

**BUTLER AREA SEWER AUTHORITY**  
**MINUTES OF THE AUGUST 8, 2023 REGULAR MEETING**

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The regular meeting of the Butler Area Sewer Authority (BASA) Board was held on Tuesday, August 8, 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*
- *Fred M. Vero, Vice Chairman*
- *Mavrick W. Goepfert, Treasurer (via videoconference)*
- *Steven C. Braden, Assistant Secretary and Treasurer*
- *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*
- *William Pitts, Butler Eagle*
- *Tom Wyatt, Obermayer (via videoconference)*

**1. WELCOME**

**2. CALL TO ORDER**

- *Mr. Sybert called the meeting to order at 9:03 a.m.*

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

- *None*

**4. APPROVAL OF MINUTES**

A. July 11, 2023 Regular Meeting

- *A motion to approve the July 11, 2023 meeting minutes was made by Mr. Braden and seconded by Mr. Calvert. Motion approved 5-0.*

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

A. North Hill COG 2022-2023, Periodic Estimate No. 5, Manhole Rehabilitation & CCTV, (State Pipe Services, Inc.), \$107,236.92

- *Mr. Oswald requested the Board approve payment No. 5 for the North Hills COG 2022-2023, manhole rehabilitation & CCTV work to State Pipe Services in the amount of \$107,236.92*
- *A motion was made by Mr. Vero and seconded by Mr. Braden to approve payment No. 5 for the North Hills COG 2022-2023, manhole rehabilitation & CCTV work to State Pipe Services in the amount of \$107,236.92. Motion approved 5-0.*

B. Contract 2022-6, Payment No. 1, Fairlane Drive Sewer Improvements Project, (Roto-Rooter Services Company), \$46,801.75

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- *Mr. Oswald requested the Board approve partial payment No. 1 for the Fairlane Drive Sewer Improvements Project Contract 2022-6 to Roto-Rooter Services in the amount of \$46,801.75.*
  - *A motion was made by Mr. Braden and seconded by Mr. Calvert to approve partial payment No. 1 for the Fairlane Drive Sewer Improvements Project, Contract 2022-6 to Roto-Rooter Services in the amount of \$46,801.75. motion approved 5-0.*
- C. Invoice Warrant Lists of July 12, 2023 (ACH \$56,534.26), July 18, 2023 (\$125,054.13), July 28, 2023 (\$140,375.19), July 28, 2023 (Capital- \$3,000), August 8, 2023 (\$6,936.79), August 8, 2023 (\$88,464.66), and August 8, 2023 (Capital - \$180,426.27)
- *Ms. Ferderber reviewed the warrants listed above.*
  - *A motion was made by Mr. Vero and seconded by Mr. Calvert to approve the warrants listed. Motion approved 5-0.*

**6. FINANCE DIRECTOR'S REPORT**

A. Authority Fund Statements and Budget Report – July 31, 2023

- *Ms. Ferderber reviewed the Authority Fund Statement and Budget Report for the month of July.*

B. Update on Investments

- *Ms. Ferderber updated the Board on the current investments. There is one investment due to mature on August 24, 2023. No new investments are being made. The investment summary is in the Board package.*

**7. OPERATIONS REPORTS**

A. Plant Superintendent's Operations Report – July 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- July 2023

- *See above.*

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

- *See above.*

D. Engineering Services Report – July 2023

- *See above.*

E. Sewer Tap-In Report – July 2023

- *Mr. McKee reviewed the sewer tap-in report for July 2023. There were three sewer tap permits issued, two inspections only and one repairs no fee.*

F. Discharge Monitoring Report – June 2023

- *Mr. McKee reported that the wastewater treatment plant was in full compliance with all the NPDES Permit discharge limits and monitoring requirements during June 2023. The plant's average daily flow was 4.149 MGD.*
- *There were no overflows in the month of June.*

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**8. 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 - July 2023**

- *Mr. Oswald informed the Board that HRG's updated progress report was in their Board package and asked if there were any questions.*
- *The Board had no questions.*

**9. FISCAL AND CONTRACTING MATTERS**

**A. Municipal Benefits Services Rate Mitigation (RMA) Expense Reimbursement Request**

- *Mr. McKee requested the Board approve the application for a rate mitigation expense reimbursement from MBS in the amount of \$9,904.*
- *A motion was made by Mr. Sybert and seconded by Mr. Braden to approve submitting the application for reimbursement of expenses for MBS in the amount of \$9,904. Motion approved 5-0.*

**B. Consider \$100.00 Donation to the Butler Township Volunteer Fire District**

- *A motion was made by Mr. Braden and was seconded by Mr. Calvert to approve the \$100 donation to the Butler Township Volunteer Fire District. Motion approved 5-0.*

**C. Consider Purchase from BissNuss Inc., Primary Clarifier Parts, Costars #016-109, \$57,971**

- *Mr. McKee requested the Board approve the purchase of the primary clarify parts for tank #4 from BissNuss in the amount of \$57,971.*
- *A motion by Mr. Vero and seconded by Mr. Braden to approve the purchase of the primary clarify parts for tank #4 from BissNuss in the amount of \$57,971. Motion approved 5-0.*

**D. Consider Purchase from Fournier Industries, 5,000 hr. Maintenance Labor and Parts, \$15,971.80**

- *Mr. McKee requested the Board approve the purchase of the 5000-hr. maintenance labor and parts proposal from Fournier Industries in the amount of \$15,971.80. This maintenance is for the rotary press.*
- *A motion was made by Mr. Calvert and seconded by Mr. Braden to approve the purchase of the 5000-hr. maintenance labor and parts proposal from Fournier Industries in the amount of \$15,971.80 for the rotary press. Motion approved 5-0.*

**E. Consider Purchase from Advance Instruments, ISCO 5800 Stationary Composite Sampler, \$10,874.**

- *Mr. McKee requested the Board approve the purchase of an ISCO 5800 stationary composite sampler from Advance Instruments in the amount of \$10,874.*
- *A motion was made by Mr. Sybert and second by Mr. Braden to approve purchase of an ISCO 5800 stationary composite sampler from Advance Instruments in the amount of \$10,874. Motion approved 5-0.*

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**F. Consider Motion to Approve a Settlement Agreement in the PUC Process and Amended Asset Purchase Agreement**

- *Mr. Hnath changed this agenda item to read: “Consider a Motion to approve the Joint Petition for Approval of Unanimous Settlement of All Issues in the PUC process and the First Amendment to Asset Purchase Agreement.”*
- *The Board, Mr. Hnath, Mr. McKee, Ms. Ferderber and Mr. Wyatt went into an executive session at 9:16 a.m. to discuss legal matters.*
- *The Board, Mr. Hnath, Mr. McKee, Ms. Ferderber and Mr. Wyatt returned to the general session at 9:43 a.m.*
- *A motion was made by Mr. Vero and seconded by Mr. Calvert to approve the Joint Petition for Approval of Unanimous Settlement of All Issues in the PUC process and the First Amendment to Asset Purchase Agreement. Motion approved 5-0.*

**10. OLD BUSINESS**

**A. Consider Approval Resolution No. 08-08-2023-1, Schedule of Fees**

- *Mr. McKee requested the Board approve Resolution No. 08-08-2023-1. The Schedule of Fees contained a rounding error in the multi-tenant fees section.*
- *A motion was made by Mr. Sybert and seconded by Mr. Calvert to approve Resolution No. 08-08-2023-1. Motion approved 5-0.*

**11. NEW BUSINESS**

**A. James Bush, 116 Irene Dr, Butler – Billing Dispute**

- *Mr. McKee reviewed the billing dispute submitted by James Bush at 116 Irene Drive, Butler. The Board was provided Mr. Bush’s email, late notice letter and account history.*
- *The Board and Mr. Hnath discussed the Authority policy on one time forgiveness. Ms. Ferderber informed the Board that Mr. Bush was granted a waiver of penalty and interest in 2022.*
- *A motion was made by Mr. Calvert and seconded by Mr. Vero to deny removing the penalty and interest from Mr. Bush’s bill. Motion approved 5-0.*

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

- *None*

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**13. ADJOURNMENT**

- *A motion was made by Mr. Vero and seconded by Mr. Calvert to adjourn the Meeting at 9:50 a.m. Motion approved 5-0.*

  
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Secretary

*9-12-2023*  
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Date

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