

MINUTES OF THE OLEY TOWNSHIP MUNICIPAL AUTHORITY
MEETING HELD JULY 6, 2023

The regular meeting was called to order at 7:00 p.m. in the Oley Township Municipal Building by Paul Herb with the following board members in attendance....Amandus Reichert, Carmen Italia, and Austin Schaeffer. Also, from Entech Engineering Kim Mazur; Solicitor John Muir; Erin Keller and Matthew Kozlowski of Dallas Data Systems; sewer plant operators Michael Eshbach and Bryer Eshbach; Supervisor Mark Hoch; and five citizens were in attendance. The Pledge of Allegiance to the American Flag was observed.

The meeting agenda was posted in the meeting room and the township website twenty-four hours prior to the start of the meeting. No public comment was heard on any of the listed agenda items.

Erin Keller and Matthew Kozlowski of Dallas Data Systems were in attendance to address any issues or concerns regarding the utility billing system. Mr. Italia asked if payments could be accepted at the township building. Ms. Keller said that would be an option. It was noted that some customers did not receive the fire hydrant and sprinkler system bills. Ms. Keller said that a copy of all the bills are forwarded to Paul Herb and Bryer Eshbach for approval prior to the mailing.

There being no changes to the May 4, 2023 minutes, a motion was made by Amandus Reichert and seconded by Carmen Italia to approve the minutes of the May 4, 2023 meeting as presented. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – abstained. Three in favor, one abstained....motion carried. Action will be tabled on the minutes of the June 1, 2023 meeting until our next meeting since not enough members were present from that meeting to approve the minutes.

The treasurers report was presented for the month. Sewer Fund: in the OPERATION & MAINTENANCE account the balance is \$26,902.59; in the REVENUE account \$514,426.85; in the INVESTMENT FUND \$292,081.84. Water Fund: in the OPERATION & MAINTENANCE account the balance is \$1,925.71; in the REVENUE account \$90,901.63; in the INVESTMENT FUND \$209,850.77; and in the PROJECT FUND \$12.18. A motion was made by Carmen Italia and seconded by Amandus Reichert to approve and accept the treasurers report as presented. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer - yes. All in favor....motion carried.

A report was provided on the operation at the sewer plant during the month. The following was reported: (1) power outage at plant that blew out PLC, PLC was replaced and reprogrammed; and (2) set up new furnace in lab to run volatile solids tests.

A report was provided on the operation at the water plant during the month. The following was reported: (1) pumped 3,134,430 gallons for the month; (2) replaced valve at Well #4 and rebuilt valve at Well #2; and (3) replaced curb stop at 24 Wagon Way.

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Incoming communications:

1. Letter dated July 1, 2023 from William & Winter Stokes requesting reimbursement of \$975.00 for excessive filters they were required to use due to the unacceptable amount of constant sediment in the public water system. Mr. Stokes showed us his used filters which he has to use on his public water supply system due to cloudy water. Mr. Schaeffer would have a concern that more customers will want reimbursement for filters. Mr. Reichert suggested that we wait until our current water system project is completed to determine if this would correct the cloudy water situation. Mr. Mazur suggested that we collect water samples now and then again after the project is complete so that we have a comparison to determine if the project resolved the cloudy water issue. Daniel E. Levengood said maybe the problem is coming from Well #1, cloudy/brown water is noticed at times in the Oley Fire Company refreshment building and a filter system had to be installed on the water system. Mr. Herb said Well #1 has not been run for several months. Mr. Herb suggested we table action on the Stokes' request for two months until we check the results after the completion of the water project. Mr. Mazur suggested performing a turbidity test.

Committee reports:

Administrative: (1) Atty. Muir said the amendment to our Rates, Rules & Regulations to include a policy to issue credits for excessive water consumption due to leakage is complete, Mr. Reichert would like more time to review and make changes to this policy prior to adopting the resolution, action on this amendment will be tabled. (2) The third quarter 2023 draft newsletter was reviewed and corrected as suggested.

Finance: Nothing to report.

Wastewater Plant: Nothing to report.

Water Plant: There are some dead trees near the water storage tank which are located on Anne Gehret's property but she is not pursuing the removal of these trees, these trees could potentially damage the tank. Mr. Herb will meet with the property owner to look at these trees.

Atty. Muir said two items need to be added to the agenda for this evening and then the revised agenda will need to be posted on the website within twenty-four hours of this meeting. A motion was made by Austin Schaeffer and seconded by Carmen Italia to add the following: (1) review and approval of Stormwater Controls and Best Management Practices Operations and Maintenance Agreement for the 539 Old State Road property; and (2) review and possible action on invoices from Blooming Glen Contractors and Spotts, Stevens & McCoy, Inc. relative to the Headworks Improvement Project. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried.

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Mr. Mazur has put the Earl Township alternative analysis study together and he is having Mr. Herb and the operators look over this study prior to presenting to Earl Township.

Mr. Mazur provided an update on the status of the Main Street Water Main Replacement Project – Phase II, connection made at school, ran across twelve inch clay terra cotta storm sewer line that no one knew was there which was in the water line trench, found four inch line along St. Paulia Lane and had to tie in after the last service. Received letter dated June 29, 2023 from Entech Engineering recommending approval of Pay Application #2 in amount of \$136,183.28 to N. Abbonizio Contractors, Inc. A motion was made by Carmen Italia and seconded by Amandus Reichert to approve Pay Application #2 in amount of \$136,183.28 for N. Abbonizio Contractors, Inc. for the Main Street Water Main Replacement Project – Phase II. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried. A motion was made by Carmen Italia and seconded by Austin Schaeffer to authorize the Chairman and Assistant Secretary to execute the Perpetual Water Line Easement and Temporary Construction Easement Agreement between Oley Valley School District and Oley Township Municipal Authority. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried. A motion was made by Austin Schaeffer and seconded by Amandus Reichert to authorize the Chairman and Assistant Secretary to execute the Reimbursement Agreement between Oley Township Municipal Authority and Oley Valley School District for costs associated with the school's second water connection. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried.

Received letter dated June 26, 2023 from Berks County Conservation District informing us that NPDES permit #PAC060435 has been issued for the New Water Storage Tank and Water Main Extension and will expire on December 7, 2024. A motion was made by Carmen Italia and seconded by Amandus Reichert to authorize advertising for bids for the New Water Storage Tank Project with bid results to be presented at the September 2023 meeting. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried. Mr. Mazur said he is waiting for the easements from the property owners to be returned.

It was agreed to table action this evening on revising the sewer and water tapping fees.

A motion was made by Carmen Italia and seconded by Amandus Reichert to retire to executive session at 7:40 p.m. relative to potential litigation. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer - yes. All in favor....motion carried. A motion was made by Amandus Reichert and seconded by Austin Schaeffer to reconvene the meeting at 7:50 p.m. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer - yes. All in favor....motion carried.

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A motion was made by Austin Schaeffer and seconded by Carmen Italia to authorize the Chairman and Assistant Secretary to execute the Stormwater Controls and Best Management Practices Operations and Maintenance Agreement for the 539 Old State Road property with Oley Township and payment of a \$1,000 escrow for expenses associated with this Agreement. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried.

Atty. Muir said the Authority has withheld payment to Blooming Glen Contractors for the Headworks Improvement Project in the amount of \$50,000.00 for delay damages and a total of \$19,159.84 in change orders for pouring underpitting of building, wet well, and bypass pumping. Blooming Glen Contractors, Inc. attorney proposed a settlement in the amount of \$32,500.00 and Atty. Muir recommends that we agree to this settlement. A motion was made by Carmen Italia and seconded by Amandus Reichert to authorize the execution of a Settlement and Release Agreement with Blooming Glen Contractors, Inc. as approved by the Solicitor regarding the change orders and delay damages for the Headworks Improvement Project and authorize payment to Blooming Glen Contractors, Inc. in amount of \$32,500.00. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried.

Atty. Muir referenced a Spotts, Stevens & McCoy, Inc. invoice number 0272848 dated July 27, 2022 in amount of \$12,704.23 for inspections of the Headworks Improvement Project which was not approved for payment due to concerns with inspections of the project and the replacement of a door at an overhead bean that was approximately six inches to short. A motion was made by Carmen Italia and seconded by Amandus Reichert to authorize a settlement proposal with Spotts, Stevens & McCoy, Inc. that the Authority would not pay invoice number 0272848 dated July 27, 2022 in amount of \$12,704.23 and the Authority releases Spotts, Stevens & McCoy, Inc. to repair/replace the wastewater treatment door that was not properly sized which is all related to the Headworks Improvement Project. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried.

A motion was made by Amandus Reichert and seconded by Austin Schaeffer to purchase a replacement steel door for the overhead bean at a cost of \$5,641.40 and have the operators install this door. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer – yes. All in favor....motion carried.

The following bills were presented for payment for the Sewer System:

Michael A. Eshbach	---	3,545.54
Paul A. Herb	---	255.26
Bryer M. Eshbach	---	2,181.33
Shirley M. Moyer	---	1,965.59
Michael A. Eshbach	---	2,973.96

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Paul A. Herb	---	136.16
Bryer M. Eshbach	---	2,197.23
NCR Payroll	---	3,942.06
NCR Payroll	---	31.60
NCR Payroll	---	2,490.91
NCR Payroll	---	31.60
Met-Ed	---	1,605.84
Windstream Conestoga, Inc.	---	316.34
Breezy Park Enterprises, Inc.	---	1,959.30
Cardmember Service	---	4,777.97
Bruce Zuber	---	150.00
Wind River Environmental, LLC	---	650.28
Exeter Supply Company, Inc.	---	2,491.50
Univar USA, Inc.	---	2,775.73
Delaware County Solid Waste Auth.	---	1,656.75
Denali Water Solutions, LLC	---	3,303.40
Borough of Pottstown	---	1,510.89
M.J. Reider Associates	---	344.90
Entech Engineering, Inc.	---	8,445.00
Kozloff Stoudt	---	700.00
Truist Governmental Finance	---	35,430.55
Verizon Wireless	---	143.07
Oley Township	---	421.49
Cardmember Service	---	288.64
LYNX Computer Technologies	---	48.30
Ridge Support Technologies	---	311.90
Dallas Data Systems, Inc.	---	2,388.99
Herbein+Company, Inc.	---	2,750.00
McGriff Insurance Services	---	<u>5,378.00</u>
TOTAL SEWER BILLS	---	\$97,600.08

The following bills were presented for payment for the Water System:

Met-Ed	---	\$ 667.28
Bryer M. Eshbach	---	51.57
Bryer M. Eshbach	---	1,631.04
Cardmember Service	---	303.61
Pump & Corrosion Technologies, Inc.	---	2,015.67
Daniel Smnaglinski	---	1,007.50
Reading Foundry & Supply Co. LLC	---	1,611.90
J. Hull Plumbing & Heating, Inc.	---	903.77

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Exeter Supply Company, Inc.	---	499.90
Entech Engineering, Inc.	---	11,115.39
Kozloff Stoudt	---	1,479.00
N. Abbonizio Contractors, Inc.	---	<u>136,183.28</u>
TOTAL WATER BILLS	—	\$157,469.91

A motion was made by Carmen Italia and seconded by Amandus Reichert to approve the above bills for the sewer and water systems as presented. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia - yes; Austin Schaeffer - yes. All in favor....motion carried.

The following sewer report was given as of June 30th -

<u>898</u>	Sewer tapping fees paid to date
<u>88</u>	Number of unpaid rental bills of 4-30-23
<u>\$15,289.57</u>	Total of unpaid rental bills of 4-30-23
<u>11</u>	Number of unpaid rental bills of 1-31-23
<u>\$1,332.99</u>	Total of unpaid rental bills of 1-31-23
<u>2</u>	Number of unpaid rental bills of 10-31-22
<u>\$379.54</u>	Total of unpaid rental bills of 10-31-22
<u>2</u>	Number of unpaid rental bills of 7-31-22
<u>\$405.16</u>	Total of unpaid rental bills of 7-31-22
<u>2</u>	Number of unpaid rental bills of 4-30-22
<u>\$404.46</u>	Total of unpaid rental bills of 4-30-22
<u>2</u>	Number of unpaid rental bills of 1-31-22
<u>\$430.22</u>	Total of unpaid rental bills of 1-31-22
<u>2</u>	Number of unpaid rental bills of 10-31-21
<u>\$846.39</u>	Total of unpaid rental bills of 10-31-21
<u>1</u>	Number of unpaid rental bills of 7-31-21
<u>\$210.00</u>	Total of unpaid rental bills of 7-31-21
<u>1</u>	Number of unpaid rental bills of 4-30-21
<u>\$210.00</u>	Total of unpaid rental bills of 4-30-21
<u>1</u>	Number of unpaid rental bills of 1-31-21
<u>\$210.00</u>	Total of unpaid rental bills of 1-31-21
<u>1</u>	Number of unpaid rental bills of 10-31-20
<u>\$210.00</u>	Total of unpaid rental bills of 10-31-20
<u>1</u>	Number of unpaid rental bills of 7-31-20
<u>\$210.00</u>	Total of unpaid rental bills of 7-31-20
<u>1</u>	Number of unpaid rental bills of 4-30-20
<u>\$210.00</u>	Total of unpaid rental bills of 4-30-20
<u>1</u>	Number of unpaid rental bills of 1-31-20

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<u>\$180.00</u>	Total of unpaid rental bills of 1-31-20
<u>1</u>	Number of unpaid rental bills of 10-31-19
<u>\$180.00</u>	Total of unpaid rental bills of 10-31-19
<u>1</u>	Number of unpaid rental bills of 7-31-19
<u>\$180.00</u>	Total of unpaid rental bills of 7-31-19
<u>1</u>	Number of unpaid rental bills of 4-30-19
<u>\$180.00</u>	Total of unpaid rental bills of 4-30-19
<u>1</u>	Number of unpaid rental bills of 1-31-19
<u>\$180.00</u>	Total of unpaid rental bills of 1-31-19
<u>1</u>	Number of unpaid rental bills of 10-31-18
<u>\$180.00</u>	Total of unpaid rental bills of 10-31-18
<u>1</u>	Number of unpaid rental bills of 7-31-18
<u>\$58.00</u>	Total of unpaid rental bills of 7-31-18

The following water report was given as of June 30th –

<u>811</u>	Water connections to date
<u>77</u>	Number of unpaid rental bills of 4-30-23
<u>\$8,235.78</u>	Total of unpaid rental bills of 4-30-23
<u>6</u>	Number of unpaid rental bills of 1-31-23
<u>\$292.06</u>	Total of unpaid rental bills of 1-31-23

Public comment:

1. Daniel E. Levengood – Suggested to number the new fire hydrants with a street address number.

The next regular meeting will be held Thursday, August 3, 2023 at 7:00 P.M.

There being no further business, a motion was made by Carmen Italia and seconded by Austin Schaeffer to adjourn the meeting at 8:00 p.m. Paul Herb – yes; Amandus Reichert – yes; Carmen Italia – yes; Austin Schaeffer - yes. All in favor...motion carried.

Respectfully submitted,

Shirley M. Moyer

cc: P. Herb
A. Reichert
K. Seidel
C. Italia

A. Schaeffer
J. Muir
K. Mazur