

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, September 7, 2023, beginning at 7:00 p.m., at 3711 Oak Street, Temple, 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
Richard Heffner
Otto Voit, III (virtual; exited meeting at 8:30 p.m.)
Jim Kelly

In attendance were Authority General Manager Timothy Feltenberger, Thomas A. Rothermel, of counsel, and Darryl Jenkins, PE, of Spotts, Stevens and McCoy (SSM), consulting engineer to the Authority. Also present were Authority Assistant Distribution Superintendent Jeff Krick, Jaime Nace, and Jeffrey Calpino. Jack Pennington and Stacey Feltenberger appeared as members of the public. Commissioner Steve Wolfinger, Township Liaison to the Authority, also appeared.

The meeting was called to order at 7:00 p.m. by Chairman Lehr.

Mr. Kelly made a Motion to approve the Minutes of the previous regular meeting of the Board held on August 10, 2023. That Motion was seconded by Mr. Heffner, and passed unanimously.

Under the first public portion, Commissioner Wolfinger addressed the Board. He commented on the July 18, 2023 letter sent by Mr. Bobeck, Township Manager, on behalf of the Commissioners. Commissioner Wolfinger acknowledged that the letter, which requested the resignation of the Authority Board, could have been worded in a softer tone. That said, he continues to stand by the substance of letter with respect to changes that either he personally, or the Commissioners as a whole, feel is necessary. Commissioner Wolfinger detailed an eleven (11) point plan that he formulated, which in his view, would improve Authority operations. Without committing to any definitive action, Commissioner Wolfinger represented that the Commissioners identified three (3) options to address this situation, those being forceable removal of Board members, expansion of the Board to seven (7) members, or dissolution of the Authority. After hearing Commissioner Wolfinger's remarks, Mr. Kelly responded by noting that many of the items that he identified have already been addressed or are currently underway. Mr. Kelly further noted the Township appointed he and one (1) other new Board member just this year, and while change takes time, positive improvements have already been made. Next, Mr. Voit delivered an impassioned retort to both Commissioner Wolfinger's remarks and Mr. Bobeck's letter. Mr. Voit concluded his remarks by confirming that, nonetheless, it remained a central desire of the Authority Board to work together with the Township to

find actual solutions to those problems common to both entities. It was therefore requested, as before, that the Township Commissioners engage in actual dialogue with the Authority Board so that discussion resulting in a positive, amicable outcome may ensue.

Jack Pennington of Riverview Drive in the Eagles Landing area of the Township presented to the Board regarding a sewer backup stemming from the storm event of July 9, 2023. Mr. Pennington previously appeared before the Board at the August 10, 2023 meeting. Mr. Jenkins was asked to provide Mr. Pennington with an update with respect to the Authority's investigative efforts that have been underway since the storm. Mr. Jenkins confirmed that the Eagles Landing pump station, which services Mr. Pennington's and nearby residents' homes, was examined and determined to have functioned properly during the storm. Drawdown testing confirmed maximum flow from the pumps, with no visible signs of blockage. Further investigation was conducted with respect to the area manholes, which were clean and free-flowing. In addition, there was no build-up of debris on the sewer lateral serving a neighboring home. With the investigation having confirmed that the pump station and surrounding systems were fully operational on July 9, 2023, Mr. Jenkins is of the opinion that the sanitary sewer back-up issue was caused by heavy flows in the portion of the collection system that receives the force main discharge. Excess water flow during peak flows likely caused surcharging in the system, resulting in a reduced discharge rate. Mr. Jenkins provided the Board with six (6) different options, all of which collectively would aim to potentially decrease the likelihood of a repeat occurrence. Mr. Jenkins noted that it was not a guarantee of success, but may serve as a best possible chance to avoid a similar situation, absent future severe floodwaters condensed in such a short period of time. The Board was unanimous in authorizing Mr. Jenkins to proceed without delay with respect to conducting further investigation and implementation of those six (6) recommendations he identified. In response, Mr. Jenkins advised that he would provide the Board with a report of his findings at the October 2023 meeting. In addition, Chairman Lehr directed Mr. Jenkins to send a letter to the Eagles Landing residents advising them of the situation, the investigation conducted thus far, and of the efforts that are currently underway to further enhance the sanitary sewer system. After hearing Mr. Jenkins' report, Mr. Pennington noted that he was grateful for the response thus far, but would appreciate that progress continue to be made swiftly. Chairman Lehr reassured Mr. Pennington that the Board is moving aggressively on this issue. The findings of SSM in this regard are detailed in a four (4) page Memorandum that was circulated to the Board on September 5, 2023.

As part of the discussion regarding the sewer backup issue, Mr. Kelly commented on the use of backflow preventer valves. This was a topic of discussion at prior Board meetings, which yielded similar response from Mr. Jenkins with respect to the pros and cons of such valves. Mr. Jenkins will investigate the current valve offerings, and report to the Board at the October 2023 meeting with respect to available installation options, at least potentially in those known problems areas of the Township.

Further discussion ensued regarding excess stormwater flow and resulting sewer backup issues. Chairman Lehr and the Board as a whole directed SSM to focus efforts on all problem areas of the Township. Mr. Jenkins will work with Mr. Feltenberger and staff to ascertain whether any improvements could be made to potentially reduce the likelihood of a future issue in such areas. As part of this effort, SSM will review the status of area manholes to determine whether any are in need of replacement for purposes of reducing stormwater infiltration. In that regard, Mr. Feltenberger estimated that approximately 10% of the manholes may currently be in need of replacement, which is an ongoing process throughout the Township on an annual basis.

Next, Mr. Jenkins of Spotts, Stevens and McCoy provided a formal report of the Authority's consulting engineer for work completed August 31, 2023 through September 7, 2023. Mr. Jenkins referenced a two-page report of SSM that had been circulated to the Board in advance of the meeting. The report provides a narrative of the status of each of the twelve (12) projects of the Authority on which SSM is currently engaged.

With regard to the damaged water main located in Laurel Run Creek, Mr. Jenkins confirmed that SSM prepared and submitted an emergency permit to DEP to allow entry into the stream for purposes of repair. That permit will now be amended to indicate that instead of repair, the pipe will be cut, capped, and abandoned, with no modifications being made to the stream. This course of action will avoid any potential future issue. In addition, Mr. Jenkins confirmed that water distribution would not be impacted by this change, as there are multiple redundancies in the system. As part of this process, SSM has also identified other improvements that could be made to further enhance that particular area of the water distribution system.

Mr. Jenkins reported that Reading and Northern Railroad is revisiting its planned siding across Route 61. He and Mr. Feltenberger attended a field meeting with the PUC and other interested parties on August 14, 2023. The proposed siding is not in the existing location where the Authority maintains a casing around its 12" water main. The Authority will therefore be required to replace a portion of its 12" main so that a casing pipe can be installed. The MTA attempted a soft dig in order to ascertain the exact location and length of the existing casing to determine how much additional casing would be needed; however, they were unable to find the pipe. Mr. Jenkins will further review this matter, and proceed to make calculations with respect to the length of casing needed in order to meet the railroad's design criteria. Mr. Jenkins further noted that this could potentially lead to a joint project with RAWA considering their adjacent pipe must also be replaced. The Solicitor commented that he has engaged in conversation with Mr. Stock, Solicitor to RAWA, to discuss potential cost-sharing. Mr. Jenkins was directed to consult with RAWA's engineer for that purpose as well. Mr. Jenkins will provide further updates on this project at the next Board meeting.

Mr. Jenkins advised that Local Share Account (LSA) Grant funds are available with applications due November 30, 2023. After Board discussion, three (3) projects were identified for consideration of submission, including fire hydrant upgrades to assist the fire department, lead and galvanized pipe replacement per recent DEP regulatory directives,

and tie-ins of dead ends in the water distribution system. Mr. Jenkins was directed to proceed to compile the necessary documentation for submission of each project application.

Mr. Jenkins confirmed that the 2022 H2O Grant Application was successfully submitted on December 20, 2022. The announcement date for grant recipients has been delayed to September 2023. Mr. Jenkins will provide an update on the actual announcement date once it becomes available.

Lastly under the Engineer's Report, the Board directed Mr. Jenkins to prepare recommendations with respect to installation of flow meters at the older sewer pump stations. Mr. Jenkins noted that data from the flow meters would be made part of the SCADA system, which would be of benefit to enhanced evaluation of the collection system. Mr. Jenkins will review and assess the type of meter needed at each station, and further report to the Board at the October 2023 meeting.

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

At 8:15 p.m., on Motion of Mr. Heffner, seconded by Mr. Kelly, and unanimously approved, the meeting was called to recess for purposes of the Board entering Executive Session to discuss matters involving personnel and litigation. The meeting was called to order by Mr. Lehr thereafter at 9:30 p.m.

Mr. Feltenberger presented the Operations Report for the preceding month, a full copy of which has been appended to these Minutes. Crews repaired four (4) Type-1 main breaks, none of which impacted service. Two (2) fire hydrants were repaired or replaced. The chlorinator booster pump at Well No. 13 was replaced and is operational. Crews continue to perform concrete work at sites of service repairs. Crews also continue to address punchlist items generated in response to the DEP site inspection. Sewer laterals were cleaned or checked at multiple locations throughout the Township, eight (8) of which were customer owned. Mr. Feltenberger reported that the vacuum truck was used a total of nineteen (19) man hours over the past month, at an equivalent labor cost of \$6,745.00. To date, the vacuum truck was used a total of two hundred eighty-five (285) man hours, or the monetary equivalent of \$70,998.30, excluding the cost of disposal fees that the Authority no longer pays. The Operations Report then concluded.

Engineering bills for the preceding month were reviewed. Mr. Kelly made a Motion to approve the engineering bills for payment. That Motion was seconded by Mr. Heffner 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. Heffner 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, Mr. Rothermel advised that he scheduled a meeting with the City of Reading Engineer and its Solicitor to review and discuss the content of the Exhibit I reports, which are a required submission under the City of Reading Intermunicipal Agreement (IMA), as amended. The meeting is scheduled for September 14, 2023. Mr. Rothermel will report on the outcome of the discussion at the October 2023 Board meeting. Apart from the Exhibit I reports, there was no update with respect to the status of reconciliation.

With regard to a potential water supply interconnection with Maiden Creek Township Authority, Mr. Rothermel reported that a joint meeting was conducted on September 7, 2023 with the authorities' respective Managers, Engineers, and Solicitors. The meeting was productive. The parties continue to work through final points on the terms of a bulk water purchase agreement. Mr. Rothermel anticipates presenting a draft Letter of Intent or Memorandum of Understanding for review of Board approval at the October 2023 meeting.

Motion to approve Resolution No. 2023-2 pertaining to implementation of the Citizens' Advisory Committee, which Committee was established at the August 2023 Board meeting, was tabled until the October 2023 meeting. With no further questions posed to Mr. Rothermel, the Solicitor's Report was approved by Motion of Mr. Heffner, seconded by Mr. Kelly and unanimously approved.

The Treasurer's Report was presented. Interest rates will increase to 3.25% effective September 1, 2023. With regard to account balances for both the water and sewer divisions, the water division realized a net gain over the prior month of \$122,052.75. The sewer division realized a net loss over the prior month of \$588,418.20. Across both accounts, the Authority realized a net loss in August 2023 of \$466,365.45. On Motion of Mr. Heffner, seconded by Mr. Kelly and unanimously adopted, the Treasurer's Report was accepted as presented.

Under New Business, Mr. Heffner made a Motion to appoint Mr. Feltenberger as the new Right-To-Know Officer. That Motion was seconded by Mr. Kelly and unanimously approved. Mr. Feltenberger reported that four (4) mini-split AC units at the office building, which also produce secondary heat, were inoperable and in need of replacement due to unavailability of parts. Mr. Feltenberger obtained a quote from EWC Enterprises, LLC to replace the four (4) units at a total cost of \$11,980.00. On Motion by Mr. Kelly, seconded by Mr. Heffer, the purchase and installation of four (4) mini-split units at the cost stated was approved. Next, Mr. Feltenberger indicated that 2023-2024 Minimum Municipal Obligation (MMO), which is a state-mandated municipal pension payment, required Board review and approval. The amount for the stated period saw an increase over the prior year, and payment is due in the amount of \$86,269.00. Mr. Heffner made a motion to authorize payment of the MMO in the amount stated. That motion was seconded by Mr. Kelly and unanimously adopted.

Further under New Business, Mr. Feltenberger reported that Asterra is conducting aerial leak detection in surrounding municipalities. The aerial survey identifies hot spots in the water and sewer systems, which the Authority could then use to pinpoint areas in need

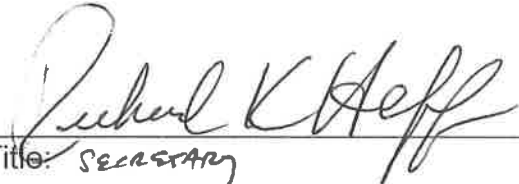
of repair. The MTA was asked to join in the project, which would serve to reduce overall cost to all participants. The Board was unanimous in its agreement to proceed. Mr. Heffner made a Motion to approve payment to Asterra in the amount of \$8,671.88, which Motion was seconded by Mr. Kelly and unanimously approved. Mr. Feltenberger further noted that if the MTA would have retained Asterra directly, the cost would total approximately \$23,000. Mr. Feltenberger next reported on current CDL licensing requirements, which entails a two-week training course at costs ranging from \$3,000 - \$6,000. This issue will have to be further investigated being that a CDL license is a condition of employment for all MTA crewmembers. Mr. Feltenberger will obtain further details with respect to local companies who offer CDL training courses, and report to the Board at the October 2023 meeting.

Lastly under New Business, Mr. Feltenberger advised the Board that crews have been assigned to walk the creek along Reading Crest Road to identify potential issues pertaining to exposed sewer main and manholes. Mr. Jenkins will assist Mr. Feltenberger in assessing the situation and formulating a plan to immediately address any problem areas.

There were no comments under the second public portion.

There were no comments under the Member and Staff Comments portion of the meeting.

There being no further business of the Board, the meeting was adjourned at 10:05 p.m. on Motion of Mr. Heffner, 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, October 5, 2023, in the Authority Maintenance Facility main meeting room, 3711 Oak Street, Temple, Muhlenberg Township, Berks County, Pennsylvania 19560.


Title: SECRETARY