

MINUTES OF THE MEETING
OF THE MIDDLETOWN TOWNSHIP SEWER AUTHORITY, DELAWARE COUNTY,
HELD ON MONDAY MARCH 18, 2024

The regular monthly meeting of the Middletown Township Sewer Authority was held on Monday, March 18, 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 FEBRUARY 20, 2024

Mr. Sullivan made a motion to approve the February 20, 2024, minutes. Mr. Hanna seconded the motion. The motion was carried with a vote of 5-0.

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

No one was in attendance.

V. Manager's Report

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

Mr. Ibach will be meeting with HRG on March 20, 2024, to manage the DCED reimbursement requirements. Mr. Ibach will communicate the relevant information to the Board. If the Board decides to use HRG's grant writing/processing department, a proposal will be generated by HRG at that time.

2. Duty to Connect

The Duty to Connect sub-committee will be meeting over the next few weeks. Updates will be provided at future Board meetings.

3. LPL & Franklin Mint CDs

Two CDs matured recently. One was re-invested with JP Morgan Chase at 5.25% for 12 months. The other will be invested in PLGIT's CD program once the application process is completed.

4. 2024-2025 Draft Budget

Mr. Ibach included a copy of the 2024-2025 draft budget in the Board's packets for

review and comment prior to April's Board meeting.

5. Mission SCADA for Reserve at Rose Tree (Skycrest Pump Station)

Mr. Ibach is requesting Board authorization to purchase a \$8,055 SCADA system from CW Sales for the Skylar Circle pump station. Mr. Hanna made a motion to approve this purchase. Mr. Bailey seconded the motion. The motion was carried with a vote of 5-0.

6. BP Subsurface Utility Engineering Proposal for the Baltimore Pike Collector (BPC)

Mr. Ibach included a copy of Trinity Subsurface LLC's proposal (\$12,700) in the Board's packets. The proposal calls for the use of ground penetrating radar to locate all the utility lines prior to putting the project out for bid. Mr. Sullivan made a motion to approve the proposal by Trinity Subsurface LLC. Mr. Scholz seconded the motion. The motion was carried with a vote of 5-0.

7. Ponds Edge Tapping Fee Request

Ponds Edge submitted exterior plumbing permit applications for a day care facility (1 EDU) and a club house/fitness center (2 EDUs) with the Authority. In the original Sewer Capacity Agreement, the developer placed a non-refundable deposit on the tapping fees for the 231 residential properties. The number of units was reduced by 33 generating a non-refundable amount of \$33,000.00 (\$1,000 x 33). Ponds Edge would like to apply this amount towards the required tapping fees for the day care and clubhouse. After Board discussion the vote was 4 nays and one abstention for allowing Ponds Edge to use the residential tapping fees towards the proposed day care and clubhouse.

8. Marcum 2023-2024 Audit Proposal

Mr. Sullivan made a motion to accept the auditor's proposal for 2023-2024 audit in the amount of \$33,000. Mr. Scholz seconded the motion. The motion was carried with a vote of 5-0.

In response to last month's inquiry by Mr. Klodarska regarding the Parkmount pump station property, Mr. Ibach asked Mr. McMullan whether the township had an interest in acquiring the land. Presently the township has no interest in the property. Mr. Ibach will reach out to Mr. Graham/Laxton Trash about his interest in purchasing the property. Mr. Sullivan will reach out to Mr. Luango as well.

VI. Treasurer's Report

1. Payment of Operating Expenses

Mr. Hanna presented a list of paid invoices for the period of February 21, 2024, through March 18, 2024, totaling \$99,766.72. The largest invoice is to KBX in the amount of \$23,979.57. Mr. Hanna made a motion to approve these 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 \$47,980.14 for March 18, 2024. The largest invoice is to KBX in the amount of \$27,200. Mr. Hanna made a motion to

approve these invoices and Mr. Bailey seconded the motion. The Board approved with a vote of 5-0.

Mr. Hanna thanked Mr. Ibach for his diligence in researching the best available CD rates.

3. Payment of Capital Expenses – Grant Expenditures

Mr. Hanna reported Capital Expenses totaling \$45,052 for March 18, 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.

VII. Solicitor's Report

1. MTSA Liens Update

Mr. Flandreau has filed all the 2023 sewer liens for non-payment with the Delaware County Courthouse.

Commercial Properties:

Fay (209 Hunter Street) – Mr. Flandreau stated he has not heard from the owner since the writ was served. Mr. Flandreau will file a default judgement per the Board's guidance. He will update the Board that this has been executed at next month's meeting and will get on the list for Sheriff's sale.

Residential Properties:

Mr. Flandreau served the Parkmount Properties writ and is in a waiting phase.

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

Office Court at Pennell Place - The executed Sanitary Sewer Right of Way Grant and Easement was received by Mr. Ibach. Their president and attorney were quite cooperative during the process. Flandreau commended Mr. Ibach for his diligence in securing the easement.

Pennell Residential Homeowners Association – Mr. Flandreau is requesting Mr. Ibach's assistance because he has not heard back from the HOA's attorney since his last inquiry on January 25, 2024. Mr. Ibach has called the president of the HOA who in turn reached out to their attorney. He is waiting to hear back. Mr. Flandreau hopes to have an update at April's Board meeting.

The other topic Mr. Flandreau discussed was the status of the two 4" Wawa and Granite Farms Estates force mains. After further discussion, the Board voted 5-0 to accept dedication of both pipes. The force mains are located in the north side ROW of Baltimore Pike. Mr. Flandreau will have the Bill of Sale Agreements for both parties ready for approval and signature by the Board at April's meeting.

VIII. Engineer's Report

1. Baltimore Pike Collector Dedication

The developer does not want to lower the raised manholes in front of the Franklin Mint due to a future proposed land development. They would like to wait until the last parcel is developed. In addition, the easement agreement process will be a little

longer.

2. MTSA Lateral Repairs

This repair project is 80% complete.

3. Chrome Run Interceptor Relocation/Replacement/CCTV

This project is now complete. The CCTV footage is being reviewed and a map is being marked up at Mr. Sullivan's request. He will have it ready for the Board's review at April's Board meeting.

4. Baltimore Pike Collector Connections

This project will be ready to go out to bid in the next two months.

5. Paul Lane PS Upgrade

The Water Quality Management Department at DEP is requiring a new permit for this pump station upgrade. Darlington Valley pump station flows have been diverted to Paul Lane which requires an increase of capacity. In addition, MT will have to file an ACT 537 plan revision with the DEP. A special study may also be necessary which will delay the project's start.

6. Bond Insurance Requirements

Mr. Fazler and his new employer, HRG, recommend reviewing all insurance bond documents for upcoming projects as well as the supplemental conditions (in the Board's packets).

IX. 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
Marcum LLP

The minutes were recorded and transcribed by Mr. Ibach.

Approved by: _____

Date: _____