I. Call to Order  
*Mr. Guesto, Chairperson*

II. Pledge of Allegiance

III. Roll Call  
*Mr. Latinski, Secretary*

**Members Present**  
Dante Bovani, Jr.  
James A. Conahan  
Gerald Cross  
Betty Ann DeRoberto  
Anthony Glazenski  
Samuel T. Guesto, Jr.  
James Hankey  
Phillip Latinski  
Bob Linsky  
Joseph Mazur  
Jeff McLaughlin  
Thomas Wall  
Frank Yurek  
James Zarra

**Members Absent**  
Russell Singer (excused)  
John Sopp (excused)

**Others present**  
Jim Tomaine  
Sandy Bartosiewicz  
Luella Reese  
Bernie Biga  
Attty. Bill Finnegan, Jr. (Solicitor)  
Tim Holden (Penneastern)  
Rob Krehely  
Edward A. Volack

IV. Announcements  
*Mr. Guesto, Chairperson*

No announcements

V. Public Comment Period  
Richard Manta from Jackson Township said some of the people he spoke with said Warrior Run got out of the contract. Is that true or not? Mr. Guesto said No. Mr. Guesto said they were never in and they applied for a waiver in 2017. He said Lehman Township applied for a waiver just now. Mr. Manta asked how do you apply for a waiver in this situation. Mr. Guesto said basically you have to contact DEP but there are different scenario’s whether the waiver is granted. Mr. Guesto said at this point in time we didn’t think anyone would be looked at for a potential waiver but DEP said at the last meeting if there was new information pertaining to any Municipalities mapping or anything they would take a look at it. Mr. Manta said he wasn’t at the last meeting but was it because of the creek that ran through Lehman or the population. Mr. Guesto told Mr. Manta that he would have to contact DEP. Mr. Manta asked for a copy of the audit. Gerry Cross explained it is an audit for the sewage treatment side at the plant not Stormwater. Mr. Guesto said we would e-mail or send a copy. Mr. Manta said I have no sewage line or water line. I have a well and Septic and when I built my house I put a wall
in front of it. He asked Jackson Township to help him with his problem with water and they refused. He built the wall and put pipes in the wall to collect the rain water and get it back into the ground. I have catch basins on both sides of my house to catch rainwater and also have my own storm drain in front of my house and wall so any water coming from my roof or blacktop is kept on my property. Mr. Guesto asked if he applied for any of our credits yet. He said no. He met with Annie to check his property on the computer. Mr. Manta said at $188.00 a quarter comes to $752.00 a year. What am I paying for? John Newman from Nanticoke, Pennsylvania had a recent conversation with the Nanticoke City Manager, We talked over a few things about Stormwater. He stated that he trusts the City Manager’s knowledge. She is experienced and has been there long enough. I asked her where does the stormwater from my impervious area go? She said it goes into our drainage system and then it goes in with our sewage, I said weren’t you mandated in the recent past to separate sewage and stormwater and she said they didn’t have to because they are grandfathered. He said the question now becomes for all residents, voters and tax payers of Nanticoke City, why are we paying two fees? One for sewage management (which he can understand) and one for Stormwater to WVSA for stormwater that gets mixed with sewage because it is grandfathered. Jim Tomaine said with DEP, MS4 and combined sewers are two separate entities in their eyes. Mr. Newman said you are hanging your hat on that. Jim said as far as combined sewer system I am sure there are separated systems in Nanticoke. Mr. Newman asked are they grandfathered? Jim Tomaine said No. Mr. Newman said are you telling me the City Manager doesn’t know what she is talking about. Mr. Guesto said please let Jim finish. Mr. Newman said he is Waltzing me around telling me the City Manager doesn’t know what she is talking about. Mr. Guesto said no we aren’t. Let him answer. Mr. Newman said he came for answers and wants the truth. Nanticoke has two different systems and DEP handles them differently. They have different requirements for CSO’s and different requirements for MS4’s but part of the MS4 program in the town of Nanticoke is under a permit for some of the things they should have done ten years ago which all the towns in our region were in violation and I know that for a fact because I answered the violation letters. I could get you a copy of the letter for Nanticoke violation but because these Municipalities joined with the Authority we were able to bring them in under a regional group and the MS4 not only handles the water that goes to the river but it handles the Minimum Control Measures which is required under the permit to be dealt with every year and it also handles the mapping of all storm sewers in Nanticoke and the pipe outfall to the river. MS4 is a series of things. It is not just the water off of your particular roof. The town of Nanticoke has a permit under MS4 and all of those things have to be done. Some under CSO and some under MS4 because it would have cost Nanticoke double or triple without the WVSA and ultimately costing you more money. Mr. Newman is asking you to answer my question. Does my stormwater in an older section of Nanticoke City go in with the grey water or does it go into the river? Jim said we would have to look at your exact location. I am in the Hanover Section of Nanticoke, 107 Oak Street. I have asked for a review and I haven’t heard anything yet and I am not going away. He said you haven’t answered my question. Where is my Stormwater going and if it is going in with the grey water, why am I being charged twice? Mr. Guesto said we are going to review your property. We are not going to waste an hour here we have to look at it. Jim asked him what is his bill and Mr. Newman said $269.00 which includes the $55.00. $14.80 a quarter. Jim said you are in tier 2 which is the minimum charge. Jim said we will follow up on that and that is exactly how it works. There are two separate programs with DEP. Mr. Newman said I will leave you with this. Chiefs of
Staff said President Trump will be reviewing Executive Orders over the next two years. I guarantee you the two orders that control this situation will be repealed and you guys will have to start all over on what I will call Operation Blackout.

Don Biggs, Plymouth Township, Hunlock Creek mailing. He looked on line at the Budget for Stormwater and it is $8,888,000. Does that include the Sewer Authority Budget too or is that a separate budget? Jim said that is a separate Budget. Mr. Biggs said 8 million dollars that you are not going to process and you are going to sweep streets and clean catch basins. Isn’t that a little bit out of it? Jim Tomaine said there is more to it than that. We are happy to go through it for you. There is mapping. It is a 300 square mile area. It has to be done on GIS and given to DEP. He said you have $267,000 for office supplies. Man you guys are like grabbing at the stars, you are way out of line. Jim Tomaine said if you want to go over it item by item, call us and Sandy our Finance Director will be happy to go over it item by item as it is a huge program. Jim said this is why the towns can’t afford to do this on their own. It would have been double or triple the cost for the Municipality. The Municipalities asked us to try and keep the cost steady for the next 5 years. Mr. Biggs said you are not going to have to map it every year. Jim said no but the additions have to be mapped, post and pre construction management, new development, everything will come in through this program now because of the new requirements and potentially new ordinances. We will sit and explain to you. He asked what Authority do you have to collect this tax? It was explained that it is not a tax, it is a fee. The Municipality Authority and the Articles of Incorporation from the State permit this. Mr. Biggs asked if someone doesn’t pay he heard we will shut their water off, is this true? We have multiple ways of collecting. Atty. Finnegan said enforcement includes shutting the water off, liening the property, taking you to court or filing a law suit. Mr. Biggs said just so you know I have a well so you won’t shut my water off, but I am not going to pay this tax. Mr. Guesto told Mr. Biggs to go on line for a point of reference and see what Mr. Sutton Supervisor from Lehman posted on their web site. It would have cost them three million dollars if they had went on their own. This Clean Water Act has been in affect since 1948 which is 70 years ago and nothing has been done about it and all of a sudden all this is popping up. Mr. Guesto said yes because DEP put the move on the Municipalities. Jim said for ten years things have been ignored like mapping. If it would have been done we wouldn’t have to do it now. Two local communities were cited tens of thousands of dollars and on line you can see EPA penalties can be thousands of dollars a day. Mr. Biggs said the big problem is 32 towns are going to pay and the others aren’t. Jim said that was brought up. Jim said you have to understand that every entity in the State is under a different permit period. Scranton will be under a similar permit but their cycle is not going to start until 2020. If you go to Philadelphia they are already doing this in areas up to Wyoming Valley. Jim said he has a good friend in Philadelphia that is paying $100 for a Condo so this is nothing new. But in our area they added layers on for the Chesapeake Bay the normal requirements of the Permit. Mr. Biggs said when everyone else pays he will pay.

Jim Doran – Hanover Township. He feels cheated as farmers are paying up to $1,400 and you have m down for $2,500. Mr. Guesto I spoke with you last week and you said you would send someone out to review and no one came out. Mr. Guesto said we will get someone out as we are pretty inundated right now. He said twelve days ago there were WVSA vehicles down there. Three people in it. He talked to them but they weren’t there to look at my place. What were they doing there if they are so busy? Jim said we have pump stations and diversion chambers along the river. Mr. Doran said not by my property. Mr. Doran said they spent a lot of time there having a cigarette. Mr. Guesto
asked what he was insinuating? He said you figure it out. Mr. Guesto said it would be like if we follow your corn truck every day with everything flying out of it. That works both ways. We don’t take this very lightly. You have things going on in your property and what you do could be looked at in the same way. Mr. Baron said there are higher people after me now because my cows are farting. He wanted to know if he had to do paperwork or are we just sending someone to his property. He is speaking with Matt. John Newman again addressed Atty. Finnegan. He said you said this is a fee not a tax. I understand the Executive Order calls it a rainwater tax. You might recall Chief Justice John Roberts decision in the Affordable Care Act where the mandate was called a fee and he said no it is not a fee, it is a tax so would you please explain to me why the Chief Justice of The United States can differentiate between a fee and a tax. Atty. Finnegan said as an Authority we do not have the power to impose a tax. We have the power to impose a fee which is what we did and the case you are talking about doesn’t have application. Atty. Finnegan said our State Legislature approximately three years ago amended the Municipal Authorities Act to give us specific authority to do exactly what we are doing. That is what we are governed by. That is what we are doing and it is legally in place. Mr. Newman said for the audience, I would like you all to know that 16 States in this Country are Republican, they have filed suit against the Rainwater Tax. So you all know Pennsylvania is not one of them and I don’t think there is anyone in this room that can tell me why Pennsylvania is not included in it. I suggest they should be and I suggest to all of you from end to end to write to the Governor and ask him to join that lawsuit because you are robbing people like Jim Doran and every other farmer in Luzerne County that is part of this. Your raping them and your taxing them and you are not applying the fee. Thank you. Mr. Finnegan said thank you Sir.

VI. Approval of January 15, 2019 Minutes.
Motion by Gerry Cross
Seconded by Mr. Wall.
Motion carried unanimously

VII. Stormwater and Finance Report

Mr. Cross, Chairperson

Mr. Cross made a motion to adopt Resolution No. 4 with M&T Bank for the funding of the Stormwater Municipal savings Accounts in the amount of 1 million dollars collectively.
Seconded by Mr. Yurek
Motion carried unanimously

Mr. Cross made a motion to adopt Resolution No. 5 approving the Governmental Obligation Contract for the purchase of the 2019 Capital Budget equipment between the KS State Bank and the Wyoming Valley Sanitary.
Seconded by Mr. Latinski
Motion carried unanimously

Mr. Cross made a motion to adopt Resolution No. 6 approving Draw Down Policy requirements for The Municipal Savings Accounts created for the Wyoming Valley Sanitary Authority.
Seconded by Mr. Linskey
Motion carried unanimously
VIII. Operations & Infrastructure Report
   
   Mr. McLaughlin, Chairperson
   
   Mr. McLaughlin made a motion to enter into a contract with Graymont in the low bid amount of $168/Ton to furnish and deliver Quick Lime to the WVSA Plant Site.
   Seconded by Mr. Bovani
   Motion carried unanimously.
   
   Mr. McLaughlin made a motion to authorize the proper officials to enter into a contract with JCI Jones Chemical in the low bid amount of $565/Cylinder to furnish and deliver 1 Ton Cylinders of Chlorine to the WVSA plant site.
   Seconded by Mr. Yurek
   Motion carried unanimously
   
   Mr. McLaughlin made a motion to authorize the proper officials to enter into a contract with N.C. Stauffer in the low bid amount of $130,280.00 to furnish and deliver 144 Clarifier Launder Assemblies to the WVSA plant site.
   Seconded by Mr. Hankey
   Motion carried unanimously
   
   Mr. McLaughlin made a motion to authorize the proper officials to execute Change Order #1 with Doli Construction Corporation in the amount of $586,250.02 for the final restoration at the River Street Project in accordance with Pennsylvania Department of Transportation requirements.
   Seconded by Mr. Conahan
   Motion carried unanimously.
   
IX. Payment of Operating Budget Bills.
   
   Mrs. Bartosiewicz, Budget and Finance Director
   
   Mr. Cross made a motion that the Operating Budget Bills be paid.
   Seconded by Mr. Mazur
   Mr. McLaughlin abstained
   Motion carried unanimously.
   
X. Payment of Capital Budget Bills.
   
   Mrs. Bartosiewicz, Budget and Finance Director
   
   Mrs. DeRoberto made a motion that the capital budget bills be paid.
   Seconded by Conahan
   Motion carried unanimously
   
XI. Payment of Special Project Bills.
   
   Mrs. Bartosiewicz, Budget and Finance Director
   
   Mr. Cross made a motion that the Special Project Bills be paid.
   Seconded by Mr. Linskey
   Motion carried unanimously.
   
XII. Payment of Cash Refunds.
   
   Mrs. Bartosiewicz, Budget and Finance Director
   
   Mrs. DeRoberto made a motion that the cash refunds be paid.
Seconded by Mr. Bovani
Motion carried unanimously.

XIII. Old Business

XIV. New Business

XV. Next Meeting
The next meeting of the board is Tuesday, March 19, 2019 at 5:30 p.m.

XVI. Adjourn
Motion by Mr. Wall
Seconded by Mr. Zarra