

A meeting of the Board of Directors of the Municipal Authority of the Borough of Portage was held on Thursday, July 9, 2020, at 7:00 p.m., in the Conference Room at 606 Cambria Street.

Those in attendance were:

Brent Kinley, Chairman
Mark Castel
John Morgan
Jerome Yetsko

Also present were: Ron Cadwallader, Supervisor; Attorney Michael Emerick, Solicitor; Joe Beyer, The EADS Group; Ron Portash, Mainline Newspapers; Tony Thompson; Chris Ringler; and Chuck Gouse.

I. CALL TO ORDER

Mr. Kinley, Chairman, called the meeting to order at 7:00 p.m., which was followed by the Pledge of Allegiance and Roll Call.

Mr. Kinley recognized Mr. Gouse and Mrs. Ringler. Mr. Gouse commented that, with Mr. Brian Cadwallader resigning his position, Mr. Gouse has picked up more responsibilities; and he questioned what the intent of the Board was for him to receive additional money for these responsibilities. Mr. Gouse noted that he is the first person that is contacted for any leaks and others do not have to worry about that. Mr. Kinley stated that this is something that the Board is definitely looking into. He pointed out that, if Mr. Gouse is interested in stepping up into Mr. Brian Cadwallader's role, this is something that the Board can definitely talk about on how to do that. Mr. Kinley stated that a lot of the discussion will depend on the budget.

Attorney Emerick questioned if a new job description would have to be developed, to which Mr. Kinley replied that the Board members have been thinking about job descriptions and titles of various positions. He stated that, with the lack of two Board members present (*prior to Mr. Morgan's arrival*), he would not want the Board to make any decisions. Mr. Mark Castel pointed out that this is definitely something that the Board will discuss. Mr. Kinley agreed, stating that this is something that should be discussed with all Board members present. Mr. Kinley commented that, when it is discussed, Mr. Cadwallader and Mr. Thompson could meet with Mr. Gouse to let him know what is going on.

Mr. Gouse noted that another question he had was with regard to the upcoming testing. He noted that he and Mr. Kennedy were to take a test in August; and neither one of them would be going to the plant anytime soon. Mr. Gouse questioned if the testing is something they should be paying attention to or not as there is a lot of studying involved with it. Mr. Cadwallader explained that, with the COVID situation, Mr. Gouse and Mr. Kennedy were to take the test in March; however, it was rescheduled until August. He commented that the two employees are worried that, if they do not pass the entire test and get the required credits, it would be held against them. Mr. Kinley emphasized that he did not think that anything would be held against the employees. Mr. Gouse questioned what incentives there would be if they do pass the test since he and Mr. Kennedy would not be going to the plant, to which Mr. Kinley replied that it is actually a dual incentive because when it comes time to talk about a salary increase, that plays a factor in it. In addition, if Mr. Gouse and Mr. Kennedy have to go to the plant, they would at least know what is going on.

Mr. Morgan joined the meeting at this time.

Mr. Mark Castel commented that he does not believe every employee needs to be certified to run the plant, to which Mr. Morgan agreed. Mr. Thompson commented that Mr. Gouse has all of the required certifications for distribution, which is all he should be required to have. Mr. Gouse explained that, with the classes being so long ago due to COVID, the information is not fresh and he is not at the plant all of the time to keep the information fresh in his mind. With the project coming up, he and Mr. Kennedy would like to focus on the project rather than studying for a test that they will not be using anytime soon. Mr. Yetsko indicated that Mr. Gouse does not have to pay anything to take the test, to which Mr. Gouse replied that he realizes that. Mr. Gouse questioned whether he and Mr. Kennedy should start studying now since the test is in August; and if they take the test, what happens if they do not pass it. Mr. Morgan commented that it is his feeling that Mr. Gouse should take the test as there are others that did not pass the test the first time. He noted that there are some other authorities that give the employees two years to pass the exam; however, Mr. Gouse is in distribution now and not at the plant. Also, there may be a time in the future when Mr. Gouse is needed at the plant and he could be given two years to obtain his license. Mr. Morgan questioned how Mr. Kennedy feels, to which Mr. Gouse replied that Mr. Kennedy does not want to go to the plant. Mr. Gouse noted that the study material does cover distribution, which refreshed their memories. Mr. Mark Castel indicated that he does not feel that everyone needs the test to be operators; and if Mr. Gouse does not want to take the test, he should not take it.

Mr. Gouse questioned, if he does not pass the test, should he be worried about taking the test again, to which Mr. Morgan replied that he feels Mr. Gouse should attempt the test; and if he does not pass, at least he will have the experience. Mr. Beyer noted that there are not that many testing opportunities left this year. Mr. Thompson questioned, if the employees take the test now, is he correct that they would not be pushed to take another test, to which Mr. Morgan replied that it would probably not be until next year. Mr. Morgan commented that, if the employees do not pass the test, they should give themselves 12-14 months to take it again. Mr. Morgan questioned what tests Mr. Gouse was going to take, to which Mr. Gouse replied that it would be all of the testing required for the plant plus four others. Mr. Cadwallader stated that how it works is that, if you are taking the first test and finish it, they ask if you want to take another test since the time is available. Mr. Beyer noted that, if the test is not passed, at least the employees have an idea of the questions that are on the test. The Board questioned Mr. Gouse if he was comfortable for now on the Board's response, to which Mr. Gouse replied affirmatively.

II. CORRESPONDENCE

Mr. Kinley stated that information was received regarding the PMAA annual conference; and if anyone is interested in attending, they should contact Mr. Cadwallader.

III. APPROVAL OF MINUTES

ON MOTION OF MR. MARK CASTEL, SECONDED BY MR. MORGAN, THE BOARD UNANIMOUSLY AGREED TO DISPENSE WITH THE READING OF THE JUNE 2020 MINUTES BEING THAT THEY WERE DISTRIBUTED IN WRITTEN FORM AND UNANIMOUSLY ACCEPTED THE MINUTES AS PRESENTED. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

IV. AGENT'S EXPENDITURES

No Agent's expenditures to be presented.

V. INVOICES

Brent Kinley	\$ 45.00
Cambria Mailing Services, Inc.	77.02
Cambria Systems, Inc.	1,414.48
Cintas	56.53
CMPA	1,000.00
Conemaugh Memorial Medical	117.00
Craig Castel	45.00
EADs Group	9,495.85
Fairway Laboratories Inc.	411.00
Fastenal	76.64
Foster F Wineland, Inc.	55.80
Grainger	190.77
Hach	717.19
Helsel Excavating	1,080.00
John C Morgan, Jr	45.00
Link Computer Corporation	260.00
Mark Castel	45.00
Mary L Elchin	260.00
Michael S Emerick, ESQ	1,420.00
Mosholder Insurance Agency	2,096.13
Peoples Natural Gas Company	24.98
Portage Auto Parts	125.57
Portage Post Office	165.00
Portage Service Center	488.25
Ray Oil & Gas Co	66.20
RDM-Johnstown LLC	292.00
Ronald J Cadwallader Jr	20.00
Safeguard	334.41
Sharon Squillario	50.00
Stager's Store	316.23
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	\$20,791.05

Paid Bills

Mainline Newspaper	\$ 23.50
PA One Call System, Inc.	37.49
PA Rural Water Association	190.00
Penelec	1,163.29
Comcast	307.02
Pro Disposal, Inc.	161.00
REA Energy Cooperative Inc.	896.74
Sheetz Fleet Service	189.00
UPMC Health Plan	8,360.70
Verizon	472.29
Aflac	139.84
Verizon Wireless	94.57
Visa – 1 st Summit	73.97
WB Mason Co Inc.	192.57
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	\$12,301.98

ON MOTION OF MR. MARK CASTEL, SECONDED BY MR. MORGAN, THE BOARD UNANIMOUSLY AGREED TO ACCEPT AND PAY INVOICES IN THE AMOUNT OF \$59,656.94 (REGULAR BILLS, \$20,791.05; PAID BILLS, \$12,301.98; PennVEST, \$3,896.36 AND \$5,508.55; USDA, \$16,051.00; 1ST SUMMIT, \$1,108.00). BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

VI. TREASURER'S REPORT

ON MOTION OF MR. CRAIG CASTEL, SECONDED BY MR. MARK CASTEL, THE BOARD UNANIMOUSLY AGREED TO DISPENSE WITH THE READING OF THE JUNE 2020 TREASURER'S REPORT AS IT WAS PREVIOUSLY DISTRIBUTED IN WRITTEN FORM AND UNANIMOUSLY ACCEPTED THE REPORT WITH A BALANCE OF: BEGINNING CASH, \$1,708,795.04; CASH IN, \$247,164.49; CASH OUT, (\$222,461.41); ADJUSTMENT, \$0; ENDING CASH, \$1,733,498.12. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

VII. SUPERINTENDENT'S REPORT

Mr. Cadwallader informed the Board that, since the last meeting, there have been four water leaks that have been addressed; i.e., Johnson Avenue service leak (homeowner); Millers Shaft service line, Munster Road; and blow off valve on Cherry Lane.

Mr. Cadwallader commented that information was provided to the Board prior to the meeting relative to an effluent flow meter. There was a controller that went out on the one meter; and according to Cambria Systems, it was felt that it was a power surge that occurred. Due to this, Mr. Cadwallader has provided information to the insurance carrier and they are looking into it.

Mr. Mark Castel questioned what type of breaker was purchased recently, to which Mr. Cadwallader replied that it was a breaker for the backwash pumps.

As it relates to the fall injury on Johnson Avenue, Mr. Cadwallader noted that an update was provided to the Board prior to the meeting.

Mr. Cadwallader noted to the Board that he included information prior to the meeting concerning a request from the resident at 903 East Albright Avenue for a meter pit. The pit is located on Wesley Avenue and the resident lives on Albright Avenue. The resident would like to know if the Authority would be willing to take over from where the pit is up to his property line and have the pit moved there. Mr. Cadwallader noted that the resident had another request; however, Mr. Cadwallader has already informed him that there would be a cost involved. This involved the resident's question on whether a fire hydrant could be placed near his property. The only thing in the area currently is a 3" plastic line; and there is a fire hydrant located on Wesley Avenue and at the drive-in entrance. Mr. Morgan questioned if all of the curb boxes are on the home owners' properties, to which Mr. Cadwallader replied affirmatively. Mr. Cadwallader commented that he has no concerns granting the resident's request as similar requests have been approved for other homeowner's in the past. He noted that he did inform the resident that, if the Board approved his request, it would not happen immediately due to the major project coming up.

ON MOTION OF MR. MORGAN, SECONDED BY MR. MARK CASTEL, THE BOARD UNANIMOUSLY APPROVED MOVING THE METER PIT ONTO THE

RESIDENT'S PROPERTY AS DESCRIBED ABOVE. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

Mr. Cadwallader informed the Board that Mr. Gouse will be having surgery on August 7, with his two follow-up visits being August 12 and August 19. He noted that there will be appropriate coverage on the upcoming project until Mr. Gouse returns to work.

Mr. Cadwallader stated that the worker's compensation policy, as well as other insurance coverage, is up for renewal on September 1, 2020. He noted that information was included in the Board's information prior to the meeting from the insurance broker that notes that there will be an increase; however, it is less than what the Authority was paying previously. Mr. Cadwallader questioned the Board as to whether they wanted to obtain additional quotes on insurance coverage so that inquiries could be made prior to the next meeting. Mr. Cadwallader explained that the increase is \$923 because we did have some claims on the workers' compensation policy. Mrs. Ringler pointed out that it is a 20% increase for workers compensation; however, the overall rate did go down. Mr. Morgan questioned who the carrier was for workers compensation, to which Mrs. Ringler replied that it is Rockwood through Mosholder Insurance. Mr. Kinley questioned if our rates have ever increased, to which Mrs. Ringler replied that this is the first year that the Authority has been with Mosholder. Mrs. Ringler commented that, due to the COVID pandemic, many rates have been changing. Mr. Yetso questioned if there have been any concerns with the current insurance carrier, to which Mr. Cadwallader replied negatively. Mrs. Ringler indicated that she will receive the liability and automobile rates prior to the next meeting because they are not available currently. If there is a huge increase in those rates, Mrs. Ringler will call the Board members.

ON MOTION OF MR. MARK CASTEL, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY AGREED TO TABLE THE DISCUSSION REGARDING THE INSURANCE RENEWAL UNTIL THE NEXT MEETING. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

VIII. ENGINEER'S REPORT

A copy of the Engineer's Report was distributed to the Board prior to the meeting.

Mr. Beyer informed the Board that, as it relates to the three projects that have been submitted for grant funding, the grants are tentatively to be awarded in September.

Relative to the Route 164 project, Mr. Beyer stated that the PennDOT agreement has received. He commented that we were requested to change some of the numbers; and they now want 75% of all of the costs for engineering, fees for the Township and Sewer Authority, etc. Ultimately, the Authority will have to pay more out of pocket than was initially thought. A discussion on the amounts took place. Mr. Beyer noted that he has received all of the permits for the project.

IX. SOLICITOR'S REPORT

Attorney Emerick noted that a copy of his report was provided to the Board prior to the meeting.

As it relates to the agreement with the State for the Route 164 project, Attorney Emerick indicated that he wanted to point out a few items in the agreement prior to the Board's approval to execute the agreement. He reviewed the following:

- The time to return the agreement has been extended to August 15.
- 75% reimbursement if the Authority meets the deadlines for the project; zero reimbursement if the deadline is missed. If the deadline is missed but it does not delay the project, there would be 25% reimbursement.
- Total project cost is \$448,689.26, based on the estimates, less the betterment costs. If the estimates are correct, the Authority would be reimbursed \$336,516.95.
- Page 4, Paragraph 8: The Authority has the option to do invoicing as the project progresses. In other projects, Attorney Emerick pointed out, the Authority submitted a request for payment at the end of the project; however, with this project, the State is giving the Authority the option to reimburse as the project progresses.
- Page 5, Paragraph 9: Payments will be made through an automated clearinghouse. Mrs. Ringler will have to submit documentation so that payments can be received. Mrs. Ringler commented that she has the form available for signature; however, she would need to know which account the funds are to be deposited in.

ON MOTION OF MR. MARK CASTEL, SECONDED BY MR. MORGAN, THE BOARD UNANIMOUSLY AGREED THAT THE FUNDS WOULD BE PLACED IN THE MONEY MARKET ACCOUNT. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

- Page 6, Paragraph 13: This section speaks to the subordination to the highway easement. Basically, it is say that PennDOT is essentially taking over the easement. If the Authority had easement rights to that section of property, they are now subordinate to PennDOT.
- Page 6, Paragraph 14: PennDOT can cancel or abandon the project at any time; and the Authority would still only receive reimbursement of 75% based on the amount of work completed.
- Page 8, Paragraph 23: There is a clause that states that all representations, understandings, promises and agreements pertaining to the subject matter are superseded by this agreement. Attorney Emerick commented that this would mitigate any conversations or agreements that Mr. Beyer or Mr. Cadwallader had with PennDOT.
- Page 8, Paragraph 24: Attorney Emerick noted that this paragraph deals with consenting to jurisdiction in any part of the Commonwealth. If we have to litigate anything in the agreement, litigation will take place in Harrisburg.

Attorney Emerick commented that if the Board is in agreement, a motion would be required authorizing the Chairman to execute the contract:

ON MOTION OF MR. MORGAN, SECONDED BY MR. YESTSKO, THE BOARD UNANIMOUSLY AGREED TO EXECUTE THE AGREEMENT WITH PENNDOT RELATIVE TO THE ROUTE 164 PROJECT. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

Attorney Emerick noted that he provided a Resolution for approval of amendments to the personnel policies as discussed by the Board at a previous meeting. Mr. Morgan pointed out

that, when the Board made the decision at the last meeting, it was in Executive Session and the Board did not make a motion approving the changes. Mr. Morgan questioned when Mr. Thompson received insurance coverage, to which Mrs. Ringler replied that it was in June. After the change was made to the policy in June by Attorney Emerick, the Board approved it via a telephone vote. Mr. Morgan commented the Board had agreed during the Executive Session to start the insurance the day after the discussion. Mrs. Ringler indicated that there was no motion in the minutes from the last meeting regarding this, so she could not take action. Mr. Morgan pointed out that if Mr. Cadwallader had instructed that Mr. Thompson be added to the insurance, this should have been done. Mrs. Ringler explained that Mr. Thompson did have coverage for the entire month of June because the carrier backdates the coverage.

ON MOTION OF MR. YETSKO, SECONDED BY MR. MARK CASTEL, THE BOARD UNANIMOUSLY APPROVED THE RESOLUTION RATIFYING THE BOARD'S ACTION RELATIVE TO CHANGES TO THE PERSONNEL POLICIES. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

Attorney Emerick commented that he was asked to talk to the Borough on the Treasurer's bond as discussed at the last meeting. He explained that the Treasurer basically has to provide the disclosure when the bond is obtained initially; however, for any renewals, this is not required if it is the same person applying. Mrs. Ringler noted that a change would need to be made to the Bylaws based on the Board's decision. Attorney Emerick commented that the Authority has to have someone bonded. Mr. Yetsko questioned if it could be the Superintendent who would be bonded, to which Mrs. Ringler replied that Mr. Cadwallader does not sign any checks so he could not be bonded. Attorney Emerick indicated that we would need the person who handles the money to be bonded, to which Mr. Morgan pointed out that he does not handle the money at all. Mr. Mark Castel questioned who handles the money, to which Mrs. Ringler replied that everyone in the office handles the money (Ms. Powers, Mrs. Randall and Mrs. Ringler). Attorney Emerick replied that anyone handling money should be bonded. Mrs. Ringler indicated that she is bonded through her Notary status, for Notary work only. Mr. Mark Castel questioned if we could have more than one person bonded, to which Attorney Emerick replied affirmatively. It was questioned whether Mrs. Randall is bonded through the Sewer Authority, to which Mrs. Ringler replied negatively. Mrs. Ringler explained to the Board that there is another policy that the Authority can obtain wherein they do not bond an individual, but they bond a position. This would mean that each position would need to have a title and then you would need to bond a person via title.

ON MOTION OF MR. YETSKO, SECONDED BY MR. MARK CASTEL, THE BOARD UNANIMOUSLY AGREED TO TABLE ACTION ON THE TREASURER'S BOND UNTIL MR. CADWALLADER OBTAINS MORE INFORMATION FOR THE BOARD MEMBERS TO CONSIDER. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

Attorney Emerick noted that the only other item in his report for consideration is the discounted water service relative to nonprofits and the guidelines language that he had proposed, which was tabled from the last meeting. Mr. Yetsko noted that the Board has authorized the Fire Company to provide free water to certain residents for filling their pools; and he believes there were more. Mr. Cadwallader stated that he believes there were only two requests received. He noted that the fire company was using one bastard hydrant for fire training. Mr. Morgan stated that, relative to the Historical Society, they received a \$55 bill. The service has been shut off at

the curb now and they are no longer being billed. Mr. Morgan noted that he would like to review more information; and therefore, he would suggest this matter be tabled until the next meeting.

ON MOTION OF MR. MORGAN, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY AGREED TO TABLE ACTION ON THE NONPROFIT WATER USAGE AND PROPOSED GUIDELINES UNTIL THE NEXT MEETING. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

Attorney Emerick stated that he mentioned at the last meeting municipal liens; and he questioned whether the Board wanted to talk with the Sewer Authority on the issuance of liens, which are authorized the Municipal Liens Act. Mr. Mark Castel questioned at what point the water usage is shut off to customers, to which Mr. Cadwallader replied that, if the account is in arrears, a yellow card is issued; and if no agreement is signed one week after the yellow card is issued, the water is shut off. Discussion ensued relative to the amount of the bill and whether an agreement should be signed. Mr. Cadwallader questioned if the Board wanted to stop the availability of an agreement for the high amount nonpaid accounts and move toward a lien. Mr. Cadwallader noted that, once shut off, the water is not turned back on until the entire bill is paid. Mr. Morgan questioned if all residents have the same due date on their accounts, to which Mr. Cadwallader replied affirmatively. Discussion ensued relative to the amounts owed on some accounts and the fact that, if they come in and sign an agreement and pay one-half of the amount owed, the water is not shut off. It was noted that there are residents that do this on a regular basis. Mr. Beyer noted that, during the COVID pandemic, the Authority was not permitted to shut the water off; however, this has been lifted.

Mr. Morgan suggested that this matter be tabled and remain on the agenda for the next meeting. Mr. Cadwallader questioned if the Board wanted to set a limit on when a resident would be able to sign a payment agreement; i.e., any residents who owe a bill over \$500. Concerns with this were mentioned relative to any resident that may be struggling. Mr. Morgan stated that perhaps the shut off list should include only those residents over \$500.

Attorney Emerick commented that he provided the final social media policy for Board approval. Mr. Morgan questioned if all of the employees are following the policy, to which Mr. Cadwallader replied that, to the best of his knowledge, they are.

ON MOTION OF MR. YETSKO, SECONDED BY MR. MARK CASTEL, THE BOARD UNANIMOUSLY APPROVED THE SOCIAL MEDIA POLICY AS PRESENTED. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

Attorney Emerick noted that he would reach out to the Forester relative to the tree damage on the Authority's property. He understands that Mr. Barton talked to the property owners; and we need to see if something can be put on paper relative to what Mr. Barton found out.

As it relates to the shared services agreement with the Township, Mrs. Ringler commented that the Authority approved the agreement, but the Township did not. Approval of the new shared services agreement would be needed by the Board. Attorney Emerick noted that he reviewed the old agreement but has not reviewed the new agreement. He would be comfortable with the Board approving the agreement contingent on his review.

ON MOTION OF MR. MORGAN, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY APPROVED THE SHARED SERVICES AGREEMENT WITH

PORTAGE TOWNSHIP AND THE WATER AUTHORITY AS PRESENTED, PENDING REVIEW BY THE SOLICITOR. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

X. EXECUTIVE SESSION

ON MOTION OF MR. YETSKO, SECONDED BY MR. MORGAN, THE BOARD UNANIMOUSLY AGREED TO GO INTO EXECUTIVE SESSION AT 7:55 P.M. TO DISCUSS PERSONNEL MATTERS. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

XI. RECONVENE OF REGULAR SESSION

ON MOTION OF MR. MORGAN, SECONDED BY MR. MARK CASTEL, THE BOARD UNANIMOUSLY AGREED TO RECONVENE INTO REGULAR SESSION AT 8:20 P.M. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

XII. FORESTER'S REPORT

No report as Mr. Barton was not present for the meeting.

XIII. UNFINISHED BUSINESS

- Treasurer Bond

Tabled earlier in the meeting.

- Food Pantry/Historical Society Letters

Tabled earlier in the meeting.

- Fall at Water Hydrant

Discussed earlier in the meeting.

- Employee Resignation

Mr. Morgan commented that this relates to Mr. Brian Cadwallader's resignation and the way it was presented. He stated that he actually has three different letters of resignation, including one done by Attorney Emerick which is probably the official one. Mr. Morgan understands that Mr. Brian Cadwallader did not sign the Authority's mask policy on April 17; and Mr. Morgan did not find this out until May 4. He believes that, after 20+ years of service, Mr. Brian Cadwallader should have been given a chance to explain his position to the Board; however, the Board did not give him that option. Mr. Morgan also found out at an emergency meeting of the Board that Mr. Brian Cadwallader had told Mr. Ron Cadwallader that he would come back the following Monday, and he did not know about this until 10 days later. Mr. Morgan pointed out that he has been attempting to contact Mr. Brian Cadwallader but has not heard back from him. Mr. Morgan commented that he believes the Authority acted prematurely relative to Mr. Brian Cadwallader;

and the Authority should have given Mr. Brian Cadwallader the opportunity to talk to the Board. Mr. Mark Castel commented that Mr. Brian Cadwallader could have come to any Board meeting if he chose to. Mr. Morgan stated that it concerns him that Mr. Ron Cadwallader spoke to some Board members relative to this but not all Board members; and it also took Mr. Morgan three weeks to find out that Mr. Brian Cadwallader never signed the mask policy. Mr. Morgan stated that he believes the Board at least owes Mr. Brian Cadwallader the option to speak before the Board since we did not give him the opportunity previously.

Mr. Yetsko pointed out that the Board never voted to accept Mr. Brian Cadwallader's resignation. Mr. Kinley stated that, when Mr. Brian Cadwallader had the opportunity to talk with the Board in the past regarding other matters, he chose not to. He questioned why Mr. Morgan feels differently now, to which Mr. Morgan replied that his concern is that he has seen three different letters of resignation; and he does not know which is the official letter. Mr. Kinley indicated that, if we have a legal letter from the Solicitor, that should be the official letter, to which Mr. Morgan questioned why we needed the other two letters. Mr. Kinley questioned if this matter was on the agenda to accept the legal letter of resignation, to which Mr. Morgan replied that he asked Mrs. Ringler to place it on the agenda because he knew no action was taken. Mr. Yetsko questioned who asked Mr. Brian Cadwallader to write the letter of resignation, to which Mr. Ron Cadwallader replied that, after it was discussed by the Board, he asked Mr. Brian Cadwallader to write the letter the next day. Mr. Morgan commented that he specifically requested that Mr. Brian Cadwallader be contacted the evening of the Board meeting so that he would know it was done properly. It is now three months later and no action has been taken. Mr. Morgan commented that any letter of resignation is something that should have Board action and it was not. Mr. Kinley questioned what the difference would be if Mr. Brian Cadwallader met with the Board, to which Mr. Morgan replied that he would like to hear Mr. Brian Cadwallader's side of the events and what was said to him. Mr. Morgan stated that Mr. Kinley did sign off on Mr. Brian Cadwallader's resignation letter which was prepared by the Solicitor. Mr. Yetsko commented that there are discrepancies in two of the letters that he reviewed. Mr. Kinley pointed out that, if the Board does not accept Mr. Brian Cadwallader's letter of resignation, he would still be considered to be employed. Mr. Yetsko indicated that no Board action was taken on the resignation.

XIV. EXECUTIVE SESSION

ON MOTION OF MR. YETSKO, SECONDED BY MR. MORGAN, THE BOARD UNANIMOUSLY AGREED TO GO INTO EXECUTIVE SESSION AT 8:28 P.M. TO DISCUSS PERSONNEL MATTERS. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

XV. RECONVENE OF REGULAR SESSION

ON MOTION OF MR. MORGAN, SECONDED BY MR. MARK CASTEL, THE BOARD UNANIMOUSLY AGREED TO RECONVENE INTO REGULAR SESSION AT 8:43 P.M. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

XVI. NEW BUSINESS

- Line of Credit

Mr. Kinley noted that information was included in the Board packet relative to a new business line of credit and a proposal for a commercial advance loan from 1st Summit Bank. Mr. Cadwallader commented that this is for the Route 164 project. The bank would set it up as a line of credit; and once the project is completed, it would transfer over to a loan. Mrs. Ringler pointed out that, until the line of credit transfers to a loan, we would not know what the interest percentage will be. Attorney Emerick commented that the line of credit is basically a bridge until the Authority receives the reimbursement.

ON MOTION OF MR. YETSKO, SECONDED BY MR. MORGAN, THE BOARD UNANIMOUSLY APPROVED THE PROPOSAL FROM 1ST SUMMIT BANK FOR THE LINE OF CREDIT AS OUTLINED IN THE PROPOSAL. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

- Windmill Check

ON MOTION OF MR. YETSKO, SECONDED BY MR. MARK CASTEL, THE BOARD UNANIMOUSLY AGREED TO DEPOSIT THE WINDMILL CHECK INTO ACCOUNT #104.5, MONEY MARKET. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

- Change in Personnel Rules and Regulations

Discussed earlier in the meeting.

- GIS Services

Mr. Thompson pointed out to the Board that, included in the Board information for the meeting, was a proposal from EADS to perform the GIS services. The Authority employees would perform the work in obtaining the information and EADS would be placing the information on the maps. There is an iPad cost through Verizon, which would be a monthly cost for the data plan. The Board agreed that Mr. Beyer prepare an agreement for the Board's signature at the next meeting.

- Effluent Flowmeter - Benscreek

Discussed earlier in the meeting.

- 903 East Albright Avenue

Discussed earlier in the meeting.

- Main Street Agreement

Discussed earlier in the meeting.

XVII. GOOD OF THE ORDER

- Assistant Superintendent

Mr. Morgan stated that at a previous meeting, it was agreed during Executive Session that Mr. Tony Thompson be appointed Assistant Superintendent; however, no official action was taken in Regular Session.

ON MOTION OF MR. MORGAN, SECONDED BY MR. MARK CASTEL, THE BOARD OFFICIALLY APPOINTED MR. TONY THOMPSON AS ASSISTANT SUPERINTENDENT. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

- Employee Matters

Mr. Morgan commented that, after the last Executive Session, he received a telephone call from Mr. Kinley the next morning. He was traveling in his car with his wife and son and heard the conversation. Mr. Kinley was upset with Mr. Morgan for "pressuring employees." Mr. Morgan stated that Mr. Kinley commented that the employees have a concern with Mr. Morgan pressuring them. Since Mr. Morgan was in his car, he attempted to hold his composure and told Mr. Kinley that he would meet with Mr. Kinley at the Authority office regarding this; however, he did not hear from Mr. Kinley again after making this particular accusation. Mr. Morgan stated that he would like to know why the employees felt that he was pressuring them.

Mr. Kinley pointed out that he does not remember saying to Mr. Morgan that he was pressuring employees. What he said to Mr. Morgan was that there are things going around in the Authority. Mr. Kinley stopped at the Authority office to sign a letter in order that it could be notarized following the meeting. However, because certain employees are being told that there is "stinky fish in the water," as a normal courtesy from Mrs. Ringler, if he stopped in to sign something and Mr. Craig Castel could make it later because he is working, normally Mrs. Ringler would extend the courtesy under her Notary capability to approve the signatures separately. However, Mr. Kinley stated, now that everything is being scrutinized so closely, he had to go to Randall's and had to pay to have his signature notarized. Mrs. Ringler agreed that she would not put her Notary authority on the line. Mr. Kinley stated that this was the deed, to which Mr. Morgan replied that nothing was said about the deed. Mr. Kinley stated that, when he was speaking with Mr. Morgan, the phone became disconnected and he left and went to the bank for other business. He then called Mr. Morgan back and Mr. Morgan asked where Mr. Kinley was. Mr. Kinley replied that he was at Summit Bank, and Mr. Morgan pointed out that Mr. Kinley should not be at the bank doing the Authority's business. Mr. Kinley noted that he was doing personal business at the bank and not Authority business. Mr. Morgan indicated that, when speaking with Mr. Kinley, Mr. Kinley commented that he would come down and meet but he never did.

Mr. Morgan pointed out that he specifically asked other Board members what employees he was pressuring, and others did not know about it. Mr. Morgan emphasized that Mr. Kinley, as a Board member, does not have the right to call another Board member and indicate that they are pressuring employees. He commented that Mr. Kinley mentioned the Notary concern, and this is not what the conversation was about. Mr. Morgan emphasized that Mr. Kinley should not be able to call Board members and make accusations. He stated that Mr. Kinley is too involved with the employees. He knows that Mr. Kinley had to stop and sign a paper. Mr. Kinley pointed out that Mr. Morgan has stated in the past that Mr. Kinley comes down to the authority office on

Fridays and sits around like the “boss.” Mr. Yetsko asked who had said this, to which Mr. Kinley replied that this was stated at a previous Board meeting. Mr. Mark Castel stated that he does remember this comment being made.

Mr. Morgan requested that Mr. Kinley not call him again and make accusations, because if he does he will find himself in a lawsuit. He stated that he does not know who Mr. Kinley thinks he is, but he is a figure head. Mr. Morgan stated that the Board is to be setting at the meetings representing the community. He pointed out that the Board allowed a \$6,000 payment go through in January for Attorney Barbin and no one questioned the bill. This is a check that the community paid for; and Mr. Morgan hopes that the community hears about this. And then, Mr. Morgan stated, we receive three resignation letters from Mr. Brian Cadwallader and the Solicitor writing one of them. Mr. Morgan pointed out that he is done with this. He noted that the Board meetings should only be one-half hour; however, these are the types of things the Board has to deal with and it is about time the community finds out about it.

Mr. Morgan indicated that Mr. Kinley should resign for what he did, to which Mr. Kinley stated that he would give it to the Board in writing immediately. However, Mr. Kinley stated, he would like Mr. Morgan to see what it is like to be the President. Mr. Kinley indicated that he was here for six months, to which Mr. Morgan interjected that he was with the Authority for 30 years dealing with the previous Board members. Mr. Morgan questioned where Mr. Kinley was the day he called him, to which Mr. Kinley replied that he was at the bank. Mr. Morgan pointed out that Mr. Kinley was very arrogant with him because he asked about the three resignation letters the evening before. Mr. Kinley stated that he still does not know what Mr. Morgan is referring to relative to the resignation letters and who he is trying to blame and who is writing the letters. Mr. Morgan stated that he asks questions for the community. He noted that he questioned the approval of the \$6,000 bill in January from Attorney Barbin, and Mr. Kinley had stated that “that’s my job.” He also asked about the emails from February 2019 and no one ever looked into it. Mr. Morgan pointed out that Attorney Emerick has been with the Authority for six months and we have not hit \$6,000 yet.

Mr. Yetsko questioned Mr. Kinley about the notarization, to which Mr. Kinley replied that the Authority had a deed from the Township that he had to sign. It had to be notarized; and when he stopped at the Authority office, Mrs. Ringler stated that, since Mr. Craig Castel was not present to sign as well, Mrs. Ringler could not sign it. Mrs. Ringler commented that, if Mr. Craig Castel was present, she would have notarized the document with both Mr. Kinley and Mr. Craig Castel present. However, with the current situations, she did not feel comfortable doing this and putting her Notary license on the line. Mr. Kinley pointed out that it was the Authority that Mrs. Ringler was helping and not him personally. Mr. Morgan stated that he was available that day, to which Mrs. Ringler replied that Mr. Morgan was not authorized to sign the document.

Mr. Morgan stated that he wanted to point out that he does not pressure employees. He talks with the employees, but he does not pressure them. Mr. Morgan emphasized that, if Mr. Kinley is stating that he is pressuring employees, then Mr. Kinley has lost all of Mr. Morgan’s respect. He commented that Mr. Kinley should resign since he is not allowed to make those accusations to other Board members. He commented that the only person he may pressure is Mr. Cadwallader, to which Mr. Cadwallader replied that he would listen to any comments from the Board members. Mr. Morgan indicated that he is thinking about coming to a Borough Council meeting and expressing his concerns as well because Mr. Kinley does not have the right to do what he did.

- Thank You Note

Mr. Kinley informed the Board that a thank you note was received from Mr. Mark Castel relative to all of the sympathies extended to him during the recent loss of his wife, Sally.

XVIII. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MR. MORGAN, SECONDED BY MR. YETSKO, THE BOARD ADJOURNED THE MEETING AT 8:50 P.M. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MARK CASTEL, MR. KINLEY, MR. MORGAN AND MR. YETSKO.

XIX. NEXT MEETING

The next meeting will be held on Thursday, August 6, 2020 at 7:00 p.m.

Respectfully submitted,

Sharon Squillario
Recording Secretary