

MINUTES OF THE MEETING
OF THE MIDDLETOWN TOWNSHIP SEWER AUTHORITY, DELAWARE COUNTY
HELD ON JANUARY 15, 2024

The regular monthly meeting of the Middletown Township Sewer Authority was held on Monday, January 15, 2024, at 7:00pm, at the Township Administration Building located at 27 N. Pennell Road.

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Klodarska, Chairman, called the meeting of the Sewer Authority to order at 7:00pm and led the recitation of the Pledge of Allegiance to the Flag.

II. ROLL CALL TO ESTABLISH QUORUM

Authority members John Hanna, Edward Klodarska, Robert Scholz, and Timothy Sullivan were present. Roland Bailey was absent. Authority advisors James Flandreau, Solicitor, and Walter Fazler, Engineer, were present.

Authority employee John Ibach, the Manager, was also present.

III. ELECTION OF OFFICERS 2024

Mr. Sullivan tallied the ballots for the 2024 election of officers and reported the results as follows:

- Mr. Klodarska – Chairman
- Mr. Hanna – Vice Chairman and Treasurer
- Mr. Sullivan - Secretary
- Mr. Scholz – Assistant Secretary
- Mr. Bailey – Assistant Treasurer

IV. APPOINTMENT OF COMMITTEE MEMBERS

Personnel Committee – Mr. Sullivan made a motion to nominate Mr. Klodarska and Mr. Scholz to this committee. Mr. Hanna seconded the motion. The motion was carried with a vote of 4-0.

Duty to Connect Committee – Mr. Sullivan made a motion to nominate Mr. Klodarska and Mr. Sullivan to this committee. Mr. Scholz seconded the motion. The motion was carried with a vote of 4-0.

V. APPOINTMENT OF SOLICITOR, ENGINEER & MTSA MAINTENANCE PROVIDER

- a. Mr. Sullivan made a motion to appoint Mr. Flandreau of Paul, Flandreau, and Berger, LLP, as the Authority's solicitor for Y2024 and to raise his hourly rate from \$250 to \$300. Mr. Hanna seconded the motion. The motion was carried with a vote of 4-0.
- b. Mr. Sullivan made a motion to appoint Mr. Fazler, of HRG, Inc., as the Authority's engineer per the proposal submitted. Mr. Hanna seconded the motion. The motion was carried with a vote of 4-0.
- c. Mr. Sullivan made a motion to appoint Wind River Environmental, LLC, doing business as KBX as MTSA's sewer collection system operators according to their proposal. Mr.

Hanna seconded the motion. The motion was carried with a vote of 4-0.

VI. APPROVAL OF MEETING MINUTES HELD ON DECEMBER 18, 2023

Mr. Hanna made a motion to approve the December 18, 2023, minutes subject to a revision in the Treasurer's report. Mr. Sullivan seconded the motion. The motion was carried with a vote of 4-0.

VII. QUESTIONS AND COMMENTS FROM THE AUDIENCE REGARDING MATTERS NOT ON THIS AGENDA

A. Manager's Report

1. Covid19 ARPA H₂O & PA Small Water & Sewer Grants

Mr. Ibach reported that MTSA is the recipient of a \$1,500,000 grant to upgrade the Knowlton Road and N. Heilbron pump stations and \$408,000 to purchase 5 backup generators for the Elwyn, Meadowbrook, Meadowhurst, Painter, and Paul pump stations. Generators are tentatively anticipated to be delivered in June 2024. Mr. Ibach will keep the Board updated about any changes.

2. MTSA Draft 2022-2023 Audit

MTSA received the 2022 GASB68 report from PMRS which was forwarded to Mr. Nepo, Marcum LLP, to complete the 2022-2023 audit. A copy of the revised draft audit was emailed to all Board members and Mr. Ibach discussed the relevant changes. Mr. Sullivan made a motion to accept the revised version of the 2022-2023 audit. Mr. Scholz seconded the motion. The motion was carried with a vote of 4-0.

3. 01/09/2024 Storm Event

The region received a significant amount of rain (about 3") overnight. There were various issues with 12 of MTSA's pump stations. Lag alarms were going off and Pump and Haul (Paul Lane, Painter Road and Heilbron) was conducted throughout the night by KBX. As a result, January's invoice will be substantial.

Misc. – Mr. Ibach shared that on 01/11/24 a vehicle struck a telephone pole adjacent to the W. Forge Road PS. The PS was without power until 8 am on 01/12/24 and was inaccessible due to safety reasons. The pump station was up and running by 10 am. Mr. Ibach made sure an SSO report was filed with the DEP before the end of the business day.

Mr. Sullivan inquired about the status of the Middletown Township Pedestrian Trail Phase II. Mr. Ibach stated that he and Mr. Fazler had a kick-off meeting with the Township. Mr. Ibach emphasized that this MTPT Phase II project is still in its infancy.

B. Treasurer's Report

1. Payment of Operating Expenses

Mr. Hanna presented a list of paid invoices for the period of December 19, 2023, through January 15, 2024, totaling \$247,936.98. The largest invoice is for BNY Mellon Trust amounting to \$121,469.15 for the semiannual interest payment. Mr. Hanna made a motion to approve these paid invoices. Mr. Scholz seconded the

motion. The Board approved with a vote of 4-0.

2. Payment of Capital Expenses – Bond Redemption and Improvement Fund

Mr. Hanna reported Capital Expenses totaling \$21,109.58 for January 15, 2024. The largest invoice, in the amount of \$17,047.30, is for Bradford Engineering. Mr. Hanna made a motion to approve these invoices and Mr. Scholz seconded the motion. The Board approved with a vote of 4-0.

Mr. Hanna stated that the maturing CD (January 9, 2024) was invested in a 270 day CD earning 5.21%. This term choice was the most favorable at this time.

C. Solicitor's Report

1. MTSA Liens Update

Mr. Flandreau stated that the writs against all of Fay Construction and one of the Parkmount properties have been filed with the Sheriff's Office. He is unsure if these writs were served yet. He hopes to have an update at next month's meeting.

2. Baltimore Pike Collector (Upper & Lower) Agreements

Mr. Flandreau stated that the Pennell Place Residential easement packages are complete. Mr. Ibach will hand deliver them this coming week. Mr. Ibach asked the Board's permission to proceed with issuing the checks to the involved parties if he receives these signed documents prior to next month's meeting. Mr. Klodarska asked if there is a progress spreadsheet for all these agreements. Mr. Ibach will produce this spreadsheet and share it with the Board.

D. Engineer's Report

1. Baltimore Pike Collector Dedication

Mr. Fazler submitted the punch list of outstanding items to the developer. He is working with the contractor (Alan Meyers) to address the issues. The deed of dedication is in progress.

2. DELCORA Lateral Repairs

Mr. Fazler stated that he had a kickoff meeting with KBX in early January regarding these repairs. Mr. Niermann and Mr. Stuart will be assisting KBX in delivering notification letters to homeowners at least one week prior to the beginning of repairs. The letter will also inform homeowners if KBX will need to access their property. Mr. Ibach will be having a meeting with Josh, KBX, to discuss the sequence of repair areas. Mr. Niermann and Mr. Stuart will be advised as to when the letters are distributed. Mr. Sullivan asked Mr. Ibach for a list of the affected homeowners in case of any inquiries.

3. Chrome Run Interceptor Relocation/Replacement/CCTV

This project is now complete. Mr. Fazler is hoping to receive the video files by next month for him to review and get back to the Board with recommendations.

4. Baltimore Pike Collector Connections

Mr. Fazler stated that all the connection locations are set, and the legal documents are in their final stage. He shared that the PUC is now in charge of all PA-1 calls and

is heavily enforcing the remedy of any PA1 call violations. He stated that for projects >\$400,000, the PUC is requiring a Level A Utility locate plan before a project is put out to bid. Mr. Fazler stated that there are companies that specialize in utility location as opposed to having him perform this task. Since this project is >\$400,000, he will be contracting with a sub-consultant company to locate the utility lines. They will seal the plans which will be sent to the PUC. Mr. Fazler added that this will be a separate bid than the main project and he will be able to have a few suggestions on utility locating companies.

5. Paul Lane PS Upgrade

Mr. Fazler is still in the final design stage. He and Mr. Ibach will be meeting with Mr. Janetka, Township engineer, on 1/18/24, regarding the obtention of additional easements. Mr. Fazler will want to work with a planner to embellish and improve the pump station's aesthetics.

VIII. QUESTIONS FROM THE AUDIENCE

No one was in attendance.

IX. ADJOURNMENT

Upon motion by Mr. Hanna and seconded by Mr. Scholz, the meeting was adjourned at 7:55 pm with a vote of 4-0.

Respectfully Submitted,

John Ibach, Manager

Cc: Authority Board and Advisors, Middletown Township Manager, S.W.D.C.M.A., DELCORA

The minutes were recorded and transcribed by Mr. Ibach.

Approved by:  _____

Date: 2-20-24