

MINUTES OF THE OLEY TOWNSHIP MUNICIPAL AUTHORITY  
MEETING HELD OCTOBER 5, 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, Kim Seidel, and Austin Schaeffer. Also, from Entech Engineering Kim Mazur; Solicitor John Muir; 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. The following public comment was heard:

1. William Stokes – Asked when the silt fence will be removed at school property. Mr. Mazur said they will be pulling up the sock and reseed that area so it can be mowed. Mr. Stokes asked if the water line and fire hydrant at his property had been flushed yet. Mr. Herb said this has not yet been flushed. Mr. Stokes said he had changed his filter the day of our last meeting and he changed it again today, he believes the loop may have taken care of the problem, he still has some water cloudiness but not the mud sediment. Mr. Stokes is looking for a resolution on his reimbursement request of \$975 for excessive filters that were required due to the unacceptable amount of constant sediment in the public water system previously. Mr. Herb does not feel we should approve this reimbursement for Mr. Stokes since this may open up for other customers to seek reimbursement for filters and also that the Authority had not given approval for this filter system installation. A motion was made by Amandus Reichert to reimburse William & Winter Stokes \$975 for four years of water filters used due to cloudy water, no second to motion....motion died.

2. Joshua Kratzer – For the last two weeks the water has a sulfar/iron smell and particles are clogging up the water filter. Mr. Herb said he will run Well #1 more often and purge it for a longer time period to determine if this will eliminate the smell and particles. Mr. Mazur said we should be checking in with Mr. Kratzer more frequently to determine how any adjustments made are working. Mr. Reichert feels we have more reverse flow in this line than we had before, could we close the valve on the section between the well and Clay Slate Road. Mr. Mazur does not feel we should close this valve, there is a biofilm that develops in the well, the well can be scrubbed but the chlorine is taking care of this.

There being no changes to the September 7, 2023 minutes, a motion was made by Austin Schaeffer and seconded by Kim Seidel to approve the minutes of the September 7, 2023 meeting as presented. Paul Herb – abstained; Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer – yes. Three in favor, one abstained....motion carried.

The treasurers report was presented for the month. Sewer Fund: in the OPERATION & MAINTENANCE account the balance is \$23,713.19; in the REVENUE account \$525,866.71; in the INVESTMENT FUND \$295,141.00. Water Fund: in the OPERATION & MAINTENANCE account the balance is \$1,870.42; in the REVENUE account \$68,960.65; in the INVESTMENT FUND \$212,075.91; and in the PROJECT FUND \$20.75. A motion was made by Amandus Reichert and seconded by Kim Seidel to approve and accept the treasurers report as presented. Paul Herb – yes; Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer - yes. All in favor....motion carried.

MINUTES OF THE OCTOBER 5, 2023 MEETING CONTINUED

A report was provided on the operation at the sewer plant during the month. The following was reported: (1) DEP inspection performed September 11, 2023; (2) removed floats from both digesters, repaired decant pump winch; and (3) repaired plant heater.

A report was provided on the operation at the water plant during the month. The following was reported: (1) pumped 3,064,640 gallons for the month; (2) graded driveway, trimmed low hanging trees, mowed fields, and removed dead trees from fields at well houses #2, #3 and #4; and (3) replaced fire hydrant at intersection of Rose Virginia Road and Cherry Lane.

Incoming communications:

1. Copy of letter dated October 3, 2023 from Carmen Italia to Oley Township Supervisors informing them he is resigning effective immediately as a member of the Oley Township Municipal Authority. A motion was made by Austin Schaeffer and seconded by Kim Seidel to accept the resignation of Carmen Italia as a member of Oley Township Municipal Authority effective immediately. Paul Herb – yes; Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer – yes. All in favor....motion carried.

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; and (2) Working on the fourth quarter 2023 newsletter to be mailed with the bills.

Finance: Any large budget items must be submitted by next meeting, budget meeting to be held November 16, 2023 at 7:00 p.m.

Wastewater Plant: Mr. Reichert asked if the door will be installed prior to the cold weather. Mr. Herb said this will be installed by next month.

Water Plant: Atty. Muir spoke with Anne Gehret regarding some dead trees near the water storage tank which are located on her property and explained her liability should these trees fall on our property, Ms. Gehret said the Authority could hire someone to cut down these trees and she would get rid of the wood. No motion was made to authorize cutting down Anne Gehret's trees.

Mr. Hannum said with the Earl Township alternative analysis study it was decided to not investigate a new option of treatment for a conventional "flow through" style, the two options as proposed are best for this project.

MINUTES OF THE OCTOBER 5, 2023 MEETING CONTINUED

Received Change Order #1 from N. Abbonizio, Inc. in amount of \$32,167.29 for the Main Street Water Main Replacement Project – Phase 2. Mr. Mazur explained the items listed on this change order. Mr. Seidel does not feel it should have taken twenty hours to haul stone. Mr. Mazur will ask the contractor to review this and reduce the number of hours. Mr. Schaeffer asked what the status is on our request for a two year bond rather than the one year bond. Mr. Mazur will check into the status of this request. It was decided to table action on Change Order #1 until next month. The reimbursement agreement signed with Oley Valley School District for the Oley High School water main loop was in amount of \$23,961.00, the actual cost and other costs incurred totaled \$3,589.10, Mr. Mazur will bill Oley Valley School District for the amount of \$27,550.10 and provide detail on the costs. Mr. Mazur will have the contractor remove the silt fence at the school as soon as they are permitted to and reseed where needed. Mr. Seidel mentioned about a low spot he observed. Mr. Mazur will check into this.

As per the Financial Security Agreement with Oley Township for the Oley Township Municipal Authority New Water Storage Tank Land Development we need to provide \$366,676.93 as security for the improvements at this site. Atty. Muir said the cost for a bond would be \$11,000 and the cost for a letter of credit would be \$7,334, it was agreed to pursue a letter of credit. Mr. Mazur said Met-Ed is scheduling the work to relocate the pole to provide electrical service to this site, they will need to obtain a street occupancy permit in order to perform this work, Mr. Mazur will attend the next township meeting to discuss this project. The deadline for action on the final plan will be November 5, 2023. A motion was made by Kim Seidel and seconded by Austin Schaeffer to extend the review time for Oley Township Municipal Authority New Water Storage Tank Land Development Final Plan to April 9, 2024. Paul Herb – yes; Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer – yes. All in favor....motion carried. Atty. Muir said the Hoshall and Rettew easements and possible action to acquire real estate for the development of the new proposed water tank will be tabled.

Mr. Mazur informed us that EPA is requiring all public water suppliers to perform a lead service line inventory which will need to be completed by October 16, 2024, he provided an overview of the information that will be required for this inventory.

Mr. Herb said they are working with Entech Engineering on costs associated with a GIS system.

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

Michael A. Eshbach	---	3,291.37
Paul A. Herb	---	389.22
Bryer M. Eshbach	---	2,260.77
Michael A. Eshbach	---	3,445.29
Paul A. Herb	---	225.48
Bryer M. Eshbach	---	2,441.37

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Michael A. Eshbach	---	2,665.22
Paul A. Herb	---	61.74
Bryer M. Eshbach	---	2,289.42
Shirley M. Moyer	---	1,965.59
NCR Payroll	---	31.60
NCR Payroll	---	4,030.46
NCR Payroll	---	31.60
NCR Payroll	---	2,336.82
NCR Payroll	---	31.60
Met-Ed	---	1,722.82
Windstream Conestoga, Inc.	---	335.85
Deluxe	---	259.97
EPWPCOA	---	50.00
Cardmember Service	---	470.79
Univar USA, Inc.	---	1,222.50
Delaware County Solid Waste Auth.	---	1,158.00
Denali Water Solutions, LLC	---	1,620.00
Spotts, Stevens & McCoy, Inc.	---	240.00
Kozloff Stoudt	---	1,552.28
Verizon Wireless	---	143.23
Oley Township	---	1,306.30
Cardmember Service	---	442.25
Ridge Support Technologies	---	410.95
Dallas Data Systems, Inc.	---	1,201.50
Entech Engineering, Inc.	---	<u>770.00</u>
<b>TOTAL SEWER BILLS</b>	---	<b>\$38,403.99</b>

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

Met-Ed	---	\$ 670.07
Bryer M. Eshbach	---	51.57
Bryer M. Eshbach	---	1,631.04
EPWPCOA	---	100.00
Griswold Industries	---	6,990.00
Exeter Supply Company, Inc.	---	4,928.10
M&A Excavating, LLC	---	1,614.50
M.J. Reider Associates, Inc.	---	660.00
Entech Engineering, Inc.,	---	12,546.49
Kozloff Stoudt	---	2,081.50
David & Ruth Ann Christman	---	<u>500.00</u>
<b>TOTAL WATER BILLS</b>	---	<b>\$31,773.27</b>

MINUTES OF THE OCTOBER 5, 2023 MEETING CONTINUED

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

The following sewer report was given as of September 30<sup>th</sup> -

<u>898</u>	Sewer tapping fees paid to date
<u>67</u>	Number of unpaid rental bills of 7-31-23
<u>\$12,029.86</u>	Total of unpaid rental bills of 7-31-23
<u>4</u>	Number of unpaid rental bills of 4-30-23
<u>\$880.74</u>	Total of unpaid rental bills of 4-30-23
<u>4</u>	Number of unpaid rental bills of 1-31-23
<u>\$812.54</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
<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

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<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 September 30<sup>th</sup> –

<u>811</u>	Water connections to date
<u>66</u>	Number of unpaid rental bills of 7-31-23
<u>\$9,625.64</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

Public comment:

1. Daniel E. Levensgood – Some maintenance was done at Well #4, grading was done at Well #3 but it does not address the problem. Mr. Herb said they will be re-grading it. Mr. Levensgood asked how we can justify paying Christman’s for the storage of the pipe when he did not receive compensation yet for the Wellhead Protection Zone on his property. Atty. Muir said the decision was made to pay for the storage of the pipe versus moving the pipe to another location since the cost to move the pipe would have been greater than to pay for the storage. Mr. Levensgood said it was originally agreed to by his father and Amandus Reichert to pay approximately \$200 per acre for the property that was in the Wellhead Protection Zone and then the agreement changed to a lump sum for a twenty year period. Atty. Muir said the same offer was given to all of the other property owners that were located in a Wellhead Protection Zone, he will check which property owners did not sign the agreement.

2. Matthew Walker – Asked who is liable if a tree hits Met-Ed’s electric lines. Atty. Muir said Met-Ed is regulated by PUC and they have an obligation to perform vegetation management, the Municipal Authority is not regulated by PUC and we have no obligation to have a vegetation management program. Mr. Walker asked if his tree would fall onto the new proposed water storage tank who would be liable. Atty. Muir is not sure how close the closest tree would be to the tank. Mr. Walker asked who is communicating with Met-Ed regarding the relocation of the electric pole. Mr. Mazur said he is communicating with Met-Ed. Mr. Walker asked how this relocation can be scheduled when the township did not grant permission for the pole to be placed in the road right-of-way. Mr. Mazur said he will meet with the township next week to discuss this matter. Mr. Mazur said when Mr. Walker was approached for an easement

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for the use of the electric pole located on his property he gave the alternatives of us paying him \$160,000 for the easement or the Authority approach the township to have them remove the deed restrictions from his property. Mr. Walker said no one from the Authority approached the township to discuss the removal of the deed restrictions. Mr. Herb said the township has made this project hard for the Authority so why would the township cooperate with the Authority on this matter, this was not an option for us.

The next regular meeting will be held Thursday, November 2, 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 8:47 p.m. Paul Herb – yes; Amandus Reichert – yes; Kim Seidel – yes; Austin Schaeffer - yes. All in favor...motion carried.

Respectfully submitted,

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Shirley M. Moyer

cc: P. Herb  
A. Reichert  
K. Seidel

A. Schaeffer  
J. Muir  
K. Mazur