

MINUTES OF THE MEETING
OF THE MIDDLETOWN TOWNSHIP SEWER AUTHORITY, DELAWARE COUNTY,
HELD ON TUESDAY FEBRUARY 20, 2024

The regular monthly meeting of the Middletown Township Sewer Authority was held on Tuesday, February 20, 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 Roland Bailey, John Hanna, Edward Klodarska, Robert Scholz, and Timothy Sullivan were present. Authority advisors James Flandreau, Solicitor, and Walter Fazler, Engineer, were present.

Authority employee John Ibach, Manager, was also present.

III. APPROVAL OF MEETING MINUTES HELD ON JANUARY 15, 2024

Mr. Sullivan made a motion to approve the January 15, 2024, minutes. Mr. Hanna seconded the motion. The motion was carried with a vote of 4-0 with one abstention by Mr. Bailey due to his absence at last month's Board meeting.

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

Mr. Repetto and his son, recent owners of 529 N. Old Middletown Road, were in attendance. They expressed interest in connecting to MTSA's public sewers due to their on-lot septic system failure and the property has no suitable area for a new one. The Board presented alternative scenarios to the Repettos. It was decided that the Repettos would reach out to Botella Construction and Excavation for an estimate on constructing an LPSS extension from Blacksmith Road to their property. Mr. Fazler would be responsible for designing the LPSS. He estimated that it could take up to a year to complete. Upon construction of the LPSS extension, it would be dedicated to the Authority for operation and maintenance. Mr. Fazler explained that there could be a possibility of partial reimbursement, if any additional residences decide to connect within a 10-year window.

A. Manager's Report

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

Mr. Ibach received the contract from DCED for the 5 pump station generators. He and Mr. Klodarska signed, executed, and sent it back electronically to DCED. He should receive the second contract for the 2 pump stations (Knowlton and N. Heilbron) in the near future. He also stated that the funds are presently available to MTSA for its use. He is awaiting the receipt of the DCED reimbursement forms to withdraw from the Grant funds.

2. MTSA Final 2022-2023 Audit

The MTSA 2022-2023 Audit was finalized and posted to the EMMA website as part of the Bond Issue Continuing Disclosure.

3. Duty to Connect

This committee has met twice and determined that there are approximately 23-24 homes that are located within 150 ft of MTSA owned sanitary sewer mains. Mr. Ibach will have more to report in the coming months.

4. Darlington Valley Pump Station Noise Complaint

Mr. Ibach ordered foam sound reducing panels which Wind River installed on February 16th. He took sound decibel readings at critical locations prior to the panel installation (results in packets). Additional decibel readings will be conducted, and the results will be presented to the Board.

5. Granite Farms Estates Sewer Relocation

Mr. Ibach received a call from the Township building inspector informing him that during an inspection he found a private sanitary sewer main that services Granite Farms Estates (GFE). The sewer main impacts the location of proposed storm water improvements. As a result, the GFE contractor decided to install a new section of a sanitary sewer main in addition to a private grinder pump without notifying the Authority. There was no exterior plumbing permit issued for the work, which would automatically generate an inspection by the Authority. Mr. Fazler and Mr. Ibach reached out to the contractor, who agreed to apply for an exterior plumbing permit and have an engineer certify the work done.

Misc. - Mr. Ibach included two documents for the Board to review. The first one is a list of outstanding projects that require additional steps before dedication of the sanitary sewers. They are highlighted by the degree of importance. The second document is a list of Agreements that need to be finalized. He will regularly include these documents in the Board's packets.

Mr. Ibach also informed the group that Mr. Klodarska will be conducting succession plan meetings with MTSA's employees for short-term job coverage. Upon completion, the Succession Plan will be presented to the Board.

Mr. Klodarska asked Mr. Ibach about the status of transferring the old Parkmount PS to the Township. Mr. Ibach will reach out to Mr. McMullan, Township Manager, and will get back to the Board.

B. Treasurer's Report

1. Payment of Operating Expenses

Mr. Hanna presented a list of paid invoices for the period of January 16, 2024, through February 20, 2024, totaling \$830,086.52. The largest invoice is to DELCORA for the 1st quarter of 2024 sewage treatment in the amount of \$706,138.25. He stated that this amount indicates a 3% increase over the same period in 2023. Mr. Hanna made a motion to approve these paid invoices. Mr. Scholz seconded the motion. The Board approved with a vote of 5-0.

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

Mr. Hanna reported Capital Expenses totaling \$221,118.09 for February 20, 2024. The largest invoice of \$210,390.99 is to MOR Construction for the Chrome Run Interceptor project. Mr. Hanna made a motion to approve these invoices and Mr. Bailey seconded the motion. The Board approved with a vote of 5-0.

3. Payment of Capital Expenses – Grant Expenditures

Mr. Hanna reported Capital Expenses totaling \$45,052.00 for February 20, 2024, for 5 new generator parts for the five pump stations from Premium Power Services. Mr. Hanna made a motion to approve these expenditures. Mr. Bailey seconded the motion. The Board approved with a vote of 5-0.

Mr. Hanna will be in touch with Mr. Ibach regarding two CDs that are maturing in March.

C. Solicitor's Report

1. MTSA Liens Update

Mr. Flandreau's update regarding the filing of the writs is as follows:

Commercial Properties:

Fay – Mr. Flandreau filed the writ. The owner was served at his residence in Bryn Mawr on February 7, 2024, and will have 15 days to file an affidavit of defense. This 15-day period will expire on February 22, 2024. If an affidavit of defense is not filed, then a default judgement will be filed.

Parkmount – Mr. Flandreau stated that the sheriff has not provided him with a return of service yet. Per Mr. Sullivan's suggestion, he is filing against one property at a time. If he does not receive the return of service, then he will have to file another writ.

Residential Properties:

Mr. Flandreau was instructed to file against the 3 highest balances owed the Authority (Derek Kazunas, Leonard Carroll, and Gary Houpt). They will be filed once the amounts owed for 2023 are available.

2. Baltimore Pike Collector/Connector (Upper & Lower) Agreements

Land Acquisitions

The agreement with the late Mrs. Biordi has been completed.

Pennell Place office condos requested a meeting with Authority personnel to discuss their concerns. This meeting is set for February 27, 2024. They will have their Board members and attorney in attendance. Mr. Flandreau is confident that MTSA will be able to answer their questions and satisfy their concerns so this project can move forward.

Pennell Place residential – There has been no progress with the homeowner's association. Mr. Flandreau has reached out via phone and email and has received no response.

Granite Farms & Wawa – Progress Spreadsheet

Mr. Flandreau stated that draft agreements for Granite Farms and Wawa are in place subject to review and approval by Mr. Ibach and Mr. Fazler. These documents will then be shared with Wawa's new attorney and the manager at Granite Farms for their review. He is hoping that these documents can be executed by the March Board Meeting.

D. Engineer's Report

1. Baltimore Pike Collector Dedication

Mr. Fazler is working with the developer to finish the punch list. Once completed, Mr. Fazler will make a recommendation for the dedication process.

2. MTSA Lateral Repairs

Mr. Fazler stated that one third of these repairs have been completed to date. Sporadic minor objections from homeowners are being addressed in a timely manner. Mr. Stuart has been inspecting the repairs.

3. Chrome Run Interceptor Relocation/Replacement/CCTV

This project is now complete. Mr. Fazler has received the video files but has not reviewed them yet. He will make his recommendations next month.

4. Baltimore Pike Collector Connections

In addition to Mr. Flandreau's report, Mr. Fazler stated that the design is complete for the upper and lower crossings. He is preparing the project bid documents. Mr. Fazler informed the group they will need insurance updates from the Authority manager and solicitor as part of any new project per his new employer. Once reviewed, this documentation will be sent to MTSA's insurance company for advice on insurance coverage for each category/project.

5. Paul Lane PS Upgrade

Mr. Fazler is finalizing the engineering for this project. Once completed it will go out for bid.

6. DELCORA-DO (Dissolved Oxygen) Rulemaking Letter

Mr. Fazler explained that the Environmental Protection Agency (EPA) wants to impose certain criteria on all points of discharge in the Delaware River. The EPA is concerned that the Delaware River dissolved oxygen (DO) levels are low. The low DO ultimately affects all living organisms in the river. DELCORA's engineer reached out to Mr. Fazler for his assistance in opposing the proposed EPA criteria. DELCORA estimates a \$18,000,000 expenditure would be required to meet the new criteria. Mr. Fazler reviewed the letter written by DELCORA and recommended it be signed by Mr. Klodarska, provided the Board took no exceptions to the letter content. The signed letter will then be forwarded to the EPA.

V. QUESTIONS FROM THE AUDIENCE

See section IV above.

VI. ADJOURNMENT

Upon motion by Mr. Sullivan and seconded by Mr. Hanna, the meeting was adjourned at 8:30 pm with a vote of 5-0.

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: 3-18-24 _____