

**BUTLER AREA SEWER AUTHORITY**  
**MINUTES OF THE MAY 10, 2022 REGULAR MEETING**

---

The regular meeting of the Butler Area Sewer Authority (BASA) Board was held on Tuesday, May 10, 2022 at 9:00 a.m. at the Authority office located at 100 Litman Road, Butler, PA.

**Authority Board Members Present:**

- *Paul F. Sybert, Chairman*
- *Fred M. Vero, Vice Chairman*
- *Mavrik W. Goepfert, Treasurer*
- *Lance R. Calvert, Secretary*
- *Steven C. Braden, Assistant Secretary and Treasure*

**Staff, Consultants and Guests Present:**

- *Duane McKee, Executive Director*
- *Ronata Lavorini, Finance Director*
- *Evan Oswald, Superintendent of Engineering Services*
- *Virginia Ferderber, Collections and Payables Coordinator*
- *Michael Hnath, Dillon McCandless King Coulter & Graham - Authority Solicitor*
- *Collin Lampark, Hatch - Consulting Engineer*
- *Ryan Hayes, Pennsylvania American Water Company (PAWC)*
- *Sam Zurzolo, Butler Township*
- *Dave Zarnick, Butler Township*
- *David Nasatir, Obermayer*
- *Tom Wyatt, Obermayer*
- *Larry W. Christy, City of Butler (did not return after executive session)*
- *Logan Turk, NextEra Water*

**1. WELCOME**

- *Mr. Sybert welcomed the attendees to the May 10, 2022 Regular Board Meeting*

**2. CALL TO ORDER**

- *Mr. Sybert called the meeting to order at 9:02 a.m.*

**3. PUBLIC COMMENT: AGENDA ITEMS (Time Limit – 5 Minutes)**

- *Mr. Turk, NextEra Water spoke to the Board regarding NextEra Water's continued interest in purchasing the Authority and all its assets. He hopes to have the opportunity to discuss their proposal with the Board after the Confidentiality Agreement with PAWC is concluded.*

**4. ITEM 9A – Consider Approving Special Legal Counsel – Obermayer (David Nasatir & Thomas Wyatt)**

- *Mr. Wyatt and Mr. Nasatir reviewed Obermayer's experience and qualifications with the sale and purchase of public authorities. Obermayer only represents publicly owned entities.*
- *Mr. Sybert asked how many sales Obermayer has negotiated. Mr. Nasatir responded around 20, noting more than any other firm in Pennsylvania.*
- *Mr. Zurzolo asked the Board if the attorney services were bid.*

**BUTLER AREA SEWER AUTHORITY**  
**MINUTES OF THE MAY 10, 2022 REGULAR MEETING**

---

- *Mr. Sybert responded that Obermayer was selected because of their experience with similar transactions with similarly sized authorities.*
- *Mr. McKee informed the Board that there were two proposals in the Board Package. One agreement for the representation of the Authority and the second a tri-party agreement for the combined representation of the Authority, Butler City, and Butler Township.*
- *A motion was made by Mr. Vero for the Authority to approve and execute both proposals of special council provided by Obermayer. The agreement utilized would be based on the determination of Butler City and Butler Township's considerations of the proposals. Motion was seconded by Mr. Goepfert. Motion approved 5-0.*

**5. ITEM 13- EXECUTIVE SESSION**

- *All five Board Members, Mr. Hnath, Ms. Lavorini, Mr. McKee, Mr. Wyatt (Obermayer special council) and Mr. Nasatir (Obermayer special council) met in Executive Session to discuss legal matter at 9:10 a.m.*
- *The Board resumed the regular meeting at 10:25 a.m.*

**6. APPROVAL OF MINUTES**

**A. April 12, 2022 Regular Meeting**

- *A motion to approve the April 12, 2022 meeting minutes, was made by Mr. Braden and seconded by Mr. Calvert. Motion approved 5-0.*

**7. APPROVAL OF WARRANTS/OTHER PAYMENTS**

**A. Periodic Estimate No. 1 North Hills COG 2021-2022, Cupps Area Manhole Rehab. & Open Cut Repairs, \$50,268.50 (State Pipe Services Inc.)**

- *Mr. Oswald reviewed periodic estimate no. 1 for the North Hills COG Cupps Area Manhole Repairs and Open Cut Repairs project and recommended payment of \$50,268.50 to State Pipe Services, Inc.*
- *A motion was made by Mr. Vero and seconded by Mr. Braden to approve payment of estimate no. 1 in the amount of \$50,268.50 to State Pipe Services, Inc. for the Cupps Area Manhole Repair and Open Cut Sewer Repairs. Motion approved 5-0.*

**B. Invoice Warrant Lists of April 13, 2022 (ACH \$54,444.79), April 19, 2022 (\$100,253.85), April 28, 2022 (\$26,682.45), May 10, 2022 (\$1,475,165.20), May 10, 2022 (Capital - \$39,478.43)**

- *Mrs. Lavorini reviewed the warrants listed above, noting that the bond debt service payments due in July were included in the May 10, 2022 operating warrant.*
- *A motion was made by Mr. Braden and seconded by Mr. Goepfert to approve the warrants listed. Motion approved 5-0.*

**BUTLER AREA SEWER AUTHORITY**  
**MINUTES OF THE MAY 10, 2022 REGULAR MEETING**

---

**8. FINANCE DIRECTOR'S REPORT**

**A. Authority Fund Statements and Budget Report – April 30, 2022**

- *Ms. Lavorini reviewed the Authority Fund Statements and Budget Report through the month ending April 30, 2022.*

**B. Investment Update**

- *Ms. Lavorini informed the Board there has been not change*

**9. OPERATIONS REPORTS**

**A. Plant Superintendent's Operations Report – April 2022**

- *Mr. McKee informed the Board that the operation reports were in their packages. Mr. McKee then asked if there were any questions. There were no questions.*

**B. Field Superintendent's Operations Report- April 2022**

- *See above.*

**C. Realty Transfer I&I Inspection's Report – April 2022**

- *See above.*

**D. Engineering Services Report – April 2022**

- *See above.*

**E. Sewer Tap-In Report – April 2022**

- *Mr. McKee reviewed the sewer tap-in report for April 2022. There were five sewer tap permits issued, four new residential permits and one inspection only.*

**F. Discharge Monitoring Report – March 2022**

- *Mr. McKee reported that the wastewater treatment plant was in full compliance with all the NPDES Permit discharge limits and monitoring requirements during March 2022. The plant's average daily flow was 8.4 MGD.*
- *Mr. McKee informed the Board that there was one overflow in the month of March. Manhole 8079 located behind 126 Greenhill Drive overflowed on March 18 and 19 for an unknown amount of time and an unknown quantity. The Sewer Crew jetted the line and dislodged a large root ball to eliminate the overflow. All the sanitary overflows were reported to DEP.*

**10. CONSULTING ENGINEERS' REPORTS**

**A. Authority Engineer's Monthly Report**

- *Mr. Lampark stated that the consultant's engineering report was in the Board package and asked if there were any questions.*
- *The Board had no questions.*

**B. CAP Update – HRG's Progress Report - April 2022**

- *Mr. Oswald informed the Board that HRG and Staff worked through a design issue regarding duplex and triplex pumps, which held the project up for approximately 30 days. HRG is revising the schedule, but we remain in compliance with the CAP schedule and the DEP. HRG continues to work on permitting and construction drawings.*

**BUTLER AREA SEWER AUTHORITY**  
**MINUTES OF THE MAY 10, 2022 REGULAR MEETING**

---

**11. FISCAL AND CONTRACTUAL MATTERS**

- A. Consider Approving Special Legal Counsel – Obermayer (David Nasatir & Thomas Wyatt)
- *Moved to Item 4*
- B. Consider Approving Applications for the Authority to Participate in PLIGIT’s Term and Certificate of Deposit Investment Programs
- *Ms. Lavorini reviewed PLIGIT’s Term and Certificate of Deposit Programs and then requested the Board approve signing the applications permitting the Authority to participate in PLIGIT’s Term and Certificate of Deposit Investment Programs.*
  - *A motion was made by Mr. Vero and seconded by Mr. Calvert to approve signing the applications for PLIGIT’s Term and Certificate of Deposit Investment Programs.*

**12. OLD BUSINESS**

- A. PAWC Confidentiality Agreement Update
- *Mr. Sybert said there is nothing new to report. The Confidentiality Agreement is set to expire on June 30, 2022.*

**13. NEW BUSINESS**

- A. Consider Proposed Rate Increases
- *Mr. Sybert made a motion that any rate increase for July 1 will be tabled until the June meeting so that the Authority can conduct their annual budget review and evaluate any other related resources that are currently pending. The motion was seconded by Mr. Calvert. Motion approved 5-0.*
- B. Letter of Appreciation from Center Twp. Board of Supervisors
- *Mr. McKee referenced a letter sent to the Authority from Center Township thanking the sewer field crew for the using the vactor truck to help clear a 15” storm drain.*

**14. PUBLIC COMMENT: NON-AGENDA ITEMS (Time Limit – 5 Minutes)**

- *None*

**15. EXECUTIVE SESSION**

- *Moved to Item 5*

**16. ADJOURNMENT**

- *A motion was made by Mr. Sybert and seconded by Mr. Braden to adjourn the Regular Meeting at 10:42 a.m. Motion approved 5-0.*

  
Secretary

5/10/22  
Date

**BUTLER AREA SEWER AUTHORITY  
MINUTES OF THE MAY 10, 2022 REGULAR MEETING**

---

**NEXT MEETING: TUESDAY, JUNE 14, 2022 at 9:00 A.M.  
BASA AUTHORITY OFFICE, 100 LITMAN ROAD, BUTLER, PA**

