



Regular Meeting (6:00 PM)

In Attendance:

Board:

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

Staff:

Mark J. Kropilak, Chief Executive Officer
David Nowotarski, CPA, Chief Financial Officer
David W. Stewart, P.E., Director of Engineering
Mike McFadden, Superintendent – Drinking Water
Joe Pezzino, Operations Supervisor – Drinking Water
Jess Rosentel, Superintendent – Wastewater
Karen McKillip, Archivist
Tammie Sheaffer, Office Manager
Renee Kolacek, Human Resource Manager
Andrew Bliss, Community Outreach Manager
Tremayne Terry, Diversity Program Manager
Tanya Dierolf, Sustainability Manager
Sheri Berilla, Asset Manager
Colleen Boeckelmann, Executive Assistant
Jeff Bowra, P.E., Lead Engineer

Consultants:

Scott Wyland, Esquire (Salzmann Hughes, P.C.)
Ed Ellinger, P.E. (HRG)
Mike Mehaffey, P.E. (Gannett Fleming)
Jeff Thompson, P.E. (WRA)
John Hammell (CDM Smith, Inc.)
Chuck Hauser (Arcadis)
Melvin Johnson (MT Johnson Group, LLC)

Others:

Nathan Walker (Wood)
James S. Brown (Browns Building Services, LLC)
James White (White Painting)
Tom Munlyn (Sci-Tek Consultants, Inc.)
Tim Dean, P.E. (AECOM)

Matt Crow (Hazen & Sawyer)
Claude Phipps

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

The meeting was called to order by Chairperson Kurowski at 6:22 PM.

Chairperson Kurowski noted that four of the five Board members were present for the meeting. Ms. Harris was not able to attend.

II. Chairperson's Announcements:

- A.** CRW lost one of our CRW members as the result of a motorcycle accident that tragically took the life of Isaac Green, Thursday evening on July 19. Mr. Green was an Operator at CRW's Advanced Wastewater Treatment Facility.
- B.** 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 personnel matters.
- C.** Chairperson Kurowski introduced and welcomed Mark Kropilak on behalf of the Board and staff. Mark Kropilak, Esq. started as CEO on Monday, July 16, 2018.
- D.** Chairperson Kurowski confirmed Michael Doweary has been hired as the Director of Administration. Ms. Kolacek announced Mr. Doweary will begin employment with CRW on August 27, 2018. Mr. Doweary comes to CRW from the City of York.
- E.** The next Regular Meeting is scheduled for Wednesday, August 22, 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 the Committee has been working on policies and procedures and is happy to recommend the adoption and approval of the Procurement and Purchasing Policy on the Agenda. Procedural changes relating to the Purchasing Policy will be rolled out over the next four to six weeks. She thanked all the staff and committee members for their collaborative effort to roll out the Procurement and Purchasing Policy.

Personnel and Administrative Committee: Ms. Skotedis reported that the Committee met over the past month and continues working on the Employee Handbook. A large amount of time in July was spent on recruiting for open positions. Those positions have been posted on CRW's website. Interested candidates should submit resumes to Renee Kolacek, CRW's Human Resource Manager.

Operations/Engineering Committee: Mr. Kurowski reported that the Committee had not met during the month of July but will begin regularly scheduled meetings in August.

Legal/Risk Management Committee: Mr. Enders reported that the Committee had not met during the month of July, but he had been in contact with Mr. Ritchey and was supplied with the Operations' training schedule for the remainder of 2018. Mr. Enders intends to meet with Mr. Wyland regarding the legal aspects of this Committee sometime within the next month.

Public Outreach / M/W/DBE Committee: Mr. Enders reported that a meeting was scheduled for Thursday, August 2, 2018.

IV. Management Report:

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

Each Board member was asked for any questions or comments as follows:

Mr. Enders had no comments or questions.

Mr. Presley questioned how CRW bills a customer when it is identified that a water meter has been bypassed - what are the procedures for this? Mr. McFadden advised that Customer Service has procedures they follow to recoup lost revenues and to have a replacement meter installed ASAP.

Mr. Presley questioned how a water meter can be bypassed? Mr. McFadden noted by direct straight piping, or accidentally by an individual to open up the bypass, or by a plumber.

Ms. Skotedis requested Messrs. Nowotarski and Stewart to provide a brief overview of any items they have under their respective departments on the Agenda.

Messrs. Nowotarski and Stewart described what the purpose of each Agenda item was.

Mr. Stewart announced that CRW received comments on the Long Term Control Plan (LTCP) update. A meeting has been scheduled with EPA and PADEP for Tuesday, August 7, 2018.

Mr. Nowotarski announced CRW has been chosen to receive approximately \$11M from PENNVEST, assuming the bids come in within budget for the Front Street Pump Station Project.

Ms. Skotedis requested an update on the status of the 2017 Audit. Mr. Nowotarski advised that the 2017 Audit is close to being finalized. CRW is waiting for information from the City of Harrisburg.

Mr. Kurowski had no comments or questions.

V. Minutes of Previous Meetings:

A motion was made by Mr. Presley, seconded by Mr. Enders, that the Minutes of the June 27, 2018 Regular Meeting be approved as presented.

The motion was unanimously approved.

VI. Modifications or Deletions to the Agenda:

A typographical error was corrected on Engineering, Item D. to change the word “responsible bidder” to “responsive bidder” and Items IX. Board Member Comments and Item X. Public Comment – Non Agenda Items (3 Minutes) were reversed in their order on the Agenda and for any future Agendas.

VII. Public Comment - Agenda Items (3 Minutes): None.

VIII. Old/New Business:

Administrative:

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

A. Resolution Nos. 2018-085 through 2018-086 for Destruction of Records:

Motion: The Board approves Resolution Nos. 2018-085 through 2018-086 for destruction of records, as detailed in Exhibit “A” of each Resolution.

The motion was unanimously approved.

Finance:

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

A. Rescission of Renewable Energy Credits Purchase and Sale Agreement:

Motion: The Board rescinds its prior authorization to enter into a Renewable Energy Credits Purchase and Sale Agreement with Mint Energy LLC Funding Source: N/A.

B. Resolution No. 2018-087 – Procurement & Purchasing Policy:

Motion: The Board approves Resolution No. 2018-087 which approves and adopts a Procurement & Purchasing Policy, which shall be attached hereto as Exhibit “A”.

Mr. Kurowski questioned why CRW was rescinding its authorization to enter into a Renewable Energy Credits Purchase and Sale Agreement with Mint Energy LLC? Mr. Stewart stated the buyer, Mint Energy LLC, notified CRW that they were backing out of the Agreement.

Ms. Dierolf noted CRW is not at risk of expiration of selling RECs, therefore CRW will put the Renewable Energy Credits back out for bid.

The motion was unanimously approved.

A motion was made by Ms. Skotedis, seconded by Mr. Presley, that the following items be approved, Finance Items C., D., E., F. and G.:

C. Update to 2018 Signature Cards with First National Bank:

Motion: The Board authorizes the CEO, Chairperson, Vice Chairperson, Secretary, Treasurer and CFO to execute the appropriate Bank Resolution and updated Signature Cards with First National Bank as of July 25, 2018.

D. Update to 2018 Signature Cards with PNC Lockbox:

Motion: The Board authorizes the CEO, Chairperson, Vice Chairperson, Secretary, Treasurer and CFO to execute the appropriate Bank Resolution and updated Signature Card with PNC Bank relative to the Lockbox as of July 25, 2018.

E. Treasury Management Master Services Agreement with First National Bank:

Motion: The Board authorizes the Chairperson and CEO to execute the Treasury Management Master Services Agreement and Business Resolution of First National Bank as of July 25, 2018.

F. Close M & T Bank Acct Nos. 9861684190 and 986168208:

Motion: The Board authorizes the Treasurer and/or CFO to execute the appropriate documents to close out M & T Bank Account Nos. 9861684190 and 986168208 as of July 25, 2018.

G. Close Fulton Bank Acct No. 121929874:

Motion: The Board authorizes the Treasurer and/or CFO to execute the appropriate documents to close out Fulton Bank Account No. 121929874 as of July 25, 2018.

The motion was unanimously approved.

Engineering:

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

A. AWTF Headworks Screening – Change Order No. 2E:

Motion: The Board authorizes the Director of Engineering to execute Change Order No. 2E with Pagoda Electrical, Inc. in the amount of \$11,373.89. Funding Source: Wastewater #80800801-80100-00019 – Ww Headworks Screen Design/Con.

C. Professional Services for AWTF Headworks Screening Project – Amendment No. 3:

Motion: The Board authorizes the Director of Engineering to execute Amendment No. 3 with GHD, as outlined in GHD's Proposal - Amendment No. 3, dated June 20, 2018, in the amount not-to-exceed \$27,800. Funding Source: Wastewater #80800801-80100-00019 – Ww Headworks Screen Design/Con.

D. 2018 Water System Improvements – Recommendation of Award:

Motion: The Board authorizes the issuance of a Notice of Intent to Award and subsequent Director of Engineering's execution of Contract Documents following receipt of insurance and bonds for the 2018 Water System Improvements to the lowest responsible and responsive bidder in an amount not to exceed \$650,000. Funding Source: Water #60800801-80100-00015 – Wtr Water Main Replacmt – Eng.

E. Timber Product Harvest/Sale Agreement for Management Unit #9 with Metzler Forest Products, LLC:

Motion: The Board authorizes the Director of Engineering to negotiate and execute the Timber Product Harvest/Sale Agreement with Metzler Forest Products, LLC for Management Unit #9 of the DeHart Property. Funding Source: N/A.

Mr. Kurowski questioned how CRW intends to cap the amount relative to Item D. in the event bids come in over \$650,000? Mr. Stewart reported CRW will reject all bids and rebid the project. CRW's intention is to obtain authorization to award the project prior to the August Board meeting to ensure roads are repaired to finalize the project prior to the end of the paving season.

Mr. Kurowski asked what procedures have been put in place by CRW to protect ourselves regarding the award of the Timber Sale Agreement since the last timber harvest? Mr. Stewart noted that a consultant, Michael Wolfe, oversees the timbering harvest so CRW has more oversight than was previously in place on timber harvests.

The motion was unanimously approved.

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

B. WSC Plate Settlers Installation Project – Change Order No. 3:

Motion: The Board authorizes the Director of Engineering to execute Change Order No. 3 with Lobar, Inc. in the amount of \$3,948.82. Funding Source: Water #60800801-80100-00009 – Wtr WSC Tube Settler Replaceme.

Mr. Presley stated that since the hiring practices of Lobar, Inc. have not changed regarding the hiring of additional M/W/DBE participation, he will not vote in favor of the Change Order.

The motion was approved by majority vote with Mr. Presley opposed to the motion.

IX. Public Comment - Non-Agenda Items:

Mr. James White, City resident and local MBE contractor, asked the Board what CRW's intentions are relative to the handling of the contractor's contract disagreement regarding the Upper Reservoir Project. How does CRW intend to rectify the contractor's obligation to fulfill their M/W/DBE commitment?

Mr. James Brown, City resident and local MBE contractor, stated his concern on the low percentage of M/W/DBE participation on CRW's capital improvements projects. He stated he is looking for a response from CRW as to how the contract disagreement with the Upper Reservoir contractor will be handled? If CRW doesn't intend to take a stand, he would like to know that too. He also stated he received a response from CRW relative to his Right-to-Know request, but that the percentage of MBE participation is much lower than expected and wants to know how CRW intends to increase their M/W/DBE levels on capital improvement projects?

X. Board Comments:

Mr. Enders had no comments.

Mr. Presley addressed Messrs. White and Brown stating, while their attendance and comments at CRW's Board meetings are appreciated, he wants them to know that CRW is taking the M/W/DBE Program very seriously as the Board continues to work through our Diversity Manager, to get more boots on the ground. While CRW doesn't intend to engage in dialogue with speakers during the public comment portion of the Board meetings, he wanted it known their comments are being taken into consideration, and the Board will continue its efforts to hire more minority contractors.

Ms. Skotedis welcomed Mr. Kropilak to CRW and stated she is looking forward to working with him through his leadership.

She also addressed Messrs. White and Brown stating that CRW's M/W/DBE Policy is a catalyst and platform for the foundation for development of relationships with general M/W/DBE subcontractors and encouraged them to work with and through prime contractors. Board members strongly encourage M/W/DBE contractors to cultivate and to develop relationships with prime contractors, and to continue to bid on CRW's Capital Improvement Projects in the future.

CRW's intention is to increase M/W/DBE participation levels as time progresses, but relationships need to be built on strong foundations.


Mr. Kurowski also welcomed Mr. Kropilak to CRW. He reiterated the comments of Ms. Skotedis and assured Messrs. White and Brown that CRW's Board is fully committed to increasing M/W/DBE participation, which includes the employment of Mr. Terry as Diversity Manager to manage the M/W/DBE Program, in conjunction with a consultant. Mr. Kurowski stated this is a process and CRW Board members want the M/W/DBE Program to continue to increase M/W/DBE participation. He clarified that a CRW Board member's role through the process is not to pick contractors. It is not a Board member's role, nor their ability under the law. CRW Board members simply award contracts to contractors based on the bids submitted, and to confirm whether a contractor is compliant with applicable law when a contractor is the lowest responsible and responsive bidder. What the Board can do, is to encourage dialogue, as CRW continues its effort to encourage development of relationships between M/W/DBE contractors with prime contractors that perform work for CRW.

Mr. Kurowski stated the procedures and policy of the law have been adhered to by CRW's Board. In addressing the question of an action plan by CRW relative to the Upper Reservoir contract disagreement, the action plan of CRW's Board will and continues to be to educate, inform, and to bring general contractors to the table to make them aware of subcontractors, and to continue our efforts to put contractors together to encourage dialogue. Mr. Kurowski encouraged them to continue to submit bids on CRW's projects so other prime contractors become aware of the services MBE contractors provide, so CRW Board members continue to understand the processes that bind this Board under State and Federal laws. The Board's role is to set the framework, provide the Policy, and to provide the means through education, staff and consultants, meetings and opportunities which we are doing and will continue to do.

XI. Adjournment:

A motion made by Mr. Presley, seconded by Ms. Skotedis, for the Board to adjourn the meeting at 6:58 PM. The motion was unanimously approved.

CAPITAL REGION WATER



Garvey Presley, Secretary