



**Regular Meeting (Conducted In-Person and via GoToMeeting)**

In Person Attendance:

Board:

J. Marc Kurowski, P.E., Chairperson  
Andrew M. Enders, Vice-Chairperson  
Garvey Presley, Jr., Secretary  
Karen M. Balaban, Treasurer  
Nathan W. Davidson, Assistant Secretary/Treasurer

Staff:

Charlotte Katzenmoyer, Chief Executive Officer  
Douglas E. Keith, Chief Financial Officer  
David W. Stewart, P.E., Director of Engineering  
Michelle Bethel-Miller, Director of Shared Services  
Tanya Dierolf, Director of Strategic Initiatives  
Jess Rosentel, Director of Operations  
Julie Peters, Controller  
Tammie Sheaffer, Office Manager  
Karen McKillip, Archivist

General Counsel:

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

Others:

Krista Peters

Virtual Attendance:

Staff:

Sheri Berilla, Asset Manager  
Kendrick Maholtz, GIS Data Analyst  
Raymond Hoke, Wastewater Operations Supervisor  
Jeffrey Bowra, P.E., Lead Engineer  
Sean Sauro, Community Outreach Specialist  
Rebecca Laufer, External Affairs Manager

Others:

Edward Ellinger, P.E. (HRG Engineering, Inc.)  
Caleb Krauter, P.E. (HRG)  
Matt Crow, P.E. (Hazen and Sawyer)  
Caitlin Cavanagh, EIT (AECOM)  
Sarah Folk Ehrman, EIT (Gannett Fleming)  
Ilyse Kazar (Community Ambassador)

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

The meeting was called to order by Chairperson Kurowski at 6:03 p.m.

Chairperson Kurowski stated that all five Board members were currently present in person. He welcomed Karen Balaban and Nathan Davidson as the two new Board members who were recently appointed.

General housekeeping items were addressed by the chairperson advising that CRW is using the GoToMeeting platform for virtual meetings for the public. Under CRW's rules of decorum, all persons participating virtually must sign in with their name to properly identify themselves.

CRW posted the Agenda 24 hours in advance on the website and accepted public comments via email until 4:00 p.m. the day of the Board meeting. The chairperson reported that CRW did not receive any public comments, therefore, no comments were read into the record.

The chairperson advised that the meeting was being recorded and will be posted on CRW's website at [capitalregionwater.com](http://capitalregionwater.com) on Thursday, January 26, 2023.

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

- A.** An executive session under Section 708(a) of the Sunshine Act was held at 5:00 p.m. to discuss personnel matters and potential claims against Capital Region Water 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, February 22, 2023, at 6:00 p.m. and will be held in-person and virtually.

## **III. Special Order of Business - Annual Meeting**

Mr. Kurowski turned the meeting over to Mr. Wyland for nominations and election of the 2023 officers. Mr. Wyland stated that the slate of officers for 2023 shall be: Chairperson, Vice-Chairperson, Secretary, Treasurer and Assistant Secretary/Treasurer and opened the floor for nominations as follows:

Mr. Enders nominated J. Marc Kurowski for the office of Chairperson. There being no further nominations, the nominations were closed. Mr. Wyland called for the vote for J. Marc Kurowski as Chairperson. The motion was unanimously approved.

Mr. Kurowski nominated Andrew M. Enders for the office of Vice-Chairperson. There being no further nominations, the nominations were closed. Mr. Wyland called for the vote for Andrew M. Enders as Vice-Chairperson. The motion was unanimously approved.

Mr. Enders nominated Garvey Presley for the office of Secretary. There being no further nominations, the nominations were closed. Mr. Wyland called for the vote for Garvey Presley as Secretary. The motion was unanimously approved.

Mr. Kurowski nominated Karen M. Balaban for the office of Treasurer. There being no further nominations, the nominations were closed. Mr. Wyland called for the vote for Karen M. Balaban as Treasurer. The motion was unanimously approved.

Mr. Kurowski nominated Nathan W. Davidson for the office of Assistant Secretary/Treasurer. There being no further nominations, the nominations were closed. Mr. Wyland called for the vote for Nathan W. Davidson as Assistant Secretary/Treasurer. The motion was unanimously approved.

Mr. Wyland congratulated the Board members for their positions in 2023. Mr. Wyland then turned the meeting back over to Mr. Kurowski.

#### **IV. Committee Reports**

**Budget and Finance:** Mr. Kurowski stated that Ms. Skotedis typically reported on this committee as Chairperson. He requested Mr. Keith to provide an update this month. Mr. Keith reported that the Budget and Finance Committee did not meet in January.

Mr. Keith provided a report on the overview of the December financial reports, along with a slide outlining CRW's financial position and provided the highlights below.

- Approximately \$614,000 was provided through various customer assistance programs in 2022 to our ratepayers.
- CRW's accounts receivable balance through December was \$8.3M.
- Approximately \$860,000 of the accounts receivable balance is due to the lack of payment and the position of the Commonwealth of Pennsylvania on stormwater fees.

- CRW's staff has been diligently pursuing payment plans and has been very successful to date. CRW continues to follow the collection process all the way through the filing of municipal liens.
- Mr. Enders expressed concern regarding the \$8.3M accounts receivable balance. Mr. Keith stated the Finance Department has been closely monitoring this and typically when CRW goes into the moratorium of water shutoffs in November we see the accounts receivable balance go up, and in the spring and summer the balance falls, however that didn't happen in 2022 and the AR balance continued to climb, despite options available through customer assistance programs.
- Customer service representatives continue to provide options for assistance through CRW's credit assistance program, various other state programs, and payment plans. However, due to CRW's waterfall policy as to how payments are applied, CRW struggles to know how old some of the balances are.
- Mr. Keith stated that aging accounts receivables over 365 days is significant, but if CRW was applying payments to current bills, that number would be much higher. Mr. Keith stated that a good portion of the \$8.3M could be receivables that were transferred to CRW through the transfer/transition agreement process from the City. The Finance Department needs to closely review these accounts to determine what is collectible vs. non-collectible, including the accounts that have municipal liens filed on them. Even with municipal liens on these accounts, if the property never changes ownership, the municipal lien remains on the books, but CRW can't collect on those funds unless the property is sold or goes to sheriff's sale.
- Mr. Enders recommends the accounts receivable issue be added to the next Legal and Risk Management Committee, and Mr. Kurowski asked that this also be discussed at the next Budget and Finance Committee for further discussion.
- Mr. Kurowski inquired as to when land application of biosolids will resume. Mr. Rosentel stated that winter is typically when the program encounters it's most serious problems, but there have been none so far this season.

There were no further questions or comments from the Board.

**Personnel and Shared Services:** The committee did not meet in January.

There were no questions or comments from the Board.

**Operations and Engineering:** Mr. Kurowski reported the committee meeting was held on January 12, 2023, and highlighted the items listed below.

- All four items on tonight's agenda under Drinking Water, Wastewater and Stormwater were fully vetted during the meeting.
- A change order on the flocculator equipment at the WSC was discussed. Mr. Rosentel stated this item will now appear on the February agenda.
- CRW's Asset Manager provided an overview of the items in Cityworks that they are working on with KCI Technologies, Inc.
- Maynard Gardner has been doing a great job as Interim Superintendent for the Drinking Water Department.
- Mr. Rosentel reported that a redundant water line to the AWTF is being installed.
- The Wastewater department is now fully staffed, which includes CRW's first female operator in over twenty years and a completely new lab staff.
- An update on the Front Street Pump Station project was provided. A black-out test has been rescheduled for the project due to the weather. Once the results are satisfactory, this project will be closed.
- An update on the Paxton Creek Restoration Project was provided. Ms. Katzenmoyer reported that Dauphin County will be taking the lead on this project. CRW will continue to work towards design and funding opportunities for CRW's interceptor project.
- An update on the Front Street Interceptor Project was provided. CRW has been contacted by the Harrisburg University and is working in coordination with the summer concert events in order to avoid any conflicts. Mr. Bowra in the Engineering Department reported that CRW will continue working with the sponsors to ensure that the areas used for the concerts are accessible and safe for the public.
- An update on Phase 4 Pro-Fi Financing with PENNVEST for stormwater projects was provided. The \$13M financing is scheduled to close in February.

There were no questions or comments from the Board.

**Legal and Risk Management:** Mr. Enders reported the committee did not meet in January, however, the committee members were alerted by General Counsel that there has been a recent court decision that involves the payment of stormwater fees by the Commonwealth of Pennsylvania in the case of West Chester Borough v. the Pennsylvania State System of Higher Education. General Counsel is closely monitoring this issue, along with PMAA and other municipal authorities. This will likely be an agenda item for discussion throughout 2023. More information will be made available in the future.

There were no questions or comments from the Board.

**Public Outreach and M/W/DBE:** Mr. Enders reported the committee did not meet in January.

There were no questions or comments 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 the following additions to that report.

- **Front Street Interceptor:** Over the next several weeks the contractor, Insituform, will continue bypass pumping on the bottom section of the project limits. Insituform will continue locating and exposing buried manholes which should be completed by the end of January. They are also burying piping at ramps and driveways to facilitate traffic detours.
- Insituform will continue to clean the Front Street Interceptor and should be completed by the end of January, followed by pre-repair inspection so they can order the cured in place piping (CIPP) liners. Insituform will begin lining the Front Street Interceptor late February, early March. It will take eleven weeks for them to complete the downstream phase and a one month break to remobilize to the upstream section of the project limits, followed by an additional seven weeks of lining. The dividing line between the upstream and downstream line is Forrester Street.
- **City Beautiful H2O Public Feedback Session:** CRW is hosting a public feedback session on Thursday, February 9<sup>th</sup> from 5:00 to 7:00 p.m., in the First Floor Conference Center at 3003 North Front Street, Harrisburg, PA. The event is geared towards sharing information about the modification to our Partial Consent Decree, which is an agreement between CRW and the state and federal regulators that will serve as a guide for sanitary and storm sewer improvements over the next decade. The Partial Consent Decree Modification addresses alleged ongoing violations of the Federal Clean Water Act and State Clean Stream Laws, primarily due to sewer overflow and discharges. Under the Partial Consent Decree Modification, CRW plans to make system improvements and meet defined compliance measures while protecting and improving the quality of local waterways. During this feedback session, CRW will explain the requirements under the Partial Consent Decree Modification and go over a ten-year list of projects that we will be required to complete. These projects will have a direct impact on determining CRW's customer rates as CRW invests in these mandates and the necessary improvements. Affordability remains a top priority. This event is open to the public and feedback is wanted. Please invite your friends and neighbors.

There were no questions or comments from the Board.

**V. Minutes of Previous Meeting**

A motion was made by Mr. Presley, seconded by Mr. Enders, that the Minutes of the December 21, 2022, Regular Meeting be entered into the record as presented.

The Board unanimously approved the Minutes.

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

**VII. Public Comment - Agenda and Non-Agenda (3 Minutes) – None.**

**VIII. Old/New Business**

**Administrative**

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

**A. Resolution No. 2023-002 – Establishment of 2023 Board Committees**

**Motion:** The Board approves Resolution No. 2023-002, which establishes the 2023 Board Committees, and the Chairperson appoints Board members as follows:

- Budget and Finance Committee: J. Marc Kurowski and Karen M. Balaban.
- Personnel and Shared Services Committee: Garvey Presley and Karen M. Balaban.
- Operations and Engineering Committee: J, Marc Kurowski and Garvey Presley.
- Legal and Risk Management Committee: Andrew M. Enders, Nathan W. Davidson and Capital Region Water’s General Counsel.
- Public Outreach and M/W/DBE Committee: Andrew M. Enders and Nathan W. Davidson.

The Board unanimously adopted Administrative Item A.

A motion was made by Ms. Balaban, seconded by Mr. Enders, that the following item be approved, Administrative Item B.

**B. Authorization to Execute Bank Signature Cards at First National Bank**

**Motion:** The Board authorizes the respective officers' execution of the Bank Resolution and Signature Cards to update the bank accounts maintained with First National Bank, effective January 25, 2023.

The Board unanimously approved Administrative Item B.

**Drinking Water**

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

**A. Task Order 2023-03-01: Engineering Services for 2023 Cityworks Support with KCI Technologies Inc.**

**Motion:** The Board authorizes the Director of Engineering to execute Task Order 2023-03-01 with KCI Technologies Inc., as outlined in KCI Technologies Inc.'s Proposal, dated January 5, 2023, in an amount not to exceed \$99,812.50. M/W/DBE Commitment: \$0.00 / 0.00%. Funding Source: Water #60504541-54104 – Wtr Engineering Services and Wastewater #80504541-54104 – Ww Engineering Services.

The Board unanimously approved Drinking Water Item A.

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

**B. Project Number 2022-206 – Procurement of Backwash Pit Railing System from WSL, Inc.**

**Motion:** The Board authorizes the Director of Operations to award Project Number 2022-206 - Backwash Pit Railing System for the Water Treatment Plant Operations Center to WSL, Inc., and to execute the Agreement in the amount not to exceed \$44,448. Notifications for M/W/DBE were solicited via PennBid system. There were no commitments returned at the time of the award. Funding Source: Water #60800803-803-00342 – Treatment Basins Railings/Platforms.

The Board unanimously approved Drinking Water Item B.

## **Wastewater**

A motion was made by Mr. Kurowski, seconded by Ms. Balaban, that the following item be adopted, Wastewater Item A.

**A. Resolution No. 2023-001 Authorization to Sign License Agreement with PennDOT Regarding Arsenal Boulevard Sewer Improvements Project**

**Motion:** The Board adopts Resolution No. 2023-001 which authorizes the Director of Engineering to sign a License Agreement with the Pennsylvania Department of Transportation for the Arsenal Boulevard Sewer Improvements Project, which shall be attached as Exhibit "A". Funding Source: Wastewater #80800801-80100-00061 – Arsenal Boulevard Sewer Improvements.

The Board unanimously adopted Wastewater Item A.

## **Stormwater**

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

**A. Task Order 2023-04-01: Engineering Services for 2023 GSI Operation & Maintenance with AKRF**

**Motion:** The Board authorizes the Director of Engineering to execute Task Order 2023-04-01 with AKRF, as outlined in AKRF's Proposal, dated January 9, 2023, in an amount not to exceed \$220,000. M/W/DBE Commitment: \$154,980/ 70.4% MBE with DH Landscaping and Roll N Jayz Landscaping. Funding Source: Stormwater #90251521-52104 – Sw Contracted Maintenance-GSI.

Mr. Presley commended AKRF for their M/W/DBE participation levels on this project, and spoke very highly of the two local MBE companies, DH Landscaping and Roll N Jayz Landscaping.

The Board unanimously approved Stormwater Item A.

**IX. Public Comments - Non Agenda Items (3 Minutes) – None.**

**X. Board Member Comments**

Mr. Enders welcomed Ms. Balaban and Mr. Davidson to the Board. He is happy we now have a full Board.

Mr. Davidson thanked the CRW staff for all their work to bring the new Board members up to date through the onboarding process, and for making our first meeting very successful.

Ms. Balaban also thanked the staff for assisting with the comprehensive onboarding process and for working with her through technical issues regarding Board documentation. She is looking forward to working with everyone and thanked Ms. Katzenmoyer for her leadership.

Mr. Presley also welcomed Ms. Balaban and Mr. Davidson, stating that CRW has an excellent staff and advised them to take advantage of their expertise and knowledge. He also recommended a ride along with field and operations staff to see how CRW works in the community.

Mr. Kurowski stated he is very excited that CRW now has a full Board with a lot of experience and expertise.

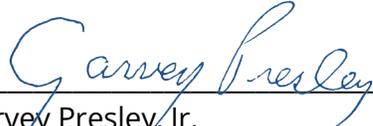
He stated that he expects numerous conversations to occur with our General Counsel regarding the recent court decision on stormwater fees. If the Commonwealth doesn't pay their stormwater fees, this will have a massive impact on CRW's budget and ratepayers as previously heard this evening. That implication could mean more fees being passed onto CRW's ratepayers.

**XI. Adjournment**

A motion was made by Mr. Davidson, seconded by Mr. Presley, for the Board to adjourn the meeting at 6:56 p.m.

The motion was unanimously approved.

CAPITAL REGION WATER



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Garvey Presley, Jr.  
Secretary