



Regular Meeting (Conducted via Skype)

In Attendance:

Board:

J. Marc Kurowski, P.E., Chairperson
Garvey Presley, Jr., Secretary
Andrew Enders, Assistant Secretary/Treasurer

Staff:

Charlotte Katzenmoyer, Chief Executive Officer
Michelle Bethel-Miller, Director of Shared Services
Douglas E. Keith, Chief Financial Officer
David W. Stewart, P.E., Director of Engineering
Jess Rosentel, Director of Wastewater Operations
Daniel Galbraith, Drinking Water Superintendent
Tanya Dierolf, Director of Strategic Initiatives
Tammie Sheaffer, Office Manager
Karen McKillip, Archivist
Julie Peters, Controller
Jarvis Brown, Diversity Program Manager
Rebecca Laufer, External Affairs Manager
Kendrick Maholtz, GIS Data Analyst

General Counsel:

Scott Wyland, Esquire (Salzmann Hughes, P.C.)

Others:

Caleb Krauter, P.E. (HRG)
Matt Crow, P.E., (Hazen and Sawyer)
Jeff Thompson, P.E. (WRA)
Paul McNamee, P.C., (KCI Technologies, Inc.)
Nicole Brown (AECOM)
Herb Higginbotham (HDR Engineering)
Cindy Zawrotuk, P.E., (GHD)
Holly Douglas (Cosmos Technologies, Inc.)
Kurt Knaus (Ceisler Media & Issue Advocacy)
Courtney Accurti (Ceisler Media & Issue Advocacy)
Loretta (Summit Terrace Association)

I. Call to Order - Roll Call:

The meeting was called to order by Chairperson Kurowski at 6:00 PM.

Chairperson Kurowski stated that Board members Enders, Presley and himself were present, Ms. Skotedis was excused, and today's meeting was being conducted via the Skype platform due to the COVID-19 pandemic.

General housekeeping items were addressed by the chairperson advising that all attendees' microphones have been muted to enhance sound quality and reduce feedback. If anyone participating wants to provide a public comment during the two public comment periods, please unmute your microphone to speak and then mute it again when you are finished speaking.

CRW posted the agenda five days in advance on the website and accepted public comments via email until 4:00 PM the day of the Board meeting. The chairperson reported that CRW did not receive any emailed comments, therefore, no comments were read into the record. The chairperson advised that public comments made during the open public comment periods should be kept to no more than three minutes.

The chairperson advised that the meeting was being recorded and will be posted on CRW's website at <https://capitalregionwater.com/meetings-reports/> on Thursday, May 27, 2021.

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 personnel matters and potential claims against CRW with General Counsel.
- B.** Today's Regular Meeting was advertised in accordance with the Sunshine Act.
- C.** The next Regular Meeting is scheduled for Wednesday, June 23, 2021, at 6:00 PM and will be held virtually. An advertisement for the 2021 Board meetings was published in the Patriot News and instructions to join the meeting will be posted on Capital Region Water's website. These meetings are open to the public.

III. Committee Reports:

Budget and Finance: Mr. Keith reported that the committee met on May 18, 2021, and highlighted the items listed below.

- Resolution Nos. 2021-035 and 2021-036 regarding a \$65,000,000 Wastewater Programmatic Financial Loan with PENNVEST for the Board's consideration.
- True-up and billing issues were discussed.

Mr. Keith presented an overview of the April financial reports, along with a slide outlining CRW's financial position on CRW's accounts receivable balances and outstanding delinquent accounts.

There were no questions from the Board. Mr. Kurowski thanked Mr. Keith for his update on CRW's financial position and commended the finance team for a great job of keeping CRW on track, along with the fact that to date, CRW is \$289,000 under budget, all while operating under a pandemic which he feels is amazing.

Personnel and Shared Services: Mr. Presley reported the committee met on May 25, 2021, and highlighted the items listed below.

- Security of facilities.
- CCTV work at the AWTF.
- Payment options.
- The Customer Assistance Program awarded \$6,100 in April. The committee is very happy to see this.
- Welcomed two new employees: Hipolito Vega, Field Maintenance for Street Sweeping, Jacob Housman, Wastewater Operator and William Cole, Jr., Operations Supervisor at the Drinking Water facility who will join CRW mid-July 2021.
- Status of the Collective Bargaining Agreement.
- Tuition reimbursement.
- Documents for destruction on tonight's Agenda.
- Thanks to Carlesha, Gina and Michelle for their assistance during the meeting.
- Warren Detres-Torro was recognized as Employee of the Month for May.

There were no questions from the Board

Operations and Engineering: Mr. Kurowski reported the committee met on May 13, 2021, and highlighted the items listed below.

- An update on the current construction projects was heard. All change orders, task orders and procurement items appearing on today's Agenda were vetted during the committee meeting, including change orders relating to the renovations at the administrative location at 3003 North Front Street, Harrisburg, Pennsylvania.
- Mr. Kurowski briefly explained the purpose of each of the agenda items.
- Cameron Street water main improvements. CRW received great results on the bids for this project.
- Timber product harvest/sale award was touched upon. CRW anticipates receiving approximately \$275,000 in revenue from the award of this project. This is another example of great environmental stewardship by CRW to acquire non-ratepayer revenue.
- Camp Curtain big green block project was also discussed. When this issue comes up on the agenda, members of the Engineering Department will be asked to speak to the public on this project since it is different than any other GSI project.
- Front Street Pump Station improvements project is close to being completed.
- 1700 block of Market Street has an on-going sewer replacement project.
- Arsenal Boulevard pricing challenges were discussed in detail and action on the contract will be considered in the future.

There were no questions from the board.

Legal and Risk Management: Mr. Enders reported the committee met on May 6, 2021, and highlighted the items listed below.

- Joseph Ritchey updated the committee on the status of CRW's claims. Claims continue to be held in check and old claims continue to be closed out.
- Cyber security and infrastructure continue to be big topics of discussion.
- CRW is currently working on our AWIA compliance requirements and updating our Emergency Response Plan which is due by June 30, 2021.
- Safety and security monitoring of vulnerability assessment.
- Lien forgiveness for affordable housing policy was also discussed.
- Current litigation issues were discussed with general counsel.

There were no questions from the Board.

Public Outreach and M/W/DBE: Mr. Enders reported the committee met on May 13, 2021, and highlighted the items listed below.

- Jarvis Brown reported that the M/W/DBE participation levels came in very strong around 20% relating to the Cameron Street water main improvements project - Phase 3 bid opening held May 4, 2021.
- CRW continues to encourage prime contractors to solicit bids from subcontractors that are within the local area through introductions between primes and subcontractors to keep local M/W/DBE participations local.
- Customer Assistance Program. The Dauphin County Library System has started promoting CRW's Customer Assistance Program in conjunction with other resources that impact lower income households.
- Communication continues to be proactive on social media to get the word out on exactly what CRW's role is within the community.
- The committee received a preview of the updated refresh of the new CRW website.

There were no questions from the Board.

IV. Management Report:

The monthly Management Report was provided to the Board in advance of the meeting and posted on CRW's website. Ms. Katzenmoyer provided additional highlights listed below.

- Warren Detres-Torres was acknowledged as Employee of the Month for May.
- Ms. Katzenmoyer spoke to the recent press article by the Environmental Integrity Project and the Lower Susquehanna Riverkeeper Association's Motion to Intervene. A discussion was conducted with CRW's community ambassadors, and she highlighted that since the Motion to Intervene is public, many of the statements that were made in the Motion to Intervene are inaccurate. CRW continues to make huge improvements and investments in our system. Over \$130M of investments have been made to date by CRW.
- CRW takes our fiscal, as well as our environmental responsibility, very seriously. We continue to work with USEPA, PADEP and the Department of Justice (DOJ) in our negotiations to finalize our Consent Decree. CRW feels this is timely so we will be filing briefs in opposition to the Motion to Intervene. She wants to make sure that all CRW's customers know this is a fight that CRW should be fighting, and that we have made tremendous strides, contrary to some of the statements that have been made in the press and within the Motion to Intervene.
- Although water service terminations have been extended by the mayor in his moratorium, CRW encourages our customers to reach out to our Customer Service Center for information on CRW's Customer Assistance Program, such as payment agreements, credit assistance and service and line assistance.

- Additionally, CRW is continuing our partnership through the City of Harrisburg for those customers that may be eligible for CARES funding. CARES funding questions should be directed to DBHHousing@Harrisburgpa.gov.

There were no questions or comments from the Board.

V. Minutes of Previous Meetings:

A motion was made by Mr. Kurowski, seconded by Mr. Enders, and unanimously approved that the Minutes of the April 28, 2021, Regular Meeting be entered into the record as presented.

VI. Modifications or Deletions to the Agenda: None.

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

VIII. Old/New Business:

Administration:

A motion was made by Mr. Presley, seconded by Mr. Kurowski, and the board unanimously resolved that the following item be adopted, Administration Item A.

A. Resolution Nos. 2021-013 through 2021-034 - Destruction of Records:

Motion: The Board approves Resolution Nos. 2021-013 through 2021-034 for destruction of records, as detailed in "Exhibit A" attached hereto. Funding Source: Admin #10101510-51020 - Adm Document Management.

A motion was made by Mr. Kurowski, seconded by Mr. Presley, that the following items be approved together with one motion by consent, Administration Items B., C., and D.

B. Change Order No. 1 - Mechanical Construction - Frey Lutz Corp. - 3003 North Front Street Renovations Project:

Motion: The Board authorizes the Director of Engineering to execute Change Order No. 1 with Frey Lutz Corp. in the not-to-exceed amount of \$1,472.24 with no increase to the contract time. M/W/DBE Commitment: \$0.00 / 0.00%. Funding Source: Water #60800804-80400-00500 – Administrative Building.

C. Change Order No. 3 - General Construction - Lauer Construction Services - 3003 North Front Street Renovations Project:

Motion: The Board authorizes the Director of Engineering to execute Change Order No. 3 with Lauer Construction Services in the total not-to-exceed amount of \$20,665 with no increase to the contract time. M/W/DBE Commitment: \$0.00 / 0.00%. Funding Source: Water #60800804-80400-00500 – Administrative Building.

D. Change Order No. 3 - Electrical Construction - Lauer Construction Services - 3003 North Front Street Renovations Project:

Motion: The Board authorizes the Director of Engineering to execute Change Order No. 3 with Lauer Construction Services in the total not-to-exceed amount of \$5,629.40 with no increase to the contract time. M/W/DBE Commitment: \$0.00 / 0.00%. Funding Source: Water #60800804-80400-00500 – Administrative Building.

The motions were unanimously approved.

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

E. Ceisler Media & Issue Advocacy Agreement:

Motion: The Board authorizes the Chief Executive Officer to execute an Agreement with Ceisler Media & Issue Advocacy, for a six-month contract with a monthly retainer in the amount of \$3,500, in accordance with the Agreement, dated May 10, 2021. M/W/DBE Commitment: \$0.00 / 0.00%. Funding Source: Wastewater #80504541-54104 - Ww Engineering Services.

The motion was unanimously approved.

Drinking Water:

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

A. Cameron Street Water Main Improvements Project Phase 3 - 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 Cameron Street Water Main Improvements Project Phase 3 to Joao Bradley Construction Co., Inc. in the amount of \$2,647,944, as outlined in Joao Bradley Construction Co., Inc.'s bid documents, dated May 4, 2021. M/W/DBE Commitment: \$393,000 / 14.8% MBE and \$130,000 / 4.9% DBE. Funding Source: Water #80800801-80100-00081 - Cameron Street Water Main.

The motion was unanimously approved.

A motion was made by Mr. Kurowski, seconded by Mr. Enders, that the following item be approved, Drinking Water Item B.

B. Timber Product Harvest/Sale - Recommendation of Award with All Terrain Logging, LLC:

Motion: The Board authorizes the issuance of a Notice of Intent to Award and subsequent Director of Strategic Initiative's execution of a Timber Product Harvest/Sale Agreement with All Terrain Logging, LLC following receipt of insurance, plans, and performance bond for the harvest and sale of wood products within Management Units 20, 34, 36, and 37 of the DeHart Property, as outlined in All Terrain Logging, LLC's Bid Form, dated April 27, 2021. M/W/DBE Commitment: \$0.00 / 0.00%. Funding Source: Water #60000455-45520 - Wtr Timber Income.

The motion was unanimously approved.

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

C. Procurement of Basement Heater/RTU from Enginuity, LLC through COSTARS:

Motion: The Board authorizes the Director of Operations to procure replacement of the old Basement Heater/RTU with a Natural Gas Direct Fired Roof Top Heater Unit (requiring removal and installation) with Enginuity, LLC in the amount of \$60,778.25. There is no M/W/DBE participation due to purchasing through the COSTARS (Commonwealth of PA's Cooperative Purchasing Program). M/W/DBE Commitment: \$0.00 / 0.00%. Funding Source: Water #60800804-80300-324 – Gas Furnace Replace Chem Bldg.

The motion was unanimously approved.

Wastewater:

A motion was made by Mr. Kurowski, seconded by Mr. Presley, and the board unanimously resolved that the following item be adopted, Wastewater Item A.

A. Resolution No. 2021-035 - \$65,000,000 Wastewater Programmatic Financing Loan with PENNVEST - Loan No. 75376 (Borrowing Resolution):

Motion: The Board adopts Resolution No. 2021-035 which authorizes the Chairperson and Secretary to execute the Borrowing Resolution between Capital Region Water and PENNVEST Loan No. 75376. Funding Source: N/A.

A motion was made by Mr. Kurowski, seconded by Mr. Enders, and the board unanimously resolved that the following item be adopted, Wastewater Item B.

B. Resolution No. 2021-036 - \$65,000,000 Wastewater Programmatic Financing Loan with PENNVEST - Loan No. 75376 (Reimbursement Resolution):

Motion: The Board adopts Resolution No. 2021 036 which authorizes the Chairperson and Secretary to execute the Reimbursement Resolution between Capital Region Water and PENNVEST Loan No. 75376. Funding Source: N/A.

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

C. Task Order 2021-10-01: Engineering Services for CCTV Inspections Phase 5 with KCI:

Motion: The Board authorizes the Director of Engineering to execute Task Order 2021-10-01 with KCI Technologies, Inc., as outlined in KCI Technologies, Inc.'s Proposal, dated May 7, 2021, in the amount not-to-exceed \$273,364.20. M/W/DBE Commitment: \$176,350 / 64.5% MBE. Funding Source: Wastewater #80800801-80100-00065 - Other Multi-Modal CCTV Inspections.

The motion was unanimously approved.

A motion was made by Mr. Kurowski, seconded by Mr. Enders, that the following item be approved, Wastewater Item D.

D. Procurement of Salto Access Control from Empire through COSTARS:

Motion: The Board authorizes the Director of Operations to procure the Salto Access Control with Empire, in the amount of \$27,761. There is no M/W/DBE participation due to purchasing through the COSTARS (Commonwealth of PA's Cooperative Purchasing Program). M/W/DBE Commitment: \$0.00 / 0.00%. Funding Source: Wastewater #80800803-80300-00313 – Security Access Improvements.

The motion was unanimously approved.

Stormwater:

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

A. Task Order 2017-03-04: Engineering Services for Camp Curtin Big Green Block - Amendment No. 3 with AKRF:

Motion: The Board authorizes the Director of Engineering to execute Task Order 2017-03-04 for Amendment No. 3 with AKRF, as outlined in AKRF's Proposal, dated May 10, 2021, in the amount not-to-exceed \$36,825. M/W/DBE Commitment: 21.2% MBE (\$7,800) and 10.3% WBE (\$3,800). Funding Source: Stormwater #90800801-80100-00087– Camp Curtin Big Green Block GSI.

The motion was approved by majority vote with Mr. Enders abstaining from the vote since he is a board member of the Harrisburg YMCA. (See attached Exhibit "A").

Upon request of the Chairperson, Mr. Stewart then explained how this GSI project differs from prior GSI projects. The project collects offsite stormwater from the surrounding neighbors around the Camp Curtain YMCA and manages it with a variety of green stormwater management processes, including stormwater bump outs, planter boxes, raingardens, tree trenches and a subsurface storage and infiltration bed under a play field. This project also includes a planted green wall with the YMCA building as the anchor for the green wall. CRW has also partnered with the YMCA's affordable housing development in the neighborhood. CRW will also make connections to manage their stormwater. CRW is excited to get this project started and built. This project is a perfect example of stormwater management that helps to avoid stormwater running directly into the river.

IX. Public Comment - Non-Agenda Items:

Paul McNamee, KCI Technologies, extended a thank you to Sheri Berilla who spoke at their Central Chapter of American Consulting Engineers' Council of Pennsylvania at their Spring Conference on Asset Management at the local level. She was joined by a national expert on asset management from ACED who stated Ms. Berilla did an excellent job representing CRW.

X. Board Member Comments:

Mr. Enders provided the comments listed below.

- Agrees with the CEO's comments made during the management report and stressed how this Board in particular, is very thoughtful in a way that protects and promotes CRW's ratepayers, while also being mindful of the environment.
- The negative publicity recently received is not necessarily indicative of CRW and the staff that operate it. He wanted it known that we are doing great things in the city and there are certain criteria that CRW must work within, so this Board tries to be creative with ways to make projects work in the most cost-effective manner for our ratepayers.
- CRW has secured PENNVEST loans at very low interest rates due to the stewardship of our finance team.
- Although he abstained from voting on the Camp Curtain Big Green Block motion, Mr. Stewart also mentioned the Cornerstone Project, which is a series of affordable townhouses that are being developed by the Harrisburg YMCA. He is thrilled that that project is also included in the development of the Big Green Block project, and that this is another example of how CRW can partner with another entity or organization within the community with a very positive outcome.
- He believes that this is the beginning of a renaissance along Sixth Street with the rehabilitation of the Atlas Building, and the work that has and will be done by the YMCA.

Mr. Presley provided the comments below.

- Kudos to the YMCA project. This is a jewel in the community, and he is very glad to see how the community will be able to see the type of green infrastructure that is being done by CRW.
- He echoed Mr. McNamee's comments on Sheri Berilla. He admires the work that Sheri does for CRW.
- Congratulated Warren Detres-Torres for being employee of the month.
- Welcomed the new employees again, including Hipolito Vega who is joining the street sweeping crew. CRW has gotten a lot of compliments since taking over the street sweeping responsibilities.
- Welcomed Jacob Housman who just graduated from high school and is coming to CRW as an operator. As our staff is aging out as baby boomers, he is excited to see young blood coming on with CRW.
- Please continue to utilize CRW's Customer Assistance Program.
- Thank you to Mayor Papenfuse for appointing him to this Board. He thanked him for his service and wished him well in his future endeavors.
- He also congratulated Wanda Williams on her continued service to this community.
- He wanted the ratepayers to know what the interest rate on the PENNVEST loans are. Mr. Keith confirmed that CRW is receiving these loans at a 1% interest rate. With these low interest loans, CRW can perform capital improvement projects at very low costs to our ratepayers.

Mr. Kurowski provided the comments listed below.

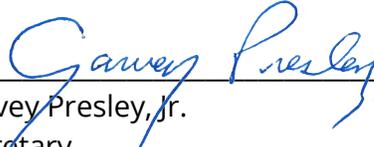
- With respect to the Motion to Intervene that was filed, he states that it is disappointing to him that CRW's ratepayers are going to have to bear the cost of additional legal expenses from entities that have not reached out to CRW, nor have attended any of our meetings. He also stated he is not sure they even know what CRW is doing, contrary to the statements made publicly about CRW's lack of work on stormwater management. The amount of work that CRW has done over many years for stormwater management, including our Long-Term Control Plan (LTCP) and our Consent Decree is significant. It bothers him that CRW's ratepayers now must pay additional legal expenses from an organization, that to his knowledge, has never reached out to CRW. CRW will now fight the good fight for our ratepayers.
- He stated a sizeable amount of money is going to be made available through the City of Harrisburg via the CARES Act. CRW is going to work through the City of Harrisburg to request some of these funds as they become available. He is hopeful CRW will be able to utilize those funds towards possible Customer Assistance Programs or capital improvements for the benefit of our ratepayers. Look for more information on this in the near future.



XI. Adjournment:

A motion was made by Mr. Presley, seconded by Mr. Enders, for the Board to adjourn the meeting at 7:03 PM. The motion was unanimously approved.

CAPITAL REGION WATER



Garvey Presley, Jr.
Secretary

From: [Andrew Enders](#)
To: [Karen McKillip](#)
Subject: CRW Abstention
Date: Wednesday, May 26, 2021 7:16:07 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Karen,

Please note that I abstain from voting on Stormwater Agenda Item A. Task Order 2017-03-04: Engineering Services for Camp Curtin Big Green Block - Amendment No. 3 with AKRF, given my Board Service with the YMCA Harrisburg Area Board.

Andrew M Enders, Esq.

Enders
