



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

**In Attendance:**

**Board:**

J. Marc Kurowski, P.E., Chairperson  
Crystal A. Skotedis, CPA, CFE, Vice Chairperson/Treasurer (via speakerphone)  
Garvey Presley, Jr., Secretary  
Andrew M. Enders, Assistant Secretary/Treasurer  
Alisa E. Harris

**Staff:**

Jack Lausch, Director of Administration  
David Nowotarski, CPA, Chief Financial Officer  
Mike McFadden, Superintendent – Drinking Water  
Jess Rosentel, Superintendent – Wastewater  
Karen McKillip, Archivist  
Tammie Sheaffer, Office Manager  
Andrew Bliss, Community Outreach Manager  
Tremayne Terry, Diversity Program Manager  
Matthew Chisnell, Wastewater Field Maintenance Construction Supervisor

**Consultants:**

Scott Wyland, Esquire (Salzmann Hughes, P.C.)  
Ed Ellinger, P.E. (HRG)  
Mike Mehaffey, P.E. (Gannett Fleming)  
Monika Blassino (WRA)  
Randall Henne, P.E. (CDM Smith, Inc.)

**Others:**

Frederick Douglas (Cosmos Technologies, Inc.)  
Karl Singleton (Pennsylvania Diversity Council)  
Matt Crow (Hazen & Sawyer)  
Herb Higginbotham (HDR Engineering)  
Neal West, Esq. (Harristown Development Corporation)  
James S. Brown (Browns Building Services, LLC)  
James White (White Painting)  
Kyron Robinson (ProRank Business Solutions, LLC)  
Erskin Jones (TLC Construction & Renovations, LLC)  
Tarik Casteel (TLC Construction & Renovations, LLC)  
Carlos Nojcey (TLC Construction & Renovations, LLC/B&A)  
Marquisa L. Majors (Chosen Environmental Services)  
Larry Mitchell (Chosen Environmental Services)



**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, Presley, Harris and Enders were present, and Ms. Skotedis was participating via speakerphone.

**II. Chairperson's Announcements:**

- A.** An executive session under Section 708(a) of the Sunshine Act was held today at 5:00 PM to discuss matters with general counsel regarding potential litigation and personnel matters.
- B.** The next Regular Meeting is scheduled for Wednesday, April 25, 2018 at 6:00 PM in the Locust Court Building, 212 Locust Street, Harrisburg, Pennsylvania, and is open to the public.

**III. Committee Reports:**

**Budget and Finance Committee:** Ms. Skotedis reported that the Committee met earlier in the month and reviewed the upcoming Water Bond refunding, and Accounting and Cash Policies that will be brought to the Board's attention in the upcoming months.

**Personnel Committee:** Ms. Skotedis reported that the Committee met earlier in the month and reviewed two revised and two new Personnel Policies that will be brought to the Board in the upcoming months.

**IV. Management Report:**

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

Mr. Kurowski advised that Mr. Stewart was not present this evening and asked if there were any questions.

Mr. Presley asked if any portions of Front Street will be impacted by traffic restrictions during the Front Street Interceptor Rehabilitation Project. Mr. Rosentel advised that Phase I of the project is located towards uptown Harrisburg near the Capitol Greenbelt. There may be possible lane restrictions during the construction project at various times.

There were no further questions or comments from other Board members.

**V. Minutes of Previous Meetings:**

A motion was made by Mr. Presley, seconded by Ms. Harris, that the Minutes of the February 28, 2018 Regular Meeting be approved as presented.

The motion was unanimously approved.

**VI. Modifications or Deletions to the Agenda:** None.

**VII. Public Comment - Agenda Items (3 Minutes):**

Neal West, Senior Vice President and Legal Counsel of Harristown Development Corporation introduced himself and thanked Messrs. Nowotarski and Kurowski for their cooperation in meeting as an effort to continue Harristown's rehabilitation of homes and buildings. Harristown's continued rehabilitation of residential homes in hope to encourage residential homeowners and businesses to move into the City of Harrisburg. Harristown is seeking the cooperation of Capital Region Water on possible solutions towards controlling costs with residential home renovations. He provided a list of questions that Harristown would like Capital Region Water to consider. Mr. Kurowski distributed the list of questions to the Board members.

Mr. Kurowski disclosed for the record that he is also a Board member of the Harristown Development Corporation and works with Mr. West.

Karl Singleton, Pennsylvania Diversity Coalition introduced himself and stated that he will continue to attend CRW's Board meetings to advocate for the local M/W/DBE contractors to make sure that CRW is being held to the standards of its M/W/DBE Plan. He voiced concerns that he is closely monitoring the Third Street Renovation Project, even though it is a City of Harrisburg Project, but is also funded with Impact Harrisburg multimodal monies. He will continue to bring M/W/DBE contractors to the table to ask questions about the levels of participation of M/W/DBE contractor "boots on the ground" regarding CRW's list of Capital Improvement Projects to make sure that CRW is being held accountable for its goals.

Messrs. Kurowski and Presley thanked Mr. Singleton for his comments and stated that CRW's Board is committed to building a database, and is sincere in its efforts to hold and educate contractors to be accountable to meet or exceed goals established under CRW's

M/W/DBE Plan. Board members welcome the feedback from the community as they continue with the award of its Capital Improvement Projects.

## **VIII. Old/New Business:**

### **Administrative:**

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

**A. Resolution Nos. 2018-037 through 2018-053 for Destruction of Records:**

**Motion:** The Board approves Resolution Nos. 2018-037 through 2018-053 for destruction of records as detailed in Exhibit "A" of each Resolution.

The motion was unanimously approved.

### **Executive:**

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

**A. DeHart Property – Authorize Execution of Deed:**

**Motion:** The Board authorizes the Chairperson to execute the Deed relative to the DeHart Property.

The motion was unanimously approved.

### **Finance:**

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

**A. Ratification of Execution of Payment Agreement with Loketch Companies:**

**Motion:** The Board ratifies and approves the Chairperson's execution of a Payment Agreement with Loketch Companies. The Payment Agreement provides for the payment of the outstanding delinquent balances of the Loketch Companies.

The motion was unanimously approved.

**Engineering:**

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

**A. Task Order 2017-15-02: Engineering Services for Front Street Interceptor Rehabilitation - Phase I with Whitman Requardt and Associates:**

**Motion:** The Board authorizes the Director of Engineering to execute Task Order 2017-15-02 with Whitman Requardt and Associates (WRA), as outlined in WRA's Proposal, in the amount not-to-exceed \$198,833. Funding Source: Wastewater #80800801-80100-00029 – Ww Interceptor Rehabilitation.

The motion was unanimously approved.

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

**B. Task Order 2018-11-01: Engineering Services for Primary Clarifier Improvements Project – Second Opinion Project Review with Gannett Fleming:**

**Motion:** The Board authorizes the Director of Engineering to execute Task Order 2018-11-01 with Gannett Fleming to provide a Second Opinion Project Review of the Primary Clarifiers, in an amount not-to-exceed \$14,700. Funding Source: Wastewater #80800801-80100-00024 – Ww Primary Clarifier Improvement.

The motion was unanimously approved.

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

**C. Cameron Street Water Main Lining Project – Recommendation to Reject Bids:**

**Motion:** The Board authorizes the Director of Engineering to reject all bids received on March 13, 2018 for the Cameron Street Water Main Lining Project. Funding Source: N/A.

Upon inquiry, it was noted that the bids for this project came in double the estimated amount, therefore, the Scope of Work will be amended to break down the work into several projects as part of the 2018 Capital Improvements Project and the project will be rebid.

The motion was unanimously approved.

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

**D. AWTF Primary Digester Rehabilitation Project – Recommendation of Award:**

**Motion:** The Board authorizes the Director of Engineering’s issuance of Notices of Award and subsequent execution of Contract Documents following receipt of insurance and bonds for the AWTF Primary Digester Rehabilitation project as follows:

1. **General Contract:** Eastern Environmental Contractors, Inc. in the amount of \$7,977,940.
2. **HVAC Contract:** Thermal Logistics Inc. in the amount of \$93,000.
3. **Electrical Contract:** I.B. Abel Inc. in the amount of \$1,835,359.

Funding Source: Wastewater #80800801-80100-00020 – Ww Anaerobic Digester Roof Replacement.

A discussion was held on the amount of M/W/DBE participation that is included within the above three projects.

The motion was unanimously approved.

**Operations:**

A motion was made by Mr. Presley, seconded by Mr. Enders, that the following items be approved, Operations Items A. and B.:

**A. Backup CCTV Camera and Associated Equipment:**

**Motion:** The Board authorizes the purchase of one (1) new Envirosight Rower X Camera System from A&H Equipment at a cost not-to-exceed \$68,185. Funding Source: Wastewater #80800804-80400-00027 – Ww Vehicular Equipment.

**B. Purchase of Portable Trailer Dewatering Pump for Drinking Water Division:**

**Motion:** The Board authorizes the procurement of one (1) Godwin Dri-Prime® CD100M Portable Trailer Dewatering Pump at a total cost of \$28,315, as outlined in Xylem’s Proposal, dated December 15, 2017, under COSTARS Contract 016-008. Funding Source: Water #60800804-80400-00056 – Wtr Operations Equipment.

The motion was unanimously approved.

**IX. Board Comments:**

Ms. Skotedis – no comments.

Mr. Presley stated that he recently did a ride along with Drinking Water's staff member, Buck Kelley. He encouraged other Board members to do a ride along with either the Drinking Water or Wastewater staff if they have time.

Mr. Presley stated that Sue Paul, CRW's Human Resource Manager, has resigned and wished her well in her future endeavors.

Mr. Enders (1) congratulated Board member Crystal Skotedis, on her recent 2018 YMCA Woman of Excellence Award through the Harrisburg Chamber of Commerce; and (2) encouraged residents in the Green and Hamilton Street area to clean up trash when they see it to assist Capital Region Water in an effort to keep our community clean and to avoid storm sewer backups.

Ms. Harris stated that she continues to listen and learn and encouraged the community to provide their feedback. When negative feedback is provided, she recommends providing a possible solution to Capital Region Water as well.

Mr. Kurowski noted that Leonard "Len" Kelly of CRW's Wastewater Division is retiring after 46 years of service. He thanked Mr. Kelly for his service and wished him well in his retirement.

He also stated that CRW continues the process in search of a new CEO. CRW had previously engaged an executive search firm and are actively moving the candidates through the vetting and interview process with the Board and Management.

**X. Public Comment - Non-Agenda Items:**

Mr. James White, White Painting, resident and MBE contractor within the City of Harrisburg, requested the breakdown of the M/W/DBE levels awarded under the AWTF Primary Digester Rehabilitation Project. He voiced his concern that CRW had previously stated it wanted more "boots on the ground" participation over suppliers. He stated that many of the persons in attendance tonight had placed bids with Eastern Environmental Contractors for the General Contract and were not awarded contracts. He wanted to know what they have to do to be able to receive parts of the work being awarded by CRW. He noted that CRW stated that they wanted more local participation and he doesn't see that happening.

Mr. Kurowski advised that CRW continues to perform outreach and education to M/W/DBE contractors under its M/W/DBE Plan to build a database, however, CRW cannot dictate to general contractors that they utilize only local M/W/DBE contractors. In fact, CRW recently rejected bids for lack of M/W/DBE participation.

Mr. Kyrone Robinson, ProRank Business Solutions, LLC, asked Mr. Kurowski to repeat the Minimum Participation Levels (MPLs) that were assigned to the AWWTF Primary Digester Rehabilitation Project. The MPLs were set at 15% MBE and 5% W/DBE. While CRW may be meeting the projected MPL goals for the AWWTF Primary Digester Rehabilitation Project overall, it is being viewed by local MBE contractors that most of the MPLs are being met by suppliers, not “boots on the ground.”

Mr. Tremayne Terry explained the scoring and rationale of the award because a large amount of the contract relates to the purchase of equipment, and that two (2) MBE firms are included within the MPL limits representing the “boots on the ground” that CRW wants to achieve.

Mr. James Brown, Browns Business Solutions, LLC, stated that he is a local HVAC and Mechanical contractor that had submitted proposals to Eastern Environmental Contractors and had not been awarded a contract. He was interested in how the scoring was being calculated by CRW and was anyone policing the submittal of bids by the contractors? He noted that while smaller M/W/DBE firms cannot compete as general contractors, they can certainly compete amongst themselves for the smaller MPL percentages that have been allocated by CRW to achieve what CRW wants to see and requested CRW be open to that type of scoring system.

Mr. Erskin Jones, TLC Construction & Renovations, LLC, stated that he feels CRW needs to get it together in order to get more MBE contractors involved and hired for CRW's projects.

Mr. Larry Mitchell, Chosen Environmental Services, stated that his wife has a WBE company in Harrisburg and that it is known throughout the community that many men will have female relatives establish WBE companies in order to receive contracts. While he knows that is legal, many of those companies are only suppliers and not the “boots on the ground” type of participation that CRW is seeking to achieve. He noted that his company had also submitted a proposal for asbestos removal to Eastern Environmental Contractors and had not received the award, so he too was curious how the scoring was calculated by CRW.

Mr. Wyland clarified that the role of General Counsel is not to take positions on particular programs and assured the public that Salzmann Hughes does not take a position in opposition or in favor of the program. It is General Counsel's job to explain to the Board



what the law is, and to make sure that the actions taken by the Board are defensible and in accordance with the law. As a side note, Mr. Wyland stated that CRW's Board is pushing the M/W/DBE Program to the boundaries that it can. A lot of earnest activity and behind the scene effort is being made by CRW and he doesn't want anyone to have an impression that the Board is not doing everything it can possibly do to promote the effort of the M/W/DBE participation.

Mr. James White stated that a previous question had been asked as to who is policing and evaluating the participation? Mr. White stated that certain scopes of work do not require contractors to be prime contractors, and asked who is policing the general contractors? He disagrees with CRW's General Counsel stating that he doesn't feel CRW is doing enough because he knows that contractors have made suggestions and solutions to a number of items in existence and believes there is resistance by CRW of trying to change.

Ms. Harris questioned who and how would CRW be able to enforce the bidding process or how does CRW enforce after a contract has been awarded and boots are on the ground?

Mr. James White believes that the best mode is to be preemptive. Once CRW awards the contractor and they receive their commitments, he believes CRW's hands are tied.

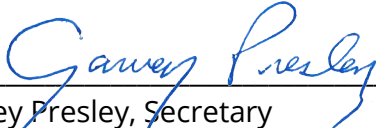
Mr. James Brown also stated that due to the number of Capital Improvement Projects that have already been awarded, he believes CRW should set aside a specific amount for remaining projects that must be performed by M/W/DBE contractors and stay with it. He said that the amount of M/W/DBE participation that is being awarded to these types of contractors is insulting.

Board members thanked everyone for their comments and were open to conversations after the meeting.

## **XI. Adjournment:**

A motion made by Mr. Presley, seconded by Ms. Skotedis, for the Board to adjourn the meeting at 7:21 PM. The motion was unanimously approved.

CAPITAL REGION WATER



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Garvey Presley, Secretary