

Meeting Minutes of the
BIRDSBORO MUNICIPAL AUTHORITY
MEETING HELD VIA TELECONFERENCE
MARCH 12, 2024

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

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

Staff Members Present:

- Kelly Yanos, Manager
- Derrick Rubin, Chief Water Operator
- H. David Miller, Entech Engineering, Inc., Wastewater Treatment Engineer
- Joan London, Esquire, Kozloff Stoudt - Solicitor
- Bonnie L. Frisco, Recording Secretary

Visitor(s): Bob Myers, Steve Lusky (via zoom), Bill Fox, Ryan Inch, Dean Miller (via zoom), Ed and Maria Satiro, Mark Koch, counsel for the Satiros’, and Nelson Ott

The meeting was called to order by Michael Mettler at 6:40 p.m.

AGENDA AMENDMENTS

MOTION to amend the agenda, at the request of Joan London, to have an Executive Session.

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

PUBLIC COMMENT: None

REVIEW AND APPROVAL OF MINUTES

MOTION to approve the February 12, 2024, as amended.

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

Amendments are to add that the OZP invoice was approved for payment and note that the January 9, 2024 minutes were approved, as amended (not presented).

OLD BUSINESS

Pioneer Crossing Leachate Agreement

Bill Fox, counsel for J.P. Mascaro and Ryan Inch, Engineer for J.P. Mascaro were present to discuss the Pioneer Crossing Leachate Agreement. Bill Fox provided a history of the leachate project. It was agreed to hold additional meetings regarding the Leachate project, as long as there are only two Authority members at the meetings.

400 W. 2nd 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. Alternatives for the EDU's at 400 W. 2nd Street were discussed and it was noted that staff meetings be held to discuss the matter further.

Texas Field Scoreboard Payment

This matter was addressed at the previous Authority meeting.

TREASURER'S REPORT

MOTION: Approve the account balances and payment of bills.

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.

PennDOT Offer for Easement

MOTION: Accept the PennDOT's offer of \$500 for the Authority's easement over the now-defunct aqueduct system near Old River Road in Robeson Township and approve the associated Resolution.

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

519 Garfield Avenue

There was discussion regarding the procedure for the water connection for the new house being built at 519 Garfield Avenue. It was noted that the best action would be to have from the curb to the house the homeowner's responsibility and from the main to the curb stop be the Authority's responsibility.

Rustic Park Water Leak

MOTION: Authorize the repair of the water leak in Rustic Park by inserting a tracer line into the existing line.

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

WTP Strainers

Derrick Rubin noted that the WTP strainers are in need of cleaning.

WTP Backhoe

MOTION: Approve the Water Department’s request to keep the old backhoe to use for more grueling work at the water shed.

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

WTP Mower/Tractor

MOTION: Approve the purchase of the John Deere tractor from Little’s at a cost not to exceed \$13,642.83 (original cost was not to exceed \$13,000 approved at the last Authority meeting, since then, the price increased).

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

WWTP Alarm System

MOTION: Approve selling the WWTP alarm system on Municibid.

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

WWTP Storage Cube Rental/Purchase

MOTION: Approve the purchase of up to a new 40’ cube for the WWTP in accordance with the below prices.

Cost to Rent	Cost to Purchase
20’ - \$90/month	20’ Used - \$1,795
40’ - \$115/month	20’ New - \$3,200
Delivery, pick-up and fuel surcharge - \$350	40’ Used - \$2,800
	40’ New - \$4,700

	Motion	2nd	Yes	No	Abstain	Absent
Mary Ann Cotter			X			
Michael Mettler			X			

Kevin Orman		X	X			
Anthony Tucci	X		X			
Jeffrey Kauffman						X

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.

Rustic Park Pumps: No discussion

EWO Hay Creek Streambank Restoration and Retaining Wall Design

Approval of the EWO for the Hay Creek Streambank Restoration and Retaining Wall Design for \$61,100 was tabled to the next meeting.

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 – JOAN LONDON

Gatz Property Appraisal: To be discussed in Executive Session

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

NEW BUSINESS

The committee for the Land Swap discussions will include Jeffrey Kauffman and Kevin Orman. The committee for the Birdsboro Power Negotiations will include Jeffrey Kauffman and Michael Mettler.

PUBLIC COMMENT: None

EXECUTIVE SESSION

The Authority recessed into Executive Session at 8:20 p.m. and reconvened the Authority meeting at 8:40 p.m. Joan London noted that the Executive Session was to discuss consideration of real estate purchase and potential litigation.

MOTION: Support DCNR’s ownership interests in the Gatz property and proceed with the appraisal of the Gatz property.

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

ADJOURNMENT

The regular meeting was adjourned at 8:42 p.m. The next meeting of the Authority will be held Tuesday, April 9, 2024 at 6:30 p.m.

Respectfully submitted,

Bonnie L. Frisco
Recording Secretary