

ELKLAND BOROUGH  
AUTHORITY SPECIAL  
MEETING MINUTES

08/12/2025

Lyndsey King, Chairperson – Present	Judith Farman – Present
Mike Arnold, Vice – Chairperson – Present	Austin Welch – Present
June Woodard – Present (via phone)	Jeremy Freeman – Absent
James Farman – Present	

Members of the Public in Attendance: Clayton Fuhrer, Glenda Marzo – Burton, Ann Crowley, Garrett Cleveland, Donna Blend

- 1. Call To Order:** 6:00 PM by Lyndsey King
- 2. Pledge of Allegiance** led by Lyndsey King
- 3. New Business**

Before the discussion of the new business could commence, Austin Welch made a Point of Order that proper parliamentary procedure was not being followed per the minutes of May 3, 2006, meeting of the Elkland Borough Authority. These minutes state that there was an approval to update the bylaws and Mr. Welch claimed that under these updated minutes, he is still the Chairperson of the Authority. Lyndsey King asked if Austin Welch could produce the minutes in question. Mr. Welch said no that he did not have them with him. Secretary Amanda Fuhrer provided Lyndsey King with the Minutes in question. After reviewing the May 2006 minutes, Lyndsey King noted that there were suggestions on what needed to be changed, but there was no evidence that the changes had been adopted. Amanda Fuhrer stated that the only bylaws in the office were the Original Bylaws from 1976. James Farman

asked if there was a motion in 2006 minutes to update the bylaws and was that motion approved. If the motion was approved, we should work off the minutes. Lyndsey King explained that usually with a document of this importance there would be an official motion to amend the document, and after all changes had been implemented, the document would be presented at a subsequent meeting, reviewed and officially be voted on for final approval. Mike Arnold stated that minutes from meetings after May of 2006, such as June or July, should show approval of the Bylaws if it was done. Mike Arnold also pointed out that if we wanted to go by these 2006 bylaws then everything that the Borough Authority has done since 2006 would be Null and Void.

James Farman told Austin Welch that we had to move forward and that he is tired of Austin Welch putting out half – truths and that he needs to stop. Austin Welch then asked which minutes were real.

Lyndsey King clarified that, although a motion to update the 1976 bylaws was made and passed in May 2006, there is no record of the proposed revisions ever being finalized or formally ratified. That being the case, Ms. King overruled Austin Welch's Point of Order.

## **Operational Record Requests**

### **Financial Oversight**

#### **List of water expenses paid by Borough**

Lyndsey King asked who had added this item to the agenda, Austin Welch stated that it was his and the report he wanted was not in the packet. The report that is in the packet is a Bill Payment List that was composed by the Borough's bookkeeper, he wanted a more detailed list of all the incomes and expenditures that the Borough Council had paid on behalf of the Borough Authority. Austin Welch said that the Authority does not have control over anything, and the Authority should. Lyndsey King told him that later in the meeting a Financial Committee will be set up to address concerns of this nature.

**Removal of previous account signers at C&N Bank/ Add account signers at C&N Bank**

Lyndsey King requested a motion to remove Jeremy Freeman and Brianna Simons as authorized signers at Citizens and Northern Bank and to add June Woodard, Mike Arnold and Amanda Fuhrer, in accordance with the motion approved at the July Meeting.

**A Motion** was made by James Farman to remove Jeremy Freeman and Brianna Simons as authorized signers at Citizens and Northern Bank and to add June Woodard, Mike Arnold and Amanda Fuhrer as signers on the accounts. Seconded by June Woodard **Roll Call** was taken Lyndsey King: Yes, James Farman: Yes, Judith Farman: Yes, June Woodard: Yes, Mike Arnold: Yes, Austin Welch: Abstained, Called the legality of meeting into question and wanted legal clarification as to whether the proceedings were legal or not. **Motion Carried**

**DPW Service Agreement**

The lawyers for the Borough Council and the Borough Authority are currently discussing the agreement.

Austin Welch stated that the Council tabled it and that the current agreement is not valid. The Authority's lawyer advised to not enter into any agreement until the lease was approved. Lyndsey King said that the Council gave a proposed agreement to the Authority, and the Authority approved said agreement during the July meeting. Lyndsey King then asked Glenda Marzo – Burton if the Council received the signed agreement and had plans to act on it at the upcoming Council meeting on August 14, 2025. Before Glenda Marzo – Burton could answer the question, Austin Welch stated that the lease had been terminated already, and no transition agreement is necessary. June Woodard replied that the transition agreement was still with the lawyers. Austin Welch maintained that past actions of the Authority were being undermined. June Woodard stated again that the lawyers are working on it and the Council and Authority are still waiting on the lawyers' recommendation. Austin

Welch said the lease was terminated and it is in the minutes. Lyndsey King asked Austin Welch to produce the minutes he mentioned. Austin Welch stated that he did not have those minutes with him. Lyndsey King also stated that regardless of the appropriate timeline the Authority is not currently able to operate independently. As such, it is unproductive to debate whether independent operations should begin now or at the conclusion of the Transition Agreement on January 1<sup>st</sup>. Austin Welch then said that the Department of Environmental Protection says that permits are nontransferable and the Council's Solicitor has no intention of doing anything about this matter. Lyndsey King then explained that the DEP is advocating transfer, and they would not allow us to operate illegally or expect us to take over operations without giving us time to transition. Austin Welch said that the Authority has had Union people working for them outside of the Union Agreement, he wants a Service agreement so the Authority can run and make decisions on the system the Authority is legally responsible for. Lyndsey King reiterated that the Council and Authority's attorneys are currently working on the transition and that the Authority's attorney has a letter drafted to send to the Borough Council that memorializes the tasks that needed to be completed to move forward to complete the transition.

Lyndsey King then asked for a motion authorizing the lawyer to send the letter to the Borough Council, if the board was agreeable.

**A Motion** was made by James Farman to authorize the Authority's attorney to send a letter memorializing the tasks needed to be completed to move forward with the transition to the Borough Council. Seconded by June Woodard **Motion Carried** with abstention by Austin Welch on legal grounds

### **Filtration Project/ Manganese and Iron**

Austin Welch presented concerns regarding the concentration of manganese and iron in the community water system. He has a quote for a filter that costs \$500,000.00 to remove these secondary contaminants. However, testing has shown that Elkland's water is not out of compliance, limiting grant and loan availability to address the issues, since most programs only help communities who are already out of compliance. Currently, our operators are conducting additional testing at the

wells and entry point (beyond what is required by DEP) to monitor secondary contaminant levels. Lyndsey King asked Austin Welch what he was suggesting should be done about the issue of manganese and iron in the water. Austin Welch answered, "I don't know." James Farman said, per Brad Upson, Authority Engineer a Lifetime Lease option to purchase the property the plant is on is an option, but we need to know how much property is needed. Lyndsey King questioned why the Authority was discussing filtration of manganese and iron from the water when there is no current compliance issue. James Farman said he did not know. Austin Welch said the last numbers he saw were up again. He mentioned a grant that was available that he could investigate to help with land acquisition. He said Brad Upson was designing a new water system that was talked about earlier this year. Austin Welch thinks that filtration should be a priority. He states that according to Bill Hall, former Authority member, about two years ago the DEP said to replace our system and he speculated that there is about another year left before the DEP demands that we fix the filtration system. Lyndsay King said she will follow up with Brad Upson to gather information on current projects. Glenda Marzo – Burton stated that at the last meeting Brad Upson said he has not designed anything for our system without prior approval.

Lyndsey King asked Amanda Fuhrer to set up an Executive Session with Brad Upson and the Authority Members to review all current projects and plans, this would include all the issues the system is experiencing and how the Authority plans on addressing them.

### **Interim Loan and Grant Coordination**

Austin Welch stated that there are problems that need to be addressed with the interim loan, mainly that \$900,000.00 was added to the loan without approval of Authority Members. Citizens and Northern Bank wants the Minutes from the meeting showing approval for that additional spending. He produced an opinion of probable costs for the PennVEST loan application prepared by LaBella. He stated that it was presented to the Authority as a DEP Mandate and requirement of the Consent Order, but in reality, the project contains components that are not a part of the Consent Order. He was adamant that this was misrepresentation and that we

need to get corrected minutes to the bank so they will release the interim loan funds. June Woodard stated that Austin Welch is incorrect, the money is a grant from PennVEST, that all Authority Members were aware of; these statements from Austin Welch are misrepresentations and lies. June Woodard stated that the vote to apply for the grant was a legal vote. Austin Welch maintained that it was a loan that was pursued though illegal means that it needs to be turned into a grant. He asked for a vote to turn the loan into a grant. Lyndsey King stated that the paper Austin Welch had been referring to was an opinion of probable project costs for the PennVEST loan application. This document was reviewed by Authority Members in October 2024, and the minutes show a clear motion to approve the costs at \$1,863,730. Lyndsey King stated we could provide the bank with the minutes and the opinion of probable project costs. Austin Welch would not allow Amanda Fuhrer to keep the opinion of probable project costs, he said he needed to keep it and would provide a copy to take to the bank. Lyndsey King said she would forward the documents to Amanda Fuhrer and asked Austin Welch what exactly he was looking for in this situation. Austin Welch stated that all the members should see and understand any additional items that go above and beyond the opinion of probable project costs.

**A Motion** was made by Austin Welch that all members understand the amount of the interim loan and will need to approve any additional spending above and beyond what is currently listed in the opinion of probable project costs. James Farman Seconded, **AIF -Motion Carried** with Abstention from Austin Welch

Lyndsey King reiterated that the PennVEST loan application was submitted in the amount of \$1,863,730 and we were awarded a full grant in the same amount. We understand these funds will be used to complete activities explained in the opinion of probable project costs presents by LaBella in October 2024.

### **Aquifer Integrity and Source Water Issues**

Austin Welch stated that it's a possibility that we have surface water getting into the well. He said that he has spoken to DEP and they are not requiring additional testing. He wants to bring in Moody's to test the water to see what is happening. He stated

that a former employee at the sewer plant thinks something is happening, he would not name who the former employee was. Austin Welch states that in the permits from 1960, the water level was at 50 feet. It was cleaned in 2008 and the water level was at about 10 feet, in the most recent report the water level was at around 2.10 feet. He wants to run a test to see if there is a leak. He had two suggestions for testing that could be done from someone he referred to as, "He" said could be done. One, to put food grade dye in the well or to send a video scope down the four bore holes around Well #24, to see if the water is at the same level as in the well then there is a problem. Mike Arnold noted that the well would have to be lifted to get a scope down the bore holes. Austin Welch said he recommends putting the food grade dye down the well, while also mentioning that this was just speculation and he is not an expert. Donna Blend a reporter in the audience asked who is "He"? Austin Welch reported that it was a person from Moody's. Lyndsey King questioned Austin Welch's position, considering DEP has explicitly stated that our aquifer is not impacted by surface water. Austin Welch stated that in the early 1990's there was no detection of contamination, and nothing has been done since then. Lyndsey King asked Ann Crowley, operator, if she knew why no other testing had been done. Ann Crowley said the DEP was confident in their position that our aquifer is not impacted by surface water and if Elkland wanted more tests done then we would be responsible for paying for them. When DEP tested the water, they took samples from Well #17 and Well #24 and the samples came back clean. She does not see any surface water intrusion in the aquifer. Austin Welch asked if Ann Crowley was opposed to the dye test, and she responded that to run that test you must first get DEP's permission. Judith Farman asked if there is no problem why do we need the dye test? It's just a waste of time and money. Ann Crowley stated that if the Authority would like to investigate to see what if any effect the rain had on the water the cheapest solution would be to run a turbidity test, which she could administer by herself. Turbidity in the ground water would require filters to remove it, which are very expensive. If we can monitor the turbidity we would know if surface water intrusion is an issue or not. Austin Welch thinks that the bore holes are too big because they were "Shot" at some point, and because of this surface water is getting into the system. He wants to put a camera down the holes to see how deep they are. Mike Arnold said things change, maybe Moody's should come in and check the static water before proceeding. Ann Crowley stated that they can put static

meters on the holes. Lyndsey King suggested we start with the turbidity test, since it's free and can be completed in house, to determine if this issue warrants further investigation.

**A Motion** was made by James Farman to have Crowley's do a turbidity test. Seconded by Mike Arnold. **Motion Carried** with abstention by Austin Welch

### **Sworn Statements from Customers and Paperwork from Moody's**

Mike Arnold stated that on August 1, 2025, Austin Welch told him he needed to call DEP within the hour and that there had been customers who had come up to him, (Austin Welch) and said that when Mike Arnold came to their houses to take samples, he told them that when it rains the rain effects the water. These samples were the samples that were used to lift the Boil Water Advisory in June. Mike Arnold wants statements from the people who reported this to Austin Welch. Mike Arnold then asked what paperwork about Well #24 from Moody's are you talking about, who is the operator that said something was happening? Austin Welch gave no answer. Then Mike Arnold said that if he needs to call DEP he needs the proper documentation, not just someone's verbal instruction.

Austn Welch stated that he had heard anecdotal stories that customers had said that about the rain getting into the water, the people who told him were questionable sources. Mike Arnold said all this ties into the Aquifer and groundwater issue. Austin Welch stated that he came in good faith so they could meet up and figure out what was happening. Mike Arnold said the only place to discuss these issues was in a meeting. Austin Welch said that this was the issue with having a sewer plant worker on the Authority; the chain of command was in question. Judith Farman said the discussions should be done here in the meeting, not outside. Austin Welch then tried to move to talking about Well #17 by saying the static levels were up there as well. Lyndsey King stated that we need to establish better protocols for communication, which will be discussed in conjunction with the formation of a Governing Documents Committee.

The Moody's paperwork that Austin Welch was referring to on August 1, was then brought up for discussion. The paperwork had not been seen by anyone other than Austin Welch before the meeting. The paperwork needs to go through the proper chain of command. Mike Arnold wanted to see it two weeks beforehand when there was a question as to what the report stated.

### **New Committees**

Lyndsey King established the following committees to accomplish Authority work moving forward:

**Governing Documents Committee** – To establish an Emergency Response Plan, update the bylaws to meet current standards, develop a code of conduct, create standard operating procedures, and draft any future documents that the Authority may need. She appointed Amanda Fuhrer, Mike Arnold (as Borough employee), Lyndsey King and Jeremy Freeman to the committee.

Austin Welch asked if it was possible that all the documents be stored safely and accessibility. Lyndsey King then expressed confusion, since the documents are already stored in the office. Mike Arnold stated that Austin Welch wanted the Authority to have its own office. Austin Welch then stated he did not want documents to be shredded. He stated that after it was requested that documents stop being shredded, they still were being shredded. There was a discussion that ensued, it was brought up that there are a lot of duplicate copies that can be shredded, and there is a record retention manual that is used when going through the documents to shred. Lyndsey King stated that the committees will have no operational authority and will need to bring all plans and procedures before the full Authority for approval. Mike Arnold asked if there was a way to make a list of what there is in the office. Glenda Marzo – Burton stated that we are trying to, but it is a long process. Austin Welch stated that it had already been said that there was to be no shredding of Authority documents. Glenda Marzo – Burton replied that she had never received a notice or Minutes requesting no to shred documents. Lyndsey King asked if Austin could produce the minutes stating this. Austin Welch stated that he did not have the minutes with him, they should be in the office. Lyndsey King said to

hold off shredding documents, until these minutes are produced, but it would be fine to continue shredding duplicates. She also asked for a general list to be made of the types of files we have. Lyndsey King then asked for a motion to establish the new committees, Austin Welch said she did not need to make a motion to do that. She continued though the list.

**Authority Onboarding Committee** – Tabled for future discussion.

**Finance Review Committee** – to review all financial accounts and expenditures, develop the annual budget, and oversee any financial audits. Lyndsey King appointed Amanda Fuhrer, Lyndsey King, Judith Farman and Glenda Marzo – Burton from the Borough Council

**Grants Committee** – Tabled for future discussion.

**Current Projects** – to handle the interim loan, consent orders, upcoming meetings and future projects the Authority implements, Lyndsey King appointed Brad Upson from LaBella, June Woodard, James Farman and Mike Arnold (as a Borough employee)

**Communication and Public Engagement Committee** – to manage the Authority’s public – facing communication, including the website, public notices and press releases, and requests from the public (like the request for oil and gas rights) Lyndsey King appointed June Woodard and Amanda Fuhrer

**DEP Water/Sewer Engineering** – to handle all DEP communication and visits, including any violations and future issues. Lyndsey King appointed Ann Crowley, Mike Arnold (as a Borough employee), Brianna Simons, James Farman, June Woodard and Lyndsey King.

**Transition Team** – to handle and help institute the Authority’s transition to being an operational authority, Lyndsey King appointed James Farman, Glenda Marzo – Burton, Amanda Fuhrer, Mike Arnold.

Glenda Marzo – Burton cautioned Lyndsey King to make sure that none of the committees were over quorum. James Farman asked why that mattered, Lyndsey King explained that if the committees have Authority membership at or above a quorum when they meet it would constitute a public meeting and would need to be advertised. Lyndsey King said she would double check to make sure the numbers were below quorum. Lyndsey King asked for a motion to accept the establishment of committees as described.

**A Motion** was made by James Farman to accept the new committees. Seconded by June Woodard. **Motion Carried**, with abstention by Austin Welch.

#### 4: Public Comments

- Austin Welch started off the Public Comments by apologizing to Lyndsey King and her partner Garrett Cleveland for showing up at their house unannounced and uninvited over the previous weekend. He said he didn't know that it was inappropriate and admitted he crossed a line. Garrett Cleveland asked how he got their address, Austin Welch said he got it on Google GIS, he said that he didn't know it was wrong. He didn't mean anything. Garrett said, it was wrong. That he made someone scared to be in their own home, he had no right to do that, it was creepy. Austin Welch replied that he knew he was wrong and received a phone call from the Pennsylvania State Police. Garrett Cleveland then said it wouldn't be a problem if Austin Welch had not presented himself so angrily and aggressively in the past several Authority meetings. Austin Welch said he was only as forceful as he needed to be. Normally, they would have each other cell phone numbers if they needed to talk. He now realizes that there are clear boundaries to follow. Lyndsey King thanked him for his apology. Mr. Cleveland then asked Mr. Welch again that he didn't understand it was wrong and creepy. Lyndsey King said going forward The Governing Documents Committee would establish clear ways to communicate between members.

- Clayton Fuhrer said that all the cameras in the building should be set up to record video and audio. Glenda Marzo – Burton said that they do not record anything right now due to new equipment; but will be shortly.
- Kera Hackett stated that CNN was now C&N, we should use the ampersand in our documents.

**A motion** to adjourn was made by Judith Farman, Seconded by Mike Arnold, **AIF- Motion Carried**

Meeting Adjourned at 7:36 PM

Respectfully Submitted,

Amanda Fuhrer  
Secretary/Treasurer  
Elkland Borough Authority