

Minutes of the regular meeting of the Municipal Authority of the Borough of Derry in the Authority office at 620 N. Chestnut Street Derry, PA on Wednesday September 21, 2022.

The meeting was called to order at 7:00 o'clock, p.m. with the following members answering the roll call: Mrs. Sara Cowan, Chairperson; Barbara Phillips, Vice Chairperson Secretary/Treasurer Mr. Grant Nicely Treasurer Anthony Jellison, Secretary Also, in attendance were the Authority Manager, Amy Forsha, Solicitor Sam Dalfonso Esq., of Dodaro, Matta and Cambest and Engineer Mark Gera, Gibson Thomas. Mr. Ben Bush was absent from tonight's meeting.

On a motion by Mr. Nicely and seconded by Mr. Jellison the minutes of the regular meeting of August 17, 2022 were presented for approval and all members voted in favor.

Visitors:

Mr. Joe Wells from The Latrobe Bulletin.

Hilah Panichelle of 106 East First Ave

Employees, Ellis Barfield, Bill Razpotnik, and Zachary Pittman

Hilah Panichelle requested a review of her property at 106 E First Ave due to high-water usage and the fact that the Authority waived the sewer lateral inspection and associated fee. Ms. Panichelle feels that if the sewer lateral inspection would have been done then the leak would have been found. The Board agreed to do a sewer lateral inspection free of charge and that the water bill will stand as is until more investigating is done.

Correspondence:

Michael Reffo purchased 317 E Second Ave from Westmoreland County Landbank. Mr. Reffo was informed after the sale that there was a Municipal Lien on property. He informed the board that Westmoreland County Landbank does a Quite Title which means that the courts will remove any and all liens. Mr. Reffo is requesting that we remove liens so that he may have water turned on. Per Solicitor Dalfonso, the quiet title had already been filed removing the liens.

Delores Wood owns a home at 236 Seger Road Derry, For the past two years she has lived in a personal care home. In December 2021, she received a high-water bill, her son called at informed us that he wanted the water shut off. The bill was left unpaid. Mrs. Woods daughter made a payment of half of the bill. A motion was made by Mr. Jellison and seconded by Mrs. Phillips to adjust off remaining balance on bill. All members approved.

Mrs. Linda Shaffer had a leak under her kitchen sink and requested relief on her water/sewage bill. A motion was made by Mrs. Phillips and seconded by Mr. Jellison to remove the sewage charge from her bill and all members voted in favor of crediting her additional sewage charge.

Water Old Business:

Water Bills for August 31, 2022 in the amount of \$334,484.08 and Sewer Bills in the amount of \$89,888.43 and Storm Bills in the amount of \$34,933.45 were presented for payment. On a motion put forth by Mrs. Phillips and seconded by Mr. Jellison, all members voted to pay the bills.

The Water Treasurer's Report showing a checking account balance on July 31, 2022 in the amount of \$210,800.73 with deposits of \$155,651.97 and less expenses of \$334,484.08 leaving a reconciled balance of \$31,968.62 for August 31, 2022 was presented by Mrs. Forsha. A motion to accept the treasurer's report was offered by Mrs. Phillips and seconded by Mr. Jellison, all members voted to accept the treasurer's report as presented.

Next, Mrs. Forsha presented the Storm Treasurer's Report showing a checking account balance on July 31, 2022 in the amount of \$208,006.24 with deposits of \$14,935.66 and less expenses of \$34,933.45 leaving a reconciled balance of \$188,008.45 for August 31, 2022. A motion to accept the treasurer's report was offered by Mrs. Phillips and seconded by Mr. Jellison and all members voted to accept the treasurer's report, as presented.

Next, Mrs. Forsha presented the Sewer Treasurer's Report showing a checking account balance on July 31, 2022 of \$204,851.62 with deposits of \$81,436.43 and less expenses of \$89,888.43 leaving a reconciled balance of \$196,399.62 For August 31, 2022 Mrs. Phillips moved and seconded by Mr. Jellison to accept the treasurer's report and attach the same as an exhibit and the same be incorporated by reference and be made part of these minutes. Upon motion duly made and seconded, it was unanimously approved.

The Manager's Water & Sewer Reports were presented by Mrs. Forsha. Included in her detailed monthly reports, Manager Forsha commented on the condition of Ethel Lake and the total gallons of potable water pumped for last month. The costs associated with operating the pump house and the sewage plant were announced and also included was an equipment report on mileage and fuel consumption.

The Engineers Report:

Mr. Gera informed the board that WIFTA pay estimate #9 in the amount \$200,706.50. A motion was made by Mr. Jellison and seconded by Mrs. Phillips. All members voted to approve pay estimate #9.

Mr. Gera also asked the board if they wanted to start paving West 1st, 2nd, 3rd streets this year or wait until the spring. Manager Forsha informed the board that the gas company will be on Third street working. The Board would like the paving and curb replacement to start this year. A motion was made by Mr. Jellison and seconded by Mrs. Phillips for Gibson Thomas to bid out the curb to curb paving for West First and West Second Ave. All members voted to approve.

Mr. Gera announced that Pay estimate #11 for Swede Construction in the amount of \$1,140.00 is ready for payment. A motion was made by Mr. Jellison and seconded by Mr. Nicely. All member voted to approve payment.

The Solicitors Report:

Executive Session.

Water Old Business:

Manager Forsha announced to the board that the filter under drain repair is to begin on October 3, 2022.

Manger Forsha informed the board that 1,000ft of 1 ½” water line on S Valley Street/ M&B Place is in very poor condition and needs to be replaced. She mentioned that she received information on the Municipal Infrastructure Priorities Survey and she thought that would be a good project to submit for funding

Water New Business:

Sewer Old Business:

Manager Forsha informed the board that several sewer spot repairs are underway within the areas that are to be paved.

Manager Forsha announced the Sewer Rule and Regulations has been sent out. Mrs. Phillips informed the board that she has read and found a couple of inconsistencies and would like to re-read before she approves.

Manager Forsha informed the board of the Sludge Press/Mechanical contract status.

Sewer New Business:

Storm Old Business:

Storm New Business:

Manager Forsha announced to the board the catch basins with in the 1st and 2nd ward have been cleaned this month.

Manager Forsha also informed the board that 130’ of 24” storm line near McCabe funeral home is being replaced. Mrs. Forsha also stated that several lines were found coming from catch basins in this area also collapsed.

Manager. Forsha informed the board that the parking lot Retrofit bids received with Lutterman Excavation being the low bidder in the amount of \$207,700.00. The conservation district is working with the contractors to remove some items from the contractor to get the amount with the Growing Greener Grant in the amount of \$113,50.00. A motion was made by Mr. Nicely and seconded by Mr. Jellison to make a \$20,000.00 match. All member voted to approve.

Public Comment:

The Solicitor at this point informs the next speakers that they will listen to what has to be said but they will not be commenting on any statements made because they are members of the union and should be discussed with the union rep.

William Razpotnik

We feel that something is being lost in translation between you too and everybody else here. We have a legitimate contract and we are being mis-classified on that contract.

The three of us run those plants by ourselves on a daily basis. I am training this gentleman sitting to the left of me and I am not getting paid what I should be getting paid according to the contract and I have brought this up at least three times and it just falls on deaf ears, basically ignored.

Sara Cowan, Chairperson

How long have you been here?

William Razpotnik

Since early March, and I want to mention too this is old about our cost of living raise and you guys seem to be spending hundreds of thousands of dollars here on all kinds of stuff and there was like no counter offer at all and that just completely crushed morale at this place. I have never worked in an environment like this before where everybody is just bizarre, I can't explain it and been created cause of that and this going on with the three of us is just dumping gas on it, so I don't know something needs to change here you obviously can't keep employees here. How many people have you gone through like 7-8 is that pretty close?

Solicitor Dalfonso

I couldn't tell you.

William Razpotnik

There is obviously a problem here I mean I don't live in the borough I am not drinking this water that is made here I live way out in the sticks I got a well if, if, you had a constant changeover with people here like this, how's that safe and just that just bizarre to me to think that's how this place is run.

Zachary Pittman

So, I have one statement so in terms of the pay wages we were told that we have to get all our exams and we would get paid the \$21.96 which is under for the non-certified rate. That is not the case with other employees here. One Thomas Irvin passed his general exam in 2008. In 2008

that's all that he passed. They gave him the non-certified rate. We were told that you were going to go with past practices. so, what I am seeing is a lot of cherry picking of the rules, some people get something and other people get other things.

William Razpotnik

There is no consistency with the rules.

Zachary Pittman

There is no consistency with the rules. We did not sign the contract you people did. That is your contract, you signed it, the Teamsters 30 on December 18,2020 that's your contract.

William Razpotnik

And how that contract is read we should be paid that non-certified rate and not. I keep getting told that I am an operator in training, but I am training another operator. That's ridiculous.

Zachary Pittman

I called the DEP. According to the DEP I am non-certified. I took my test on August 17, 2022. I passed my general and 2 sub classes as far as they're concerned, I am a non-certified. In your contract you have no designation what class we need to have to run that plant. there's none in there, you never specify. I could technically certify tomorrow and be a class E certify and you would pay me the certified rate which is 25.00. that's semantics, that's what is written in the contract were not asking for that, were asking you to pay us what we were told we would be paid when we took that test, and we wanted to come talk to you because we think a lot of this isn't getting back to you.

William Razpotnik

That's why we are here.

Zachary Pittman

That's why we are here.

Sara Cowan

We appreciate you coming in.

Zachary Pittman

Well, we are going to be here every month.

William Razpotnik

At least one of us.

Sara Cowan

Ellis when did you start?

Ellis Barfield

February

Sara Cowan

And you were March

Zachary Pittman

Nope, I was January 10th.

Ellis Barfield

He was 2 months before me.

We both passed.

Zachary Pittman

In terms of Ellis, I will speak for him in this regard. He has a waste water license in California and he took his general in May and was never offered the non-certified rate, yet he has the most experience. I have a master's degree and a bachelor's of science I could literally call the DEP have them look at all of my credits I would be certified. Don't understand what the big deal here.

William Razpotnik

It's not like it's a lot of money frankly it's becoming the point where it's down right petty, you know what I mean? Its 2.00 an hour its not like we are asking for ten dollars and hour we just want what the contract says we are supposed to be paid that's all we are asking for. I mean I don't think that unreasonable. And every time I brought it up, I just get spun around and stonewalled.

Zachary Pittman

This is past practices; this is what we did in the past. Unfortunately, it seems that the people in the past were screwed over and they did not realize that they were getting screwed. So, they were taken advantage of. We are not going to do that we're not like past people, that's not going to happen.

William Razpotnik

Not when everybody here realizes what out there with other places now. I mean we could go work down the street and make 6.00 more an hour I mean I don't know how you plan to keep anybody here honestly; I hate to say that. I like working here works great. But you got that right there. You got Clymer that pays over \$30.00 an hour and they are a third of this size. I mean I don't know what's going on here, you're never going to be able to keep anybody here if something don't change, I'm sorry that's just you cant keep anybody here now. I am not saying anything that is not true I am not trying to be disrespectful to anybody but it's the truth.

Zachary Pittman

And I just want to bring this up and I know that he is not here this evening but he told us your work foreman Ronnie Seich Jr. said that if things don't change, he's leaving and he is already looking. And we will leave as well.

William Razpotnik

Yeah, he leaves we are out of here.

Zachary Pittman

And I just have one question? Would you guys be able to survive if Ronnie left right now.

Sara Cowan

If any of you left??? Not sure what was said.

Zachary Pittman

I mean you we serve a public of under 3,300 people. We deal with the waste water their drinking water and everything in-between and everything in this township consumes comes from that building down there and goes through the other building and when people in that office treat us like garbage! Why would be want to keep the public safe? Now we do it because he lives in this public and he lives in this public and so do I so we care but how could we even turn around and want to do our job to the best of our degrees when we are not even being respected? Let's not even start with the safety and health violations down there. Making us carry 150lb chlorine tanks

William Razpotnik

Downhill

Zachary Pittman

Downhill with a box dolly. Making us move 550lb Del pac containers by hand. The equipment down there that leaks chemical the pumps are just destroyed. We don't have any of that stuff because when we bring it to the managers attention that there is an issue with the equipment it gets ignored there's not money. So we, I had the other day to and get rubber gloves from NAPA auto parts because they are not keeping enough gloves here I am using caustic chemicals down there I haven't said anything to the DEP of OCEA because I figured I would give you the benefit of the doubt to try to correct some things but I have no problem calling them you receive government funds does not matter if we have less the ten employees our health and safety is important just as much as there health and safety out there. Its just not fair. I don't know how many times we have been mad to work on Bergman Road that has transite that has asbestos in it and we were never provided asbestos abatement classes

William Razpotnik

I cut that pipe 6 times. I brought a respirator from home because I know how bad it is.

Zachary Pittman

I bring my own respirator because they are not here.

William Razpotnik

How can you have us working on that stuff like none of us I know what it is because of my previous job I am not eating that stuff you know what I mean I mean that's ridiculous. There is a special saw for cutting that it's a wet saw we don't have it.

Zachary Pittman

And then we are expected to do all of this at 19.00 an hour utility rate. And you're asking us to make sure process control decisions by going through Ronnie and everything, studying outside for test and everything.

William Razpotnik

The wages and the work scale couldn't be more out of whack like I had when I came here, I had no idea some of this stuff I was going to be doing.

Zachary Pittman

Oh, heck when I was hired, I was never handed a contract. Ronnie handed me a contract two weeks later I knew nothing about it.

Sara Cowan

What contract for what?

Zachary Pittman

The union contract the pay contract I was never handed that by Amy.

William Razpotnik

And how long did it take to get a Backhoe operator like 6-8 months? At least that long, right? You got a guy that retired looking for something to do, he could leave here at any minute then we got to wait another year for find another one I mean I came from construction. I know what them guys make that's just an example here like I don't know what to do and it's

Ellis Barfield

A joke.

Sara Cowan

How often have you guys told Amy all of this?

William Razpotnik

I have brought wages up at least 3-4 times.

Sara Cowan

Other than the wages all of the safety things?

William Razpotnik

Ah, many times I can't tell you exactly how many

Sara Cowan

You have record of that Amy?

Amy Forsha

No, I have never had a safety complaint from Bill.

Sara Cowan

How about any of the other guys?

Amy Forsha

Zach has threatened to call OCEA and the DEP, but he just made the statement in general that there are safety issues. I told Zach that since he has a degree in safety, I have always told him since he started to please make suggestions because he knows how things are supposed to be done.

Zachary Pittman

So, she wants me to make suggestion yet not pay me the appropriate rate that's my college degree if you're good at something you don't do it for free. Sorry. Why would I make safety suggestions when you are not paying me the appropriate rate now it's not done in good faith.

Ellis Barfield

I know all of the stuff we usually go to our foreman and tell and he says he goes back and talks to Amy. That is usually where we go first.

Zachary Pittman

We have told Ronnie about all of the equipment and everything and it goes back to her and now that is their prerogative but it's getting to the point to where it's a little scary so.

William Razpotnik

we haven't done a calcium alkalinity or the hardness test for months because every time you pump that stuff in the thing it explodes out of the top. I got showered n'at acid like twice and I am like you know what I am done. Ronnie said don't use it no more we haven't done that test in months cause of that and we don't have new equipment. Our PH tester down there was broke for 6 weeks we couldn't test the ph. of the water for at least 6 weeks we couldn't calibrate it. I am sorry it wouldn't calibrate so we are testing the water with uncalibrated instruments

that's pretty much all I have to say so.

Attorney: informs the employees that they will discuss the wages and of course the safety issues. He also informed the employees to check with the foreman Ronnie that everything they need is available.

Zachary Pittman

I mean I mean in terms of being asked to do my safety stuff I was asked to write a standard operating procedure when I first got here. How am I to do that when I haven't been adequately trained yet? Actually, I was never adequately trained. Because about the time you guy remember that's when Robert put in his two weeks. When I first started, I was flying by the seat of my pants.

And in terms of safety thing, she keeps bringing up about making safety recommendation why would I do that when some of the things here are not taken seriously around here anyways why would I start putting my professional

Sara Cowan

What is your degree in

Zachary Pittman

I have a bachelors of Science and a Masters in Management.

Sara Cowan

We will discuss this at length and I appreciate you coming in.

Zachary Pittman

I have made this statement about myself that I would like to retire from her I live in Blairsville I am from this area you guys know my education I can do almost anything I want to do. I want to do this I want to make sure people have clean water and drinking water I just wanted to work all I ever wanted to is just work and like I have no problem getting down in holes, getting muddy, getting cold, my first week that I worked here I had to go out on a break the first Wednesday I had no problem. I just do not like being treated unfairly and I do not like being embarrassed.

Mr. Jellison left meeting at 8:31 P.M.

Executive session: motion made by Mrs. Phillips and seconded by Mr. Nicely

Executive session ended at 9:38 P.M.

Mr. Nicely made a motion to give to move the operators in training to the non-certified rate after they have completed the appropriate general exams, Barbara Phillips seconded with all members voting in favor.

Meeting adjourned at 9:38 P.M. on a motion made by Mr. Nicely and seconded by Mrs. Phillips all members voted to adjourn.