

The monthly meeting of the Lower Burrell Municipal Authority was held on July 18, 2023, at 6:30 p.m. in the Municipal Building at 2800 Bethel Street, Lower Burrell, PA 15068. In attendance were board members, George Adda, Solicitor Robert Liotta, Chris Henry, Chairman Kevin Lettrich, Robert Landowski and Director of Parks and Public Works Michelle Hatbob.

**Approval of Minutes**

Motion by George Adda, second by Robert Landowski to approve the minutes from the June 20, 2023, meeting. Roll call vote: Approved.

**Approval of Treasurer's Report**

Motion by George Adda, second by Robert Landowski to approve the Treasurer's Report for June 20, 2023. Roll call vote: Approved.

**Correspondence**

- Check from City of Lower Burrell dated July 18, 2023, in the amount of \$12,339.56 for Payments 58 & 59 of 360 (*see LBMA Invoices folder*) (*payment 58 was not ran for June 20<sup>th</sup> meeting. The check was run on June 30<sup>th</sup>*)
- The Municipal Sanitary Authority of the City of New Kensington announcement for regular meeting held July 17, 2023, and May 15, 2023, meeting minutes
- PMAA Member Authorities- Notification of Voting delegate & Alternate regarding the PMAA Annual Conference (*See LBMA document folder*)

**Bills Presented For Payment:**

Name	Amount	Description
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**Old Business**

Brian stated that he had issues pulling the financial report for the US bank and he will have it at next month's meeting. Kevin Lettrich suggested that Robert Landowski be added to the checking account to sign checks. Brian will go to the bank and take care of making the adjustments.

**Public Comment**

**Mayor's Report**

**Sewer Report**

**6/1/23-6/2/23**

- Check pump stations

**6/5/23-6/9/23**

- Check pump stations
- Took vector to Leechburg Road, Yale, and Nebraska
- One calls
- Check pump stations; one calls; check and inspect sewer tap at Glen's; work on truck 22 radio

**6/12/23-6/16/23**

- Check pump stations; removed tools/ equipment from truck 08 to truck 22; cleaned out truck 08
- One calls

- Cleaned out big Braeburn; bleed air from motors/ clean water filter; 6 loads of water/ sewer out of station to New Ken Sanitary
- PA 1 calls; installed ladder rack on truck 22
- Check pump stations; pa one calls;

**6/19/23-6/23/23**

- Check pump stations; put everything back in truck 22 from cleaning Big Braeburn pump station; utilized Vactor on Hartge for water
- Utilized Vactor on Hartge for water; took off radio for west com to be installed
- PA one calls
- Took hitch and cone holder off truck 08; check pump stations

**6/26/23-6/30/23**

- Check pump stations
- Check Craigdell road and Big Braeburn; one calls; Craig dell station pulled the floats/ clean and rebuild pump for motor; clean bowls to prime; Indian Fields pulled floats, clean all of them #2 motor vacuum pump is bad; clean bowls; need to order vacuum system from Smith & loveless
- Check pump stations/ clean floats; helped jet Michigan Drive from sewer main lateral that was broken/ get mud out of sewer main

## **PA One Calls – 65**

Chris stated he talked with Michelle about Big Braeburn regarding water coming into the sides of wet well (possible crack in walls). Another repair that Chris will take into consideration.

## **Engineer's Report**

Chris Henry stated that they did receive a technical deficiency letter on the Joint 105-106 Permit, there were minor comments and Mott Macdonald will work on preparing response and set up meeting with the DEP prior to sending the response. That is still not the Water Quality Permit for the pump station that we submitted. That is one of the older ones we submitted last year. Kevin Lettrich asked how many permits we were waiting on. Chris responded with we have four and Chris stated them as NPDES, Joint Permit, Water Quality Permit, and HOP Permit. Kevin asked if we had any yet, Chris stated the NPDES Permit was approved by the County so would have been sent to DEP for inclusion in the DEP review for the Water Quality Permit. All permits get included in DEP review of the Water Quality Permit for the pump stations so they may comment on it again. Kevin stated that we may not see these until the end of the year so we will not make the October deadline for Penn Vest and Chris responded with it is doubtful. With them giving the notice of administratively complete letter to us dated around June they have 120 days to respond to the permit. The first round of their comments following that administratively complete date. Robert Liotta – wants to clarify the four permits needed which are NPDES, Joint, Water Quality and HOP are the four permits that are pending. Chris confirmed those are the four permits pending. The NPDES, Joint and HOP are in the preliminary approval which will need to be approved again when they look at the Water Quality permit application than submitted to DEP. The HOP Permit is a PennDot permit which is an acknowledgment – DEP will request because of the work within the PennDot right-away. That it was coordinated with PennDot and all relative stakeholders along the route. The Joint Permit is in part with their Environmental Division and Army Corps. The comments we received were from the environmental division. Army Corp is separate and distinct from DEP. Rob Liotta asked if the Army Corp portion was complete. Chris Henry said he thought that this permit was reviewed and accepted last June, Chris will follow up on that, but he believes it was. Chris can't say at this moment whether or not DEP Environmental group is reviewing what the Army Corp had to say about the Joint Permit that may or may not factor into, but your hopeful expectation is Army Corp already commented and it's just the DEP Environmental Group that we are going to have to deal with on that – Chris said yes that's correct. Rob Liotta – the NPDES Permit you said that the County reviewed and sent over to DEP and Rob asked if there were any other bodies

besides DEP that must review and approve that permit? Chris stated that he spoke incorrectly that it was not NPDES it was ENS. Chris stated that was reviewed by County and previously sent to DEP for them to comment again. Rob Liotta – so strike NPDES and make it ENS, Chris said correct. Rob Liotta - the Water Quality exclusively to be reviewed by DEP moving forward or are there any other bodies to review that. Chris Henry – that one is by DEP alone. Rob Liotta - what particular permit did DEP issue that letter that we all received that letter today regarding. Chris Henry - 105-106. Rob Liotta – if we resolve the DEP Joint 105-106. Chris Henry – once we settle comments it will be a checklist that it is complete. Rob Liotta - Water Quality says you got your DEP Environmental Group Joint, we are done with that. Rob Liotta – ENS what division of DEP reviews and approves, Chris Henry – Environmental as well. Rob Liotta -Same thing as with Joint, Environmental signs off on the ENS it gets to DEP one more time for Water Quality and they check the box that Environmental already approved ENS, Chris Henry - correct. Rob Liotta to Chris Henry – HOP you believe PennDot has already signed off on it and it is with DEP. What division of DEP looks at HOP if anyone other than the one that is looking at H2O quality when they check the box? Chris Henry – we need to go back and update the construction date for PennDot. Rob Liotta – that will come back to DEP and what division of DEP reviews the HOP. Chris Henry – Environmental. Rob Liotta – they won't consider anything substantively about ENS, Joint or HOP once it gets to the water quality review that should be exclusively related to the water quality issues and check the box on the other three, is that fair to say? Chris Henry – yes. Rob Liotta – again we aren't holding you to this but thinking we revise dates on the HOP with PennDot it comes back to DEP and they are likely to say your good and check. Chris Henry – not worried about Penn Dot. Rob Liotta – ENS approved by County, are we worried at all about the Environmental group is going to do with the ENS. Chris Henry – no. Rob Liotta – on the Joint Permit let's assume that Army Corp says good, do you anticipate Environmental doing anything? Well, we got something on Joint today. Chris Henry – we got comments on the Joint Permit, it's the report from the Water Quality permit where we have not received comments and I would anticipate comments there. Chris Henry doesn't feel that Kevin Lettrich bugging them weekly won't help. Chris Henry will push that through Dan M. with Penn Vest to try and get the approval processed. Let him know that we are closing in on a resubmission. Chris needs to get his Penn Vest account reactivated.

Rob Liotta directed to Chris Henry to clarify all these permits have to deal with the pump station project. Asked if there were any other anticipated upcoming pending projects that we are contemplating doing, Rob said I don't believe there are. Chris Henry said we will be entering phase 2 of the Long-Term Control Plan end of 2025 need projects complete to address I/I in Kinloch area. Rob Liotta – we are not even in the design phase to determine what permits will be required to complete the scope of work completed, will we even need any permits. Chris Henry – will depend on type of repairs.

Rob Liotta asked what type of projects you might anticipate to the extent you can say that might be done that would require more extensive permitting. Chris Henry – it would only be if we determined that we need to upside any line in that area or replace line within 356 PennDot right away.

Rob Liotta – I think we comprehensively addressed what we are going to do through 2024 that would require permitting so we can anticipate what most likely would be the source of the delay in doing any of this.

### **Solicitor's Report**

Rob Liotta stated that he pulled the file and reviewed some of the requests made by Nadar Syiek and surprised myself of the unique request Nadar Syiek had made previously which I think require more attention than I was able to give in this last period. They made request they retain sub service mineral rights and request for a conditional right to traverse the land in certain areas. Which I think may be able to be reasonably accommodated. Rob needs to look more intentional at this project compared to some of others because of the permanency of the underground storage and its potential effect on the sub-surface mineral rights and existing sub-surface operations. Rob Liotta has not met with them personally. We engaged with them in April 2019 when Chris was doing preliminary evaluations of what we needed to do and got a temporary limited license to

go on their property to do core drilling. Subsequently in January 2021 it's been 2 ½ years since we last engaged with them on this point and that's when they said here are things we want. George Adda mentioned that Cathy and her husband are very detailed oriented, he is an engineer, and she is an attorney and a very detailed oriented attorney. They are reasonable to deal but I am conservative with them. We had to deal with a large payment for 15-year reconciliation. Both sides wondered what was going on, but it was resolved. Want to make sure when I go back to them that I have a full appreciation of pros and cons because not sure we can accommodate what all they are requesting. A condemnation may be required due to other individuals who have existing rights away that we may need to disturb. Robert said he wanted to look at all these issues and will talk with other solicitors, might take me a little longer and don't know that time is of the essence with respect to this because once we get there we can act quick as to whether it's a acquisition or condemnation and not interfere with PennVest.

**Adjournment**

Motion by George Adda second by Robert Landowski to adjourn the meeting at 6:54p.m.

Kevin Lettrich, Chairman