

Meeting Minutes of the  
**BIRDSBORO MUNICIPAL AUTHORITY**  
**MEETING HELD VIA TELECONFERENCE**  
**FEBRUARY 13, 2024**

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

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

Staff Members Present:

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

Visitor(s): Bob Myers, Nancy Kauffman, Mark Koch, Esq. of Koch & Koch, Steve Lusky

The meeting was called to order by Jeffrey Kauffman at 6:30 PM.

**AGENDA AMENDMENTS:** None

**PUBLIC COMMENT:** None

**REVIEW AND APPROVAL OF MINUTES**

**MOTION** to approve the January 9, 2024, as amended, and January 30, 2024 special meeting minutes, as presented.

	Motion	2nd	Yes	No	Abstain	Absent
Mary Ann Cotter			X			
Michael Mettler		X	X			
Anthony Tucci	X		X			
Kevin Orman					X	
Jeffrey Kauffman			X			

Kevin Orman abstained as he was not a member of the Authority for the January 9 and January 30, 2023 meetings.

**TREASURER’S REPORT**

**MOTION:** Approve the account balances and payment of bills (with the exclusion of the OZP invoice) for February 13, 2024, as presented. The OZP invoice to be tabled to the next Authority meeting.

	Motion	2nd	Yes	No	Abstain	Absent
Mary Ann Cotter			X			
Michael Mettler		X	X			
Kevin Orman			X			
Anthony Tucci	X		X			
Jeffrey Kauffman			X			

After discussion, the below motion was made and acted upon.

**MOTION:** Approve payment of the OZP invoice.

	Motion	2nd	Yes	No	Abstain	Absent
Mary Ann Cotter				X		
Michael Mettler		X	X			
Kevin Orman					X	
Anthony Tucci	X		X			
Jeffrey Kauffman			X			

**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.

Confirmation of BMA Board Terms

The Authority confirmed the BMA Board terms.

400 W. 2<sup>nd</sup> Street EDU’s (Satiro)

Mark Koch, Esq. of Koch & Koch was present to represent the Satiro’s regarding the EDU’s at 400 W. 2nd Street. A meeting is to be scheduled with Bill Fox, representative of J.P. Mascaro prior to the next Authority meeting.

WWTP Utility Truck Upfit

**MOTION:** Approve the purchase of the WWTP utility truck for a cost not to exceed \$1,1551 in accordance with the E.M. Kutz quote.

	Motion	2nd	Yes	No	Abstain	Absent
Mary Ann Cotter			X			
Michael Mettler	X		X			
Kevin Orman			X			
Anthony Tucci		X	X			
Jeffrey Kauffman			X			

WTP John Deere Mower/Tractor

**MOTION:** Approve the purchase of a John Deere mower/tractor for the WTP for a cost not to exceed \$13,000 in accordance with Little’s quote.

	Motion	2nd	Yes	No	Abstain	Absent
Mary Ann Cotter			X			
Michael Mettler		X	X			
Kevin Orman			X			
Anthony Tucci	X		X			
Jeffrey Kauffman			X			

Borough/BMA Technology Upgrade

**MOTION:** Approve Option 2 of the Aperion Technologies quote for the Borough/BMA Technology Upgrade for a cost not to exceed \$21,800 with the understanding that the budget for the next 5-10 years will include needed technological improvements.

	Motion	2nd	Yes	No	Abstain	Absent
Mary Ann Cotter		X	X			
Michael Mettler			X			
Kevin Orman			X			
Anthony Tucci	X		X			
Jeffrey Kauffman			X			

Approve K-9 Search & Rescue Event

The Authority approved the K-9 Search & Rescue Group’s request to hold a region-wide training event using the various trails in the watershed on Sunday, September 22, 2024.

Resume In-Person Meeting

The Authority agreed to resume in-person Authority meetings. Meetings to be held at Borough Hall.

Old Route 82/Haycreek Road Update

It was noted that there have been injuries at Old Route 82/Haycreek Road erosion. Jeffrey Kauffman suggested exploring grants for repairs to make the area safer.

Resume Land Swap Discussions

The Authority is in favor of resuming Land Swap discussions. TO be discussed further with Borough Council.

Forestry Plan Update

Kelly Yanos noted that she and Jeffrey Kauffman will meet with forester Jacob Schultz and Rick Hartleib on February 14, 2024 for a preliminary discussion of the results of the forestry inventory.

**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 – H. DAVID MILLER (ENTECH ENGINEERING “ENTECH”) – WATER**

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

**SOLICITOR’S REPORT – DAN BECKER**

Leachate Update

Dan Becker noted that he spoke with Bill Fox, J.P. Mascaro counsel, and Solicitor Fox noted that they are sending some of their leachate to Pottstown and are in conversation with PA American to discuss negotiations. J.P. Mascaro has expressed interest in still working with Birdsboro for leachate disposal.

Consideration of Real Estate Purchase: To be discussed in Executive Session

Hire Appraiser for the Gatz Property: To be discussed in Executive Session

Gatz Litigation Update: To be discussed in Executive Session

**OLD BUSINESS:** None

**NEW BUSINESS**

Anthony Tucci noted a hollow tree near the pumphouse that was set on fire.

Kelly Yanos noted that Dallas Data’s subcontractor for bill mailings sent out bills with the barcodes cut off and the violation letter was omitted from the first mailing and was later sent out in envelopes from another municipality. Dallas Data said they were looking for a replacement subcontractor.

**PUBLIC COMMENT:** None

**EXECUTIVE SESSION**

The Authority recessed into Executive Session at 7:46 p.m. and reconvened the Authority meeting at 8:10 p.m. Dan Becker noted that the Executive Session was to discuss consideration of real estate purchase, Gatz property appraiser and Gatz litigation update.

**MOTION:** Approve hiring an appraiser for the Gatz property at a cost not to exceed \$2,500.

	Motion	2nd	Yes	No	Abstain	Absent
Mary Ann Cotter			X			
Michael Mettler	X		X			
Kevin Orman			X			
Anthony Tucci		X	X			
Jeffrey Kauffman			X			

**ADJOURNMENT**

The regular meeting was adjourned at 8:12 p.m. The next meeting of the Authority will be held Tuesday, March 12, 2024 at 6:30 p.m.

Respectfully submitted,

Bonnie L. Frisco  
Recording Secretary