

Meeting Minutes of the
BIRDSBORO MUNICIPAL AUTHORITY
MEETING HELD VIA TELECONFERENCE
JANUARY 10, 2023

Birdsboro Municipal Authority (the “Authority/Board” or “BMA”) Board Members Roll Call:

- Anthony Tucci, Chairman – present
- Jeffrey Kauffman, Vice Chairman – present
- Michael Mettler, Treasurer – present
- Mary Ann Cotter, Assistant Secretary/Treasurer – present
- Drew Lamb, Secretary - present

Staff Members Present:

- Kelly Yanos, Manager
- H. David Miller, Entech Engineering, Inc., Wastewater Treatment Engineer
- Kim Mazur, Entech Engineering, Inc., Water Treatment Engineer
- Dan Becker, Esquire, Kozloff Stoudt - Solicitor
- Bonnie L. Frisco, Recording Secretary

Visitor(s): Bob Myers, Mrs. Oxenford

The meeting was called to order at 6:30 PM. The meeting was turned over to Solicitor Dan Becker to commence the reorganization meeting. Solicitor Becker conducted the nomination and election of the Chairman and Michael Mettler nominated Anthony Tucci for position of Chairman and no other nominations were heard, all were in favor of appointment of Anthony Tucci to Chairman. Solicitor Becker then turned over the meeting to Anthony Tucci who conducted the remaining nomination and election of the following officers and the selection and appointment of the following professionals:

REORGANIZATION

Election of 2023 Officers

- | | |
|--|--------------------|
| Jeffrey Kauffman, Vice Chairman | |
| Nominated by: Anthony Tucci | Vote: All in favor |
| Michael Mettler, Treasurer | |
| Nominated by: Jeffrey Kauffman | Vote: All in favor |
| Drew Lamb, Secretary | |
| Nominated by: Jeffrey Kauffman | Vote: All in favor |
| Mary Ann Cotter, Assistant Secretary/Treasurer | |
| Nominated by: Jeffrey Kauffman | Vote: All in favor |

Appointment of 2023 Professional Services

MOTION: Appointment of Professional Services

Moved by: Anthony Tucci

Vote: All in favor except for the Herbein & Associates appointment which Mary Ann Cotter abstained from due to conflict of interest

Engineer-Water: Entech Engineering, Inc.

Engineer-Sewer: Entech Engineering, Inc.

Solicitor: Kozloff Stoudt

Auditors: Herbein & Associates

Recording Secretary: Bonnie L. Frisco

Following the conclusion of its reorganization meeting, the Board adjourned to its regular meeting.

REGULAR MEETING

The meeting was called to order by Chairman Anthony Tucci at 6:36 PM.

Agenda Amendments: None

Public Comment: None

Review and Approve Minutes

MOTION: Approve the December 13, 2022, meeting minutes and the January 2, 2023 special meeting minutes, as presented.

Moved by: Michael Mettler

Seconded by: Jeffrey Kauffman

Vote: All present in favor

Treasurer’s Report

MOTION: Approve the account balances and payment of bills December 13, 2022, as presented.

Moved by: Jeffrey Kauffman

Seconded by: Michael Mettler

Vote: All present in favor

Manager’s Report – Kelly Yanos

Water Report - A copy of the Water Report will be kept on file.

Sewer Report - A copy of the Sewer Report will be kept on file.

Engineer’s Report – H. David Miller (Entech Engineering “Entech”) – Wastewater

H. David Miller reviewed the Wastewater Engineer’s Report, a copy of which is kept on file.

Engineer’s Report – Kim Mazur (Entech Engineering “Entech”) – Water

Kim Mazur reviewed the Water Engineer’s Report, a copy of which is kept on file.

Solicitor’s Report – Dan Becker

An executive session will be held after the meeting to discuss the FMRR Development litigation.

Old Business

It was noted that a meeting was held to discuss the J.P. Mascaro Leachate project and was attended by legal and engineering representatives of both the Birdsboro Municipal Authority and J.P. Mascaro.

Mary Ann Cotter inquired about the conflict of interest matter (whereas she was unable to attend an executive session to discuss the Birdsboro Power Accommodation Fee negotiations) and stated that she had contacted the PA State Ethics Commission and they replied saying that there is not a conflict of interest and Mary Ann Cotter may sit on discussions that concern both the Borough Council and Municipal Authority and vote on those matters as well. Solicitor Becker will contact the PA Deputy Solicitor of the PA State Ethics Commission and will provide his findings at the next meeting.

New Business: None

Public Comment

Bob Myers asked when the Municipal Authority meetings would be held hybrid and Anthony Tucci noted that cannot take place unless the proper technology is obtained.

Adjournment

The regular meeting was adjourned at 7:02 PM at which time the Authority went into Executive Session to discuss pending litigation. No action will be taken. The next meeting of the Authority will be held Tuesday, February 14, 2023 at 6:30 p.m.

Respectfully submitted,

Bonnie L. Frisco
Recording Secretary