget allocations would have to be reallocated from unspent budgeted line items to absorb the expense and balance the budget.

Mr. Presley asked if CRW pays for voluntary training such as CPR offered to Operators and Mr. Rosentel advised that that they do if the scheduled training is during their shift.

Mr. Presley also asked if additional training is budgeted for Operators and Mr. Rosentel stated that CRW does budget for training and CRW has not had any issue with not being able to pay for requested training so far. Mr. Lausch noted that training is scheduled for multiple sessions to allow second shift operators to be paid for training the same way that first shift operators are.



**X. Public Comment - Non-Agenda Items:** None.

**XI. Adjournment:**

A motion was made by Mr. Presley, seconded by Mr. Cluck, for the Board to adjourn the meeting at 7:19 PM. The motion was unanimously approved.

CAPITAL REGION WATER

A handwritten signature in blue ink, appearing to read "Darryl S. Waters", is written over a horizontal line.

Darryl S. Waters  
Secretary