

BUTLER AREA SEWER AUTHORITY
MINUTES OF THE FEBRUARY 14, 2023 ANNUAL MEETING

The annual meeting of the Butler Area Sewer Authority (BASA) Board was held on Tuesday, February 14, 2023 at 9:00 a.m. at the Authority office located at 100 Litman Road, Butler, PA.

Authority Board Members Present:

- *Paul F. Sybert, Chairman*
- *Mavrik W. Goepfert, Treasurer*
- *Fred M. Vero, Vice Chairman*

Authority Board Members Absent:

- *Steven C. Braden, Assistant Secretary and Treasure*
- *Lance R. Calvert, Secretary*

Staff, Consultants and Guests Present:

- *Duane McKee, Executive Director*
- *Evan Oswald, Superintendent of Engineering Services*
- *Virginia Ferderber, Finance Director*
- *Michael Hnath, Dillon McCandless King Coulter & Graham - Authority Solicitor*
- *Collin Lampark, Hatch - Consulting Engineer*
- *Paula Grubbs, Butler Eagle*

1. WELCOME

2. CALL TO ORDER

- *Mr. Sybert called the meeting to order at 9:04 a.m.*

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

- *None*

4. ELECTION OF OFFICERS

- *Mr. Sybert turned the meeting over to Mr. Hnath to conduct the business of the election of officers.*
- *Mr. Hnath suggested that if the Board wanted to re-elect the current slate of officers, it could do so by a Board member making a motion to re-elect the current officers by acclamation. All the Board members indicated their willingness to have the current officers continue to serve in their current capacities.*
- *A motion to re-elect the current slate of officers by acclamation was made by Mr. Vero and seconded by Mr. Goepfert. Motion approved 3-0.*
- *Mr. Hnath turned the meeting back over to Mr. Sybert.*

5. APPOINTMENT OF SOLICITOR (Prior Year: Dillon McCandless King Coulter & Graham)

- *Mr. Hnath informed the Board that there was a \$5 per hour rate increase for 2023.*

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- *A motion was made by Mr. Goepfert, seconded by Mr. Vero, to approve the reappointment of Dillon McCandless King Coulter & Graham with the adoption of the \$5 per hour increase, \$195 per hour, as the Authority Solicitor. Motion approved 3-0.*
- 6. APPOINTMENT OF CONSULTING ENGINEER (Prior Year: Hatch Engineers)**
- *A motion was made by Mr. Vero, seconded by Mr. Goepfert to approve the reappointment of Hatch Engineers, as the consulting engineer for the Authority. Motion approved 3-0.*
- 7. APPOINTMENT OF AUDITOR (Prior Year: Maher Duessel)**
- *A motion was made by Mr. Goepfert and seconded by Mr. Vero to approve the reappointment of Maher Duessel as the Authority's Auditor. Motion approved 3-0.*
- 8. APPOINTMENT OF INSURANCE CONSULTANT (Prior Year: Bailey Raabe & Associates)**
- *A motion was made by Mr. Vero and seconded by Mr. Goepfert to approve the reappointment of Bailey Raabe & Associates as the Authority's insurance consultant. Motion approved 3-0*
- 9. APPOINTMENT OF FINANCIAL ADVISOR (Prior Year: Jay Wenger, RBC Capital Markets.)**
- *A motion was made by Mr. Goepfert and seconded by Mr. Vero to approve the appointment of Jay Wenger, now with RBC Capital Markets, as the Authority's Financial Advisor. Motion approved 3-0.*
- 10. APPROVAL OF MINUTES**
- A. January 10, 2023 Regular Meeting
- *A motion to approve the January 10, 2023 meeting minutes was made by Mr. Vero and seconded by Mr. Sybert. Motion approved 3-0.*
- 11. APPROVAL OF WARRANTS/OTHER PAYMENTS**
- B. Invoice Warrant Lists of January 11, 2023 (ACH - \$50,540.42), January 17, 2023 (\$122,990.20), January 27, 2023 (\$53,487.98), January 31, 2023 (Capital - \$1,000), February 3, 2023 (\$37,645.57), February 14, 2023 (Capital-\$53,725.60), February 14, 2023 (\$150,645.7)
- *Ms. Ferderber reviewed the warrants listed above.*
 - *A motion was made by Mr. Goepfert and seconded by Mr. Vero to approve the warrants listed. Motion approved 3-0.*
- 12. FINANCE DIRECTOR'S REPORT**
- A. Authority Fund Statements and Budget Report – January 31, 2023
- *Ms. Ferderber reviewed the Authority Fund Statements and Budget Report for the month of January.*
- B. Corrected Authority Fund Statement and Budget Report – December 31, 2022

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- *Ms. Ferderber reviewed the December 31, 2023 Fund Statement. There was an error calculating the total revenues on page 4, highlighted in yellow. All of the other numbers are accurate.*

C. Investment Update

- *Ms. Ferderber informed the Board that two investments totaling \$500,000 had matured during the month of January. There will be no new investments this year.*

13. OPERATIONS REPORTS

A. Plant Superintendent's Operations Report – January 2023

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

B. Field Superintendent's Operations Report- January 2023

- *See above.*

C. Realty Transfer I&I Inspection's Report – January 2023

- *See above.*

D. Engineering Services Report – January 2023

- *See above.*

E. Sewer Tap-In Report – January 2023

- *Mr. McKee reviewed the sewer tap-in report for January 2023. There were two sewer tap permits issued two residential and two no fee permits for repairs.*

F. Discharge Monitoring Report – December 2022

- *Mr. McKee reported that the wastewater treatment plant was in full compliance with all the NPDES Permit discharge limits and monitoring requirements during December 2022. The plant's average daily flow was 6.437 MGD.*
- *Mr. McKee informed the Board that there were no wet weather overflows in December 2022.*

14. CONSULTING ENGINEERS' REPORTS

A. Authority Engineer's Monthly Report

- *Mr. Lampark said the consultant 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 - January 2023

- *Mr. Oswald informed the Board that HRG continues to work on drawings and permitting. The project is on schedule.*

15. FISCAL AND CONTRACTING MATTERS

A. Consider Awarding Memorial Park Sanitary Sewer Emergency Repair – Hiles Excavating, \$51,975

- *Mr. Oswald requested the Board award the low bid to Hiles Excavating in the amount of \$51,975.*

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- *A motion was made by Mr. Vero and seconded by Mr. Goepfert to award the Memorial Park Sanitary Sewer Emergency repair to Hile Excavating in the amount of \$51,975. Motion approved 3-0.*
- B. Consider Purchase from DRV Incorporated, Duplex VFD Panel for Garden Grove Pump Station, Costars #016-E22-197, \$22,300
 - *Mr. McKee requested the Board approve the purchase of a Duplex VFD Panel for the Garden Grove Pump Station from DRV Incorporated in the amount of \$22,300. This is a Costars purchase.*
 - *A motion was made by Mr. Sybert and seconded by Mr. Vero to approve the Costars purchase of a Duplex VFD panel from DRV Incorporated in the amount of \$22,300. Motion approved 3-0.*
- C. Consider Awarding Geomechanics Inc, the Geotechnical Services for the CAP Pump Station Designs, \$28,300
 - *Mr. Oswald requested the Board approve the proposal from Geomechanics Inc. to perform geotechnical services for the six-pump stations in the CAP design in the amount of \$28,300.*
 - *A motion was made by Mr. Goepfert and seconded by Mr. Vero to approve Geomechanics Inc. to perform the geotechnical services for the six pump stations in the CAP design for \$28,300. Motion approved 3-0.*
- D. Request Authorization to Advertise a Bid for Fairlane Drive Sewer Improvement, Estimated Cost \$75,090
 - *Mr. Oswald requested the Board authorize the advertisement for the bids for the Fairlane Drive Sewer Improvements project. The project has an estimated cost of \$75,090.*
 - *A motion was made by Mr. Sybert and seconded by Mr. Vero to approve the advertisement of the bid for the Fairlane Drive Sewer Improvements Project with the estimated cost of \$75,090. Motion approved 3-0.*

16. OLD BUSINESS

- A. Municibid Online Auction Results
 - *Mr. McKee reviewed the auction results with the Board. And asked the Board to authorize the sale of two items that did not meet the reserve price. The 2012 Ford E-350 van and Baldor EM2332T electric motor came in lower than expected. The used car market is very volatile, and the value of used vehicles is lowering. The motor is valued only as scrap metal, so the value is driven by the scrap metal market.*
 - *A motion was made by Mr. Vero and seconded by Mr. Sybert to approve selling the 2012 Ford E-350 van and Baldor Em2332T electric motor at the auction price received. Motion approved 3-0.*
- B. Request Authorization to Advertise an On-Line Auction of Surplus Vehicles and Equipment with Municibid
 - *Mr. McKee requested the Board authorize the advertisement of an online auction for several items that did not sell at the previous auction.*

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- *A motion was made by Mr. Vero and seconded by Mr. Sybert to approve the advertisement of surplus vehicles and equipment on the online auction with Municibid. Motion approved 3-0.*

17. NEW BUSINESS

A. Realty Transfer Inspection Dispute, 219 Penn Ave, Lyndora, Jay Wagner

- *Mr. Wagner's attorney spoke with Mr. Hnath yesterday, the issue was resolved, and Mr. Wagner will not be attending the meeting.*

B. Consider Approving Resolution No. 02-14-2023-1, Schedule of Fees

- *Mr. McKee requested that Resolution No. 02-14-2023-1, the Schedule of fees be approved. The only change is the \$5 per hour increase to the legal fee section.*
- *Mr. McKee reported that item 17B.1 in the Board package was created to address the Dutchtown Road surcharge. After a brief discussion Item 17B.1 was tabled until the full complement of Board members is present to discuss.*
- *A motion was made by Mr. Vero and seconded by Mr. Sybert to approve Resolution No. 02-14-2023-1, Schedule of Fees. Motion approved 3-0.*

C. Consider Approving Resolution No. 02-14-2023-2, Declaration of Taking

- *Mr. Hnath explained that there are several property acquisitions necessary for the CAP project. He is confident that a price can be agreed to with the property owners for the purchase of the property, but this declaration of taking will allow the Authority to condemn the property if an agreement cannot be reached.*
- *The Authority has obtained Nicklas King appraisal service to assess the property.*
- *A motion was made by Mr. Goepfert and seconded by Mr. Vero to approve Resolution No. 02-14-2023-2 for the declaration for taking the property necessary for the CAP project. Motion approved 3-0.*

D. Consider Approving Resolution No. 02-14-2023-3, Records Disposition

- *Mr. McKee requested the Board authorize Resolution No. 02-14-2023-3 for the disposition of records. This is an annual item the Authority does to destroy old files. All of the files intended for destruction are listed on the Resolution.*
- *A motion was made by Mr. Sybert and seconded by Mr. Vero to approve Resolution No. 02-14-2023-3 for the disposition of records. Motion approved 3-0.*

E. Consider Approving Sewer Right of Way Agreement for 105 Morton Ave. with Butler Area Sewer Authority

- *This item was tabled by the Board.*

F. Consider Approving Sewer Easement Agreement for Tax Parcel 053-14-11, Butler with Hospitality Group, Inc.

- *Mr. Hnath requested the Board approve the Easement Agreements listed as items F through K. Staff found that a sewer main located along S. Main Street did not have a recorded easement.*

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- *A motion was made by Vero and seconded by Mr. Goepfert to approve the sewer easements agreements for tax parcel 053-14-11, 711, 721, 717, 725 S. Main Street and 140 West North Street. Motion approved 3-0.*

G. Consider Approving Sewer Easement Agreement for 711 S. Main Street, Butler with Stephen & Tiffany Harkleroad.

- *See Item F*

H. Consider Approving Sewer Easement Agreement for 721 S. Main Street, Butler with Clair Boring

- *See Item F*

I. Consider Approving Sewer Easement Agreement for 717 S. Main Street, Butler with Barbara E. Walter

- *See Item F*

J. Consider Approving Sewer Easement Agreement for 140 West North Street, Butler with City of Butler

- *See Item F*

K. Consider Approving Sewer Easement Agreement for 725 S. Main Steet, Butler with Cody Clark

- *See Item F*

L. Consider Approving Common Interest Agreement with PAWC, City of Butler and Township of Butler

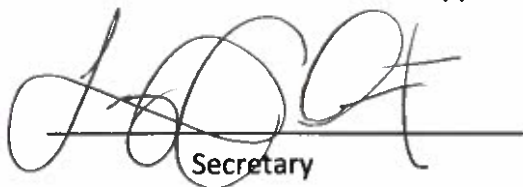
- *Mr. Hnath reviewed the Common Interest Agreement between PAWC, the City of Butler and the Township of Butler. The Agreement would be retroactive back to January 1, 2023.*
- *A motion was made by Mr. Vero and seconded by Mr. Goepfert to approve the Common Interest Agreement between PAWC, the City of Butler and the Township of Butler, retroactive to January 1, 2023. Motion approved 3-0.*

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

- *None*

19. ADJOURNMENT

- *A motion was made by Mr. Sybert and seconded by Mr. Vero to adjourn the Meeting at 9:27 a.m. Motion approved 3-0.*


Secretary

3-14-2023
Date

NEXT MEETING: TUESDAY, MARCH 14, 2023 at 9:00 A.M.
BASA AUTHORITY OFFICE, 100 LITMAN ROAD, BUTLER, PA