

**MUHLENBERG TOWNSHIP AUTHORITY**  
**MINUTES OF A REGULAR MEETING OF THE BOARD**

A regular meeting of the Board of Muhlenberg Township Authority, Water and Sewer Projects, was held on Thursday, May 9, 2024, beginning at 7:00 p.m., at 210 George Street, Reading, Muhlenberg Township, Berks County, Pennsylvania, pursuant to notice both advertised and posted according to law.

The following members of the Board were present:

Scott Lehr  
Rick Hoffmaster  
Jim Kelly

In attendance were Authority General Manager Timothy Feltenberger, Thomas A. Rothermel, of counsel, and Jamie Lorah, PE, of Spotts, Stevens and McCoy (SSM), consulting engineer to the Authority. Also present were Authority controller consultant, Scott Boehret of Transcend Business Advisors, and Jeff Krick, Assistant Distribution Superintendent.

The meeting was called to order at 7:00 p.m. by Chairman Lehr. Mr. Lehr announced that the Board had met earlier in executive session to discuss matters involving personnel, real estate, and litigation.

Mr. Hoffmaster made a Motion to approve the Minutes of the previous special meeting of the Board held on April 1, 2024, and the regular meeting held on April 4, 2024. That Motion was seconded by Kelly and passed unanimously.

There was no comment under the first public portion.

Under the Engineer's Report, Serena DiMagno of SSM provided an update with respect to recently implemented regulations concerning PFAS, commonly known as "forever chemicals." These new regulations apply to all public water suppliers. Ms. DiMagno referenced a fifteen (15) page handout that was circulated to the Board as part of her presentation. Ms. DiMagno advised that the EPA announced final rulemaking in April 2024 regarding PFAS regulations. The regulations become effective in the spring of 2029, five (5) years after this recent final rulemaking. In the interim timeframe, initial monitoring must be completed, the results of which shall be included in the published Consumer Confidence Report (CCR), and, public notification is required for any monitoring and testing violations. Starting five (5) years following rule promulgation (i.e. 2029), the Authority must comply with the prescribed Maximum Contaminant Level (MCL) through treatment methods that have yet to be designed. Through EPA final rulemaking, it prescribed a Maximum Contaminant Level Goal (MCLG) of zero (0), and a MCL of 4.0 parts per trillion (ppt). With respect to MTA's nine (9) active groundwater sources, Well Nos. 13, 6, 8 & 9 contain levels that slightly exceed the EPA's MCL. Ms. DiMagno noted

that with respect to the state agency, DEP, it now has two (2) to four (4) years to revise state regulations to ensure that the same are at least as stringent as the federal EPA regulations. Until such time as the PA DEP PFAS rule is updated, current PA DEP PFAS regulations remain in effect.

Ms. DiMagno confirmed that the MTA remains in full compliance with current PA DEP PFAS regulations with respect to MCLs (i.e. PFOA 14 ppt; PFOS 18 ppt), as well as monitoring and all other related provisions of the current regulatory framework. She further confirmed that the MTA has already conducted monitoring of its wells, which satisfies both the EPA and PA DEP requirements. In response to her presentation, the Board requested that SSM produce a map of the MTA well sites, inclusive of PFAS values. The Board also directed that the sampling data be further analyzed and expanded to include information regarding individual well capacities. Mr. Kelly questioned whether state and federal regulatory agencies may implement PFAS testing of the sanitary sewer system. In response, Ms. DiMagno indicated that such rulemaking may be forthcoming, which would cause increased disposal and treatment costs. Ms. Lorah and Ms. DiMagno again confirmed that the MTA remains in compliance with current state and federal PFAS regulations, and that SSM will continue to ensure that the MTA remains in compliance as these regulations evolve and are implemented. The Board thanked Ms. DiMagno for her presentation. She then exited the meeting.

Ms. Lorah of SSM provided a formal report of the Authority's consulting engineer for work completed March 28, 2024 through May 1, 2024. Ms. Lorah referenced a seven (7) page report, which attachments, that SSM circulated to the Board in advance of the meeting. The report provides a narrative of the status of each of the twenty (20) projects of the Authority on which SSM is currently engaged.

Regarding the DEP/EPA System Inspection Report, Ms. Lorah confirmed that SSM continues to update the DEP with respect to work conducted by the Authority over the past several months. Most recently, upgrades were authorized regarding various instrumentation and integration of monitoring equipment, together with storage tank and clearwell cleanings and inspections.

Mr. Lorah reported that SSM prepared a drought contingency plan, which was submitted to DEP for approval.

Regarding the MTA offices and potential relocation to open space at the Township building, Ms. Lorah advised that a meeting was held last month with the architect, Beers + Hoffman. Conceptual layout options were provided to the Board for review.

With regard to the Eagles Landing development, and ongoing efforts to reduce inflow and infiltration (I&I), Ms. Lorah confirmed that manhole inserts (dishes) in eleven (11) manholes upstream of the Eagles Landing pump station were ordered and are expected to be available for installation in the next two (2) weeks. In addition, twenty-five (25) bolt-down manhole covers were installed in low-lying areas along River Road, as well as at select locations throughout the Township. SSM confirmed that the work was satisfactorily

performed. The Board previously approved a payment application for such work for Performance Pipelining, Inc. (PPI), but the amount was subsequently reduced to \$69,500. The Board, on Motion of Mr. Hoffmaster, seconded by Mr. Kelly, unanimously approved payment to PPI in the revised amount stated.

Further discussion ensued regarding I&I. Ms. Lorah advised that crews noticed a customer with a missing sewer cleanout cap, the absence of which results in a significant inflow of stormwater into the sanitary sewer system during rain events. SSM prepared a sample "defective private sanitary sewer letter" that serves to inform customers of a defective cleanout, with a prescribed timeframe for correction. Ms. Lorah noted that defective cleanouts, especially in low-lying areas, can contribute to pump station surcharge issues. The Board was receptive to implementing a policy in this regard, but first wants to ensure that the public is notified of the issue, made aware of their individual responsibility to fix the issue, and provided methods to resolve any deficiency. It was suggested that information be posted to the MTA website, and also included in an upcoming Township Newsletter. This is expected to be a topic of further discussion at the June Board meeting.

Ms. Lorah reported that the replacement water line at the Ebling Memorial Bridge was completed. Through cooperation with the County, certain paving work will no longer be necessary, resulting in a cost savings to the MTA of \$12,500.

With regard to the River Road pump station, Ms. Lorah advised that a site inspection by Blooming Glen and OCC resulted in a change order request concerning electrical work for the pump replacement project. It was determined that electrical service to the pump station was inadequate to accommodate the new equipment. Mr. Kelly made a Motion to approve the change order of Blooming Glen, a Costars vendor, in the amount of \$80,000. That Motion was seconded by Mr. Hoffmaster. During discussion, Ms. Lorah confirmed that OCC will issue a refund in the amount of \$7,930 for similarly contracted electrical work that would now be completed by Blooming Glen under this change order. Ms. Lorah further advised that work would be scheduled to start at the end of May. After discussion, the Motion was unanimously approved.

Ms. Lorah reported that revised permits for the Laurel Run water pipe repair and Laurel Run manhole repair projects were in the process of being resubmitted to DEP. Once permit approval is received, work will be scheduled at both sites.

SSM is currently reviewing plans submitted by the Muhlenberg School District for a new building to be erected on the side adjacent to the high school. A set of plans and Planning Module was recently received and reviewed. SSM will issue a formal review letter.

There being no further active projects on which to report, and no additional questions posed by the Board, the report of the Ms. Lorah concluded. Mr. Hoffmaster made a Motion to accept the Engineer's Report as presented. That Motion was seconded by Mr. Kelly and unanimously approved.

Mr. Feltenberger presented the Operations Report for the preceding month, a full copy of which has been appended to these Minutes. There were no main breaks to report for the preceding month. Thus far in 2024, there have been a total of five (5) Type-I main breaks, all resulting in no interruption in service, and one (1) Type-II main break, which resulted in brief interruption in service. Mr. Feltenberger further reported that crews were busy performing a variety of miscellaneous tasks such as leak detection, curb box maintenance, replacement of a 6" AC service saddle, and grass cutting. Due to the emergent nature and location of the break, Schlouch, Inc. was retained to fix a sewer lateral at the 5<sup>th</sup> Street Diner. A 12" valve was cut-in on the water main that crosses the east side of Laurel Run Creek. In addition, crewmembers were trained with meter programming. Sewer laterals were cleaned or checked at multiple locations throughout the Township, four (4) of which were customer owned. Mr. Feltenberger reported that the vacuum truck was used a total of fifteen (15) man hours over the past month, at an equivalent labor cost of \$5,325. To date, the vacuum truck has been used the monetary equivalent of \$104,450, excluding the cost of disposal fees that the Authority no longer pays. Mr. Feltenberger additionally reported that the Township Fire Department has requested that he provide an estimate for installation of four (4) new hydrants. He will work with the Township so as to avoid interference with scheduled paving projects. Ms. Lorah was questioned regarding the status of the LSA Grant funds, which were earmarked for the purchase and installation of Storz fittings on all fire hydrants. Ms. Lorah indicated that notification of grant award recipients was expected in or around September of 2024. The Operations Report then concluded.

Engineering bills for the preceding month were reviewed. Mr. Hoffmaster made a Motion to approve the engineering bills for payment. That Motion was seconded by Mr. Kelly and unanimously adopted.

The accounts payable for both the water and sewer departments for the preceding month had been distributed prior to the meeting, a full listing of which has been appended to these Minutes. Mr. Hoffmaster made a Motion to approve payment of the accounts payable for both the water and sewer departments, as presented. That Motion was seconded by Mr. Kelly and unanimously adopted.

Under the Solicitor's Report, regarding the proposed interconnection with Maidencreek Township Authority, Mr. Rothermel advised that he was awaiting a revised Memorandum of Understanding (MOU) that sets forth the principal terms of the parties' agreement. Mr. Rothermel expects to have the revised MOU for review at the June 2024 Board meeting.

With regard to status of the City of Reading IMA, Mr. Rothermel advised that a meeting with the City took place on May 6, 2024. Mr. Feltenberger, and Ms. Lorah and Ms. Jernigan of SSM, were also present. Meeting discussion centered on the reconciliation of payments versus costs associated with the IMA, and what payment may be due the City, calculated as of 2018 onward through calendar year ending 2023. The City plans to prepare an Executive Summary Report, wherein it will present its formal position regarding the reconciliation figures. Mr. Rothermel noted that SSM is finalizing a report of the raw data utilized by the City in performing the account reconciliation. The Board will review the City's Executive Summary, and SSM's report, and make appropriate

recommendations to finalize this matter with the City. No further questions were posed to Mr. Rothermel. The Solicitor's Report was approved by Motion of Mr. Kelly, seconded by Mr. Hoffmaster, and unanimously approved.

The Treasurer's Report was presented by Mr. Boehret, a copy of which is appended to these Minutes. The water division realized a net gain of \$97,725.63 over the past month; the sewer division realized a net gain over the past month of \$1,883,343.79. Across both accounts, the Authority realized a net gain of \$1,981,069.42, although it was noted that an upcoming quarterly payment is due the City of Reading per the IMA. Compared to this time last year, the water and sewer divisions realized a positive increase in cash flow totaling approximately \$2,500,000. The sewer escrow account, maintained by funds per the City of Reading IMA, as amended, currently totals approximately \$16.7 million, of which the Authority has earned approximately \$775,000 in interest. Mr. Boehret additionally noted that eight (8) sewer account CDs, and two (2) water accounts CDs, are set to mature in May 2024. Mr. Kelly made a Motion to rollover all ten (10) CDs to another 90-day term. That Motion was seconded by Mr. Hoffmaster and unanimously approved.

Mr. Boehret circulated a preliminary financial statement for quarter ending March 2024. Mr. Boehret was asked to provide further data on future quarterly financial statements, to include budget versus actual, noting the percentage difference. Mr. Lehr also requested that the report show a comparison of the last three (3) quarters. Discussion ensued regarding the status of actual expenses thus far in 2024. Mr. Boehret responded by pointing out that costs have increased across-the-board, which is reflected in the expense side of the ledger.

With regard to payroll, Mr. Boehret confirmed that a minor payroll tax issue had been reconciled. Regarding the newly implemented Paychex system, Mr. Boehret advised that staff training is ongoing. The first digital payroll is expected to run on June 3, 2024. He and Mr. Feltenberger continue to revise the process by which time and attendance is reported in the system, between both water and sewer divisions. Mr. Boehret will provide further updates in this regard at the June 2024 Board meeting. Mr. Hoffmaster made a Motion to approve the Treasurer's Report as presented. That Motion was seconded by Mr. Kelly and unanimously adopted.

Under New Business, a MOU between the MTA and Local Union No. 419 was unanimously approved, on Motion of Mr. Hoffmaster, seconded by Mr. Kelly. A change in policy with respect to non-union employees was unanimously approved, on Motion of Mr. Kelly, seconded by Mr. Hoffmaster. The First Amendment to Lease Agreement by and between the MTA and NCWPCS MPL 29 – Year Sites Tower Holdings, LLC was unanimously approved, contingent on Solicitor review of final terms, on Motion of Mr. Hoffmaster, seconded by Mr. Kelly. Discussion regarding the Residential Customer Advisory Committee was deferred to the June 2024 Board meeting. Regarding the MTA website, Mr. Feltenberger reported that certain enhancements were recently made in terms of an "Employment Opportunities" tab, and more enhancements are planned in the coming months. No discussion was held regarding the rate study, which the Board previously commissioned. The sale of a 2007 boat and trailer for \$1,570 was unanimously approved, on Motion of Mr. Hoffmaster, seconded by Mr. Kelly, contingent on the

execution of a Bill of Sale evidencing the “as-is” purchase. Discussion regarding PFAS was addressed under the Engineer’s Report noted above. An Engagement Letter by and between the MTA and Transcend Finance, LLC was unanimously approved, on Motion of Mr. Hoffmaster, seconded by Mr. Kelly. Mr. Feltenberger reported that a lunch was held on Administrative Professionals Day, which was well-received and appreciated. Mr. Feltenberger reported that he was in the process of scheduling either a dinner or breakfast for recent retirees; Mr. Feltenberger will advise the Board once plans are finalized. Lastly under New Business, Mr. Feltenberger sought approval of a contract for installation of fencing at River Road, Laurel Run and Laurel Creek. The lowest quote was submitted by AKA Fencing, at a total cost of \$8,015. Mr. Kelly made a Motion to approve the proposal in the amount stated. That Motion was seconded by Mr. Hoffmaster and unanimously approved.

There were no comments under the second public portion.

There were no Member and Staff Comments.

There being no further business of the Board, the meeting was adjourned at 8:55 p.m. on Motion of Mr. Hoffmaster, seconded by Mr. Kelly, and unanimously approved. The next regular meeting of the Board of the Muhlenberg Township Authority will be held at 7:00 p.m. on Thursday, June 6, 2024, at the main meeting room of the Muhlenberg Township Administration Building, 210 George Street, Reading, Muhlenberg Township, Berks County, Pennsylvania 19605.

  
Title: \_\_\_\_\_