

Maidencreek Township Authority
December 19, 2024

Attending Board Members: Jim Nothwehr, Tom Evanosky, Roger Sensenig, Dawn Geschwindt

Absent Board Members: Jack May

Also Attending: Ty Leinneweber and Nicolas Volk of SDE, Daniel Becker of Kozloff Stoudt, Patrick Donovan, Russ Stoudt, Debbie Kline, Tania Beerman of the Maidencreek Township Authority.

Guest: Diane Hollenbach of Maidencreek Township

Jim Nothwehr called the December 19, 2024 meeting of the Maidencreek Township Authority (MTA) to order at 11:05 a.m. at the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge of Allegiance to the Flag.

PUBLIC COMMENT – None.

PLAN REVIEW

Crossing at Maidencreek

Mr. Becker reported Beth Kohl is moving forward to continue communication with property owners to sign the Easement Agreement. Mr. Becker conveyed to Beth Kohl the Authority is satisfied with the revisions of the Easement Agreement.

Wolfson Group

Mr. Becker reported several issues for discussion with the Board concerning testing fire hydrants and shutoff in an event of a sanitary sewer overflow (SSO). Mr. Becker informed Mr. Adelman, attorney for Maiden Creek Associates, the Authority has agreed to abide by the township letter directed to Maiden Creek Associates concerning rules for regular testing of fire hydrants. Mr. Becker will incorporate the reference to that letter as an exhibit.

Mr. Becker explained to the Board his legal standpoint how it is not required to add language in the Agreement with Maiden Creek Associates concerning shutoff in an event of an SSO. Mr. Becker reported the Authority will give reasonable notification to Wolfson Group to resolve the SSO before shutoff.

The Board will amend both the Rules and Regulations and Sewer & Water Service Agreement with additional language to give reasonable notification for shutoff in an event of an SSO on a per case basis with future businesses.

A motion was made by Tom Evanosky not to require a provision in the Sewer & Water Service Agreement with Maiden Creek Associates in order for the Authority to give reasonable notification for shutoff in an event of an SSO and will handle each situation on a per case basis in the future. The motion was seconded by Dawn Geschwindt and hearing no questions on the motion, it passed unanimously.

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A motion was made by Roger Sensenig to amend both the Rules and Regulations and Sewer & Water Service Agreement to include additional language to give reasonable notification for shutoff in the event of an SSO on a per case basis with future businesses. The motion was seconded by Dawn Geschwindt and hearing no questions on the motion, it passed unanimously.

Ty Leinneweber reported concerns on reviewing the four plans provided by Maiden Creek Associates. Ty Leinneweber is requesting the Authority's signature block become part of each plan in order to follow all sewer requirements. Diane Hollenbach, Manager of Maidencreek Township, stated the four plans shall be made part of the Land Development Plans that must include MTA's signature and shall be recorded with the Berks County Recorder of Deeds Office at time of recording. Ty Leinneweber reported all engineering issues are addressed and Maiden Creek Associates shall be responsible for the payment of all applicable tapping, permit fees and review fees.

The motion was made by Tom Evanosky to approve conditions upon fulfillment of all executions of the Sewer & Water Service Agreement, Pump Station Agreement and Contribution Agreement. The payment of all required fees and posting of required financial security, including but not limited to payment for purchase of all EDUs, applicable tapping, permit and review fees associated therewith and conditioned upon compliance with any of the outstanding issues contained in the SDE review letter dated December 11, 2024. The motion was seconded by Dawn Geschwindt and hearing no questions on the motion, it passed unanimously.

Heeby's Surplus

Ty Leinneweber reviewed a video of the sanitary sewer lateral in the parking lot from the sewer main in Park Road to where the proposed building will tie into the lateral. The sewer lateral is flowing half-full on many occasions. The steady flow suggests the source of the flow is from I&I. Ty Leinneweber recommended the existing sewer lateral be replaced. Ty Leinneweber suggested an alternative to connect the proposed building to the sewer line in Park Road where the existing house is connected. Ty Leinneweber requested approval from the Board to authorize SDE to forward the review letter to Heeby's Surplus.

A motion was made by Roger Sensenig to authorize SDE to forward the review letter to Heeby's Surplus. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

APPROVAL OF THE MINUTES

A motion was made by Roger Sensenig to waive the reading of the minutes and approve the November 21, 2024 regular monthly meeting minutes as presented. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

NEW BUSINESS

Phillips' Farm Water Treatment Facility Construction Project

A motion was made by Tom Evanosky to approve Requisition No.18 and authorize Payment Application No. 4, to the electrical contractor, Garden Spot Electric, Inc., in the amount of \$110,727.00 upon review and approval of SDE. After Payment Application No. 4, the balance to finish will be \$495,573.00. The motion was seconded by Dawn Geschwindt and hearing no questions on the motion, it passed unanimously.

A motion was made by Dawn Geschwindt to approve Requisition No. 16 and authorize Payment Application No.4, to the plumbing contractor, W.C. Eshenaur & Sons, Inc., in the amount of \$6,923.70 upon review and approval of SDE. After Payment Applications No.1 through No.4, the balance to finish will be \$93,067.50. The motion was seconded by Roger Sensenig and hearing no questions on the motion, it passed unanimously.

A motion was made by Tom Evanosky to approve Requisition No. 17 and authorize Payment Application No. 9, to the general contractor, Blooming Glen Contractors, Inc., in the amount of \$91,497.93 upon review and approval of SDE. After Payment Application No. 9, the balance to finish will be \$1,702,915.31. The motion was seconded by Roger Sensenig and hearing no questions on the motion, it passed unanimously.

Automatic Transfer Switch Project

A motion was made by Dawn Geschwindt to authorize Payment Application No.1 - Final for the installation of the WWTP Automatic Transfer Switch, to Pagoda Electrical Inc. in the amount of \$72,600.00. After Payment Application No. 1, the balance to finish will be \$0.00. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

WWTP Berm Elevation Modifications Project

A motion was made by Roger Sensenig to authorize Payment Application No. 3 - Final for the close out of the WWTP Berm Elevation Modifications Project, to Empire Wrecking Co, in the amount of \$4,736.12. After Payment Application No. 3, the balance to finish will be \$0.00. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

Increase for Water and Sewer Rates for 2025

A motion was made by Roger Sensenig to approve a 5% increase to all quarterly billing of the water and sewer rates for 2025 including Ontelaunee Township. The motion also included authorization for Mr. Becker to prepare Resolutions to increase water and sewer rates effective October 1, 2024 and authorization for Mr. Donovan to post notice of the increase on the MTA website. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

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A motion was made by Roger Sensenig to authorize Daniel Becker to prepare Resolutions amending sewer and water service rates. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

Electric Supply Proposals

Patrick Donovan placed an Advertisement for Notice to Bidders for electricity purchase. Patrick Donovan received 4 to 5 bids from electric suppliers to review and consider. Patrick Donovan recommended the Board reject all the bids for the reason that the bids were too high. Patrick Donovan will reconsider this matter in March or April, 2025.

A motion was made by Dawn Geschwindt to reject all bids received from electric suppliers. The motion was seconded by Roger Sensenig and hearing no questions on the motion, it passed unanimously.

2025 Budget and Five-Year Financial Plan

Patrick Donovan provided an in-depth review of the 2025 budget, five-year projection and capital projects. Based on a recent rate study of the area, Maidencreek Township currently has the lowest combined water and sewer rates. Patrick Donovan reported that the Board would be increasing rates by 5% until 2028, including a rate increase for Ontelaunee Township. The Board may want to consider future increases in later years if potential grant funds and future revenue sources do not materialize. Patrick Donovan reported that 9 projects are expected in the five-year plan. Patrick Donovan explained we can move projects forward as MTA generates more money with upcoming revenue from potential projects.

Christmas Holiday

Mr. Donovan asked the Board for approval to grant the full-time Authority employees the day before Christmas, December 27, December 31 and January 1 to close the office. The operators would be able to float the day off based on staffing needs.

A motion was made by Roger Sensenig to grant the day before Christmas, December 27, December 31 and January 1 as the days to be closed for the full-time MTA employees. The motion was seconded by Dawn Geschwindt and hearing no questions on the motion, it passed unanimously.

2025 Board Meeting Advertisement

A motion was made by Tom Evanosky to advertise the 2025 Reorganization Meeting and the 2025 monthly Board meetings to be held at 11:00 AM on the third Thursday of each month. The motion was seconded by Dawn Geschwindt and hearing no questions on the motion, it passed unanimously.

Self-Insured Flood Fund

A motion was made by Tom Evanosky to authorize the transfer of \$200,000.00 for 2024 and 2025 to the self-insured flood fund and continue each year with \$100,000.00 noting the fund is not to be a restrictive account. The motion was seconded by Roger Sensenig and hearing no questions on the motion, it passed unanimously.

Advertisement for Operator/Trainee

A motion was made by Dawn Geschwindt to authorize the advertisement for a Water and Wastewater Operator/Trainee. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

July 2023 Flood Damage

Ty Leinneweber reported that SDE submitted a Grant Application to FEMA for Phase 2 of the Berm Elevation Modifications Project to raise the berm at the WWTP. SDE will wait to begin any work until MTA is awarded a grant from FEMA. Ty Leinneweber reported SDE will obtain bids for this project if MTA is not awarded a grant from FEMA.

UNFINISHED BUSINESS – None.

UPDATES

Phillips' Farm Water Treatment Facility Project

Ty Leinneweber reported the contractors will continue to install storm sewer facilities within 1-2 weeks. After the storm sewer facilities are installed, they will begin construction of the curb with completion anticipated by the end of the year. Blooming Glen continues to water the stormwater basin as needed. Ty Leinneweber continues to have concerns over stabilization of the stormwater basin. Ty Leinneweber reported that once the roof is installed, the contractors may begin work inside the treatment building during the winter months.

Ontelaunee Township Easement

Mr. Becker stated Ontelaunee Township received documents from Forino, and they recorded the documents on December 9, 2024. Mr. Becker will modify the Easement Agreement and incorporate the update into the Easement Agreement. Mr Becker will then forward to Michelle Mayfield, Ontelaunee Township's Solicitor for signature.

Reservoir Spillway

Ty Leinneweber reported no updates from DEP for the clearances for the bog turtles. Ty Leinneweber will submit plans to the Township Supervisors to keep them informed of the progress for this project prior to submitting any plans to DEP.

General Manager Employment – Nicolas Volk

A motion was made by Tom Evanosky to confirm full-time employment to Nicolas Volk as General Manager of Maidencreek Township Authority beginning Monday, January 6, 2025. The motion was seconded by Roger Sensenig and hearing no questions on the motion, it passed unanimously.

SOLICITOR'S REPORT

None.

ENGINEER'S REPORT

SDE submitted a written report.

AUTHORITY REPORT

Mr. Donovan had nothing further to add.

PAYMENT OF BILLS

A motion was made by Tom Evanosky to accept the Treasurer's Report and authorize the following payments as presented: Routine/Regular Bill List - \$34,281.33, Construction in Progress - \$26,644.54, Reimbursable Expenses Paid by Developer - \$2,775.63, CIP Account Transfer from Operator Acct - \$27,000.00, Payroll Account Transfer from Operator Acct - \$45,000.00, Emergency Account Transfer from Operator Acct - \$0.00, Petty Cash Transfer from Operator Acct - \$250.00, Operator Account Transfer from Money Market Acct - \$0, Validate Checks Signed Between Meetings - \$439.53, Special Checks Requiring Special Handling - \$124,225.12. Additional Checks after Board Book Delivery - \$13,238.16 for a total amount of \$273,854.31. Roger Sensenig seconded the motion and hearing no questions on the motion, it passed unanimously.

ENGINEER'S/SOLICITOR'S REIMBURSABLE EXPENSES

A motion was made by Roger Sensenig to approve Professional Staff Reimbursable Expenses for SDE Invoice#121417 in the amount of \$2,484.73. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

A motion was made by Tom Evanosky to approve Professional Staff Reimbursable Expenses for SDE Invoice#121419 in the amount of \$145.45. The motion was seconded by Dawn Geschwindt and hearing no questions on the motion, it passed unanimously.

A motion was made by Roger Sensenig to approve Professional Staff Reimbursable Expenses for SDE Invoice#121424 in the amount of \$145.45. The motion was seconded by Tom Evanosky and hearing no questions on the motion, it passed unanimously.

Executive Session – The MTA Board went into executive session at 12:13 p.m. to 12:52 p.m. to discuss personnel items.

The MTA Board came out of executive session at 12:52 p.m. and took the following action.

A motion was made by Tom Evanosky to REAUTHORIZE the January 18, 2024, motion for additional PTO to the General Manager in lieu of an increase in wages that was offered by the MTA Board to the General Manager to delay his retirement. This reauthorization of the motion is a result of the MTA General Manager extending his retirement date from September 30, 2024, to April 1, 2025, due to termination of the General Manager's replacement in September of 2024. No additional wage increases shall be granted to the General Manager for the remainder of his employment scheduled to end on March 31, 2025. (Note: GM did receive an increase in wages of 4.5% on October 1, 2024). The General Manager shall earn a total of 50 hours per month of PTO effective October 1, 2024, and ending on March 31, 2025. The General Manager will be a full-time employee and receive all benefits currently offered to full-time employees until March 31, 2025. Upon final termination (retirement) of the General Manager any earned and banked PTO above 50 days shall be forfeited. The General Manager has provided a 90-day notice to the MTA

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Board that his last day of active full-time employment will be March 31, 2025. The motion was seconded by Dawn Geschwindt and hearing no questions on the motion, the motion passed unanimously.

A motion was made by Roger Sensenig and seconded by Tom Evanosky to adjourn the meeting at 12:44 p.m.

Respectfully Submitted,

Tania Beerman

Tania Beerman
Recording Secretary

Minutes are subject to change prior to approval of the Maidencreek Township Authority.