

MINUTES OF THE OLEY TOWNSHIP MUNICIPAL AUTHORITY
MEETING HELD SEPTEMBER 7, 2023

The regular meeting was called to order at 7:00 p.m. in the Oley Township Municipal Building by Amandus Reichert with the following board members in attendance....Kim Seidel and Austin Schaeffer. Also, from Entech Engineering Christopher Hannum; Solicitor John Muir; Jim Arms of Dallas Data Systems; sewer plant operator Bryer Eshbach; and four 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. The following public comment was heard:

William Stokes – Installed water filter on August 17, 2023 and removed after three weeks, the water clarity is better than before but it is still cloudy and the water pressure is a little better, he normally had to change the filter every two weeks. Mr. Reichert asked that he give it a bit longer to see if there is any improvement in the water clarity. Mr. Stokes will change his filter prior to our next meeting and he would like a resolution on this matter by next month.

There being no changes to the August 3, 2023 minutes, a motion was made by Austin Schaeffer and seconded by Kim Seidel to approve the minutes of the August 3, 2023 meeting as presented. Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer – yes. All in favor....motion carried.

The treasurers report was presented for the month. Sewer Fund: in the OPERATION & MAINTENANCE account the balance is \$32,348.92; in the REVENUE account \$519,702.48; in the INVESTMENT FUND \$294,513.50. Water Fund: in the OPERATION & MAINTENANCE account the balance is \$1,411.95; in the REVENUE account \$102,714.19; in the INVESTMENT FUND \$211,625.02; and in the PROJECT FUND \$16.21. A motion was made by Austin Schaeffer and seconded by Kim Seidel to approve and accept the treasurers report as presented. Amandus Reichert – yes; Kim Seidel – 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) replaced air filter on blower #2; and (2) storm disrupted power to plant and brought tree down along driveway.

A report was provided on the operation at the water plant during the month. The following was reported: (1) pumped 3,031,790 gallons for the month; (2) tied in line from Main Street to Legion Drive at 434 Main Street on August 7, 2023, tied in Main Street line to Jefferson Street on August 9, 2023, tied in Main Street line at Friedensburg Road intersection and abandoned old Main Street line on August 11, 2023; and (3) inspected all new curb stop boxes on August 17, 2023.

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Incoming communications:

1. Letter received August 7, 2023 from David & Lynn Bruder regarding sewer and water billing concerns. Mr. Arms said he knew nothing about this matter, he said communication is key. Carmen Italia had addressed these concerns with the customer.

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) Bryer Eshbach received water operator license, as per employment agreement he is entitled to \$1.00 per hour pay increase. Mr. Seidel asked if we were provided a copy of this water license. Mr. Eshbach said he has the original water license hanging up at the sewer plant. Mr. Seidel asked that he provide a copy of this license to the office for our files. Mr. Seidel asked Mr. Eshbach if he has a copy of the employment agreement that he signed where it would indicate that he is entitled to \$1.00 per hour pay increase upon attaining his water license, the office was never provided with this employment agreement that we could reference. Mr. Eshbach said he never signed an employment agreement, everything was verbal communication. Mr. Seidel will prepare an offer of employment for Bryer Eshbach to sign outlining all his entitled benefits. A motion was made by Kim Seidel and seconded by Austin Schaeffer to increase the pay rate of Bryer Eshbach by \$1.00 per hour to \$33.00 per hour effective the day the office receives a copy of the water plant operators certificate. Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer – yes. All in favor....motion carried.

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. Atty. Muir indicated that Ms. Gehret would be liable should any of these trees fall and damage the tank and/or hydrant.

Mr. Hannum said with the Earl Township alternative analysis study they would like to investigate a new option of treatment for a conventional "flow through" style, the cost to perform the additional engineering is approximately \$6,000 to complete this study. Mr. Reichert said we should table action on this matter until next month to hear Paul Herb's thoughts on this type of treatment.

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Received letter dated September 5, 2023 from Entech Engineering recommending approval of Pay Application #3 in amount of \$331,283.77 to N. Abbonizio Contractors, Inc. A motion was made by Amandus Reichert and seconded by Austin Schaeffer to approve Pay Application #3 in amount of \$331,283.77 for N. Abbonizio Contractors, Inc. for the Main Street Water Main Replacement Project – Phase II. Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer – yes. All in favor....motion carried. Mr. Hannum said the curb stop connection issues have been repaired and the roadway millings were removed from the trench on the service line. Mr. Schaeffer asked if we could require an extension of one year on the bond since we had the issues with the roadway millings being used in the trench. Mr. Hannum will look into this until our next meeting, at this point the contract requires a one year maintenance bond. Mr. Seidel has a concern with the settlement of the roadway after paving is complete since we are already seeing some settlement in the roadway. Joshua Kratzer asked if inspectors were on-site during the removal process. Mr. Hannum said there were no full-time inspectors on site. Kevin Bieber asked how we know then that all the roadway millings were removed from the trench. Atty. Muir said the contract only required part-time inspections. Daniel E. Levensgood said on future projects the Authority should require full-time inspections.

Atty. Muir said the Hoshall and Rettew easements have not yet been executed for the second water storage tank project, this will need to be discussed in executive session. A motion was made by Kim Seidel and seconded by Austin Schaeffer to retire to executive session at 7:38 p.m. relative to potential litigation and acquisition of property. Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer - yes. All in favor....motion carried. A motion was made by Austin Schaeffer and seconded by Kim Seidel to reconvene the meeting at 7:57 p.m. Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer - yes. All in favor....motion carried. A motion was made by Austin Schaeffer and seconded by Kim Seidel to authorize the Vice Chairman and Secretary to execute the Land Development, Improvements and Inspection Agreement and Financial Security Agreement with Oley Township to be in form of a bond or letter of credit in amount of \$366,676.93 for the Oley Township Municipal Authority New Water Storage Tank Land Development. Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer – yes. All in favor....motion carried. The water pipe for this project is currently being stored on the property of David & Ruth Ann Christman and they would be agreeable for the Authority to continue to store this pipe on their property for \$500 to the end of 2023 and thereafter \$100 per month. A motion was made by Austin Schaeffer and seconded by Kim Seidel to pay David & Ruth Ann Christman \$500 at the next meeting for water pipe storage on their property located along Route 73 through December 31, 2023 and thereafter pay \$100 per month for as long as the pipe is stored on their property. Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer – yes. All in favor....motion carried.

Mr. Seidel asked Mr. Eshbach if he could open the pipes and flush the water line and fire hydrant at the William & Winter Stokes property to determine if that may help with the cloudy water issue the property owner is experiencing.

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Mr. Seidel said the Johnson grass is five to six feet tall at well pump houses 2, 3, and 4, behind the one well there is a tree growing up and he has a concern with the roots getting into the well pipe, he asked that the grass be cut and the tree be removed. There is also a drainage swale that is blocked which causes the roadway to washout, this should be regraded. Daniel E. Levensgood said the swale should be cleaned out and divert the stormwater into the swale instead of the driveway. Mr. Reichert said this will be looked at and ask the township if they could perform this work.

Mr. Hannum will request a two year maintenance bond from N. Abbonizio Contractors, Inc. for the Main Street Water Main Replacement Project – Phase 2.

Atty. Muir announced an informational workshop meeting on August 29, 2023 with Kim Mazur, John Muir, Michael Eshbach, Bryer Eshbach, Paul Herb, Amandus Reichert, and Kim Seidel in attendance in which they were provided information on the Earl Township alternative analysis study and the Act 537 Plan updates that would be required, no action was taken.

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

Michael A. Eshbach	---	3,511.99
Paul A. Herb	---	320.63
Bryer M. Eshbach	---	2,308.45
Shirley M. Moyer	---	1,965.59
Michael A. Eshbach	---	2,906.37
Paul A. Herb	---	225.48
Bryer M. Eshbach	---	2,403.79
NCR Payroll	---	3,982.54
NCR Payroll	---	31.60
NCR Payroll	---	2,595.45
NCR Payroll	---	31.60
NCR Payroll	---	2,801.23
Met-Ed	---	1,470.38
Windstream Conestoga, Inc.	---	347.61
Commonwealth of Pennsylvania	---	1,000.00
Michael A. Eshbach	---	60.00
Cardmember Service	---	370.99
Custom Environmental Technology	---	2,384.80
Delaware County Solid Waste Auth.	---	1,611.00
Denali Water Solutions, LLC	---	1,580.00
WBA Automation Division	---	4,840.68
M.J. Reider Associates	---	2,339.55
Entech Engineering, Inc.	---	172.50
Truist Governmental Finance	---	35,430.56

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Verizon Wireless	---	143.09
Oley Township	---	157.92
Cardmember Service	---	700.26
Ridge Support Technologies	---	445.95
Dallas Data Systems, Inc.	---	<u>2,361.60</u>
TOTAL SEWER BILLS	—	\$78,501.61

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

Met-Ed	—	\$ 678.56
Bryer M. Eshbach	---	51.57
Bryer M. Eshbach	---	1,631.04
Paul A. Herb	---	170.96
Michael A. Eshbach	---	60.00
ESP Technology & Logistics, Inc.	---	500.00
Cardmember Service	---	238.62
Buckman's, Inc.	---	774.40
Exeter Supply Company, Inc.	---	140.07
M.J. Reider Associates, Inc.	---	5,935.00
Entech Engineering, Inc.,	---	15,838.53
Neilyn Acosta	---	250.00
N. Abbonizio Contractors, Inc.	---	<u>331,283.77</u>
TOTAL WATER BILLS	—	\$357,552.52

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

The following sewer report was given as of August 31st -

<u>898</u>	Sewer tapping fees paid to date
<u>169</u>	Number of unpaid rental bills of 7-31-23
<u>\$33,786.55</u>	Total of unpaid rental bills of 7-31-23
<u>6</u>	Number of unpaid rental bills of 4-30-23
<u>\$1,210.30</u>	Total of unpaid rental bills of 4-30-23
<u>5</u>	Number of unpaid rental bills of 1-31-23
<u>\$952.54</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

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<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>\$355.85</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
<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 August 31st –

<u>811</u>	Water connections to date
<u>154</u>	Number of unpaid rental bills of 7-31-23
<u>\$22,339.51</u>	Total of unpaid rental bills of 7-31-23
<u>2</u>	Number of unpaid rental bills of 4-30-23
<u>\$100.00</u>	Total of unpaid rental bills of 4-30-23

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Public comment:

1. Joshua Kratzer – Stated there should be a normal mowing schedule for Well Pump House #1, the property maintenance code indicates weeds/grass must not be higher than ten inches.

2. Kevin Bieber – He attended a meeting earlier in the year where Shirley Moyer was directed to not get involved in anything with the sewer/water billing so she did as was instructed and had them call the billing company but they apparently were not happy with their response and wanted to express their concerns directly to the Authority board members rather than the billing company, he feels the comment made this evening by Jim Arms was directed at Shirley Moyer but she was only doing as directed by the board. He does not remember anything coming up at a public meeting of the Authority outlining the terms of employment for Bryer Eshbach, this should have all been documented in an offer of employment as it had previously been done and that document be provided for the Authority files at the office.

3. Daniel E. Levengood – He is proposing to subdivide two lots off of his property and one lot may be located within the wellhead protection zone. Mr. Reichert said this should not be a problem but the drainage should be located outside the wellhead protection zone.

The next regular meeting will be held Thursday, October 5, 2023 at 7:00 P.M.

There being no further business, a motion was made by Austin Schaeffer and seconded by Kim Seidel to adjourn the meeting at 8:22 p.m. Amandus Reichert – yes; Kim Seidel – 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