

BUTLER AREA SEWER AUTHORITY
MINUTES OF THE DECEMBER 12, 2023 REGULAR MEETING

The regular meeting of the Butler Area Sewer Authority (BASA) Board was held on Tuesday, December 12, 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*
- *Steven C. Braden, Assistant Secretary and Treasurer*
- *Mavrik W. Goepfert, Treasurer (arrived 9:10 a.m.)*

Absent:

- *Lance R. Calvert, Secretary*

Staff, Consultants and Guests Present:

- *Duane McKee, Executive Director*
- *Virginia Ferderber, Finance Director*
- *Michael Hnath, Dillon McCandless King Coulter & Graham - Authority Solicitor*
- *Collin Lampark, Hatch - Consulting Engineer*
- *Eddie Trizzino, Butler Eagle*
- *Drew Miller, 3-5 Meadow Avenue*

1. CALL TO ORDER

- *Mr. Sybert called the meeting to order at 9:00 a.m.*

2. ANNOUNCEMENTS OF EXECUTIVE SESSIONS

- *Mr. Sybert announced that an executive session was held. Members of the Board and Staff met in an executive session on December 5, 2023, from 9:00 a.m. to approximately 9:30 a.m. to discuss personnel matters.*

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

- *Item 11 -E, 3-5 Meadow Avenue, Drew Miller- Billing Dispute*
- *Mr. Sybert welcomed Mr. Miller, the representative for 3-5 Meadow Avenue.*
- *Mr. Miller indicated that the house was vacant. One of them even has the sewer disconnected. He is not sure there are even water pipes in them.*
- *Mr. Miller asked that the Board forgive the nearly \$2,000 in sewer bills. Adding a request for a construction credit that would wipe the account free.*
- *Mr. Sybert asked Mr. Miller if he has been in front of the Board before.*
- *Mr. Miller said yes, a few years ago.*
- *Mr. Sybert asked staff if they could inspect the homes and get back to the Board.*
- *Mr. McKee indicated that would not be a problem.*
- *Mr. Miller asked if the Authority had his phone number, and informed the Board that he would make himself available.*
- *Mr. Oswald said yes, we have the number.*
- *Mr. Sybert informed Mr. Miller that after Staff completes the inspection and reports back to the Board the Authority would get back to him with a response.*

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4. APPROVAL OF MINUTES

A. November 14, 2023 Regular Meeting

- *A motion to approve the November 14, 2023 meeting minutes was made by Mr. Braden and seconded by Mr. Vero. Motion approved 3-0.*

5. APPROVAL OF WARRANTS/OTHER PAYMENTS

A. Contract 2021-03, Payment #4, Rock Lick Creek Pump Station Upgrade Project, (Utility Contracting), \$24,731.39

- *Mr. Oswald requested the Board approve the request for payment #4, a final payment, in the amount of \$24,731.39.*
- *A motion was made by Mr. Sybert and seconded by Mr. Vero to approve final payment #4 in the amount of \$24,731.39 for the Rock Lick Creek Pump Station Upgrade Project to Utility Contracting. Motion approved 3-0.*

B. Invoice Warrant Lists of November 14, 2023 (ACH \$53,357.39), November 21, 2023 (\$43,274.83), November 30, 2023 (Capital - \$9,382.50), November 30, 2023 (\$96,922.20), December 12, 2023 (\$274,279.90), and December 12, 2023 (Capital - \$522.75)

- *Ms. Ferderber reviewed the warrants listed above.*
- *A motion was made by Mr. Vero and seconded by Mr. Braden to approve the warrants listed. Motion approved 3-0.*

6. FINANCE DIRECTOR'S REPORT

A. Authority Fund Statements and Budget Report – November 30, 2023

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

7. OPERATIONS REPORTS

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

- *See above.*

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

- *See above.*

D. Engineering Services Report – November 2023

- *See above.*

E. Sewer Tap-In Report – November 2023

- *Mr. McKee reviewed the sewer tap-in report for November 2023. There were three sewer tap permits issued, one commercial and two residential.*

F. Discharge Monitoring Report – October 2023

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- *Mr. McKee reported that the wastewater treatment plant was in full compliance with all the NPDES Permit discharge limits and monitoring requirements during October 2023. The plant's average daily flow was 4.3 MGD.*
- *There were no overflows in the month of October.*

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 the Board had any questions. The Board had no questions.*

B. CAP Update – HRG's Progress Report – November 2023

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

9. FISCAL AND CONTRACTING MATTERS

A. Consider Non-Union Wages for 2024

- *Mr. McKee informed the Board that the recommended cost of living increases for the non-union employees was in their Board package and asked that the item be discussed in executive session.*
- *Mr. Sybert agreed the item would be discussed in executive session and the Board would return to the regular meeting to make a motion on the proposed wages for the non-union employees.*

B. Consider Approval of FNB Investment Policy Statement

- *Mr. Hnath reviewed the FNB Investment Policy Statement for the OPEB Trust being developed for the postretirement healthcare with the Board.*
- *A motion was made by Mr. Braden and seconded by Mr. Vero to approve the FNB Investment Policy Statement. Motion approved 3-0.*

C. Consider Approval of Operation and Maintenance Agreement for Stormwater Management Best Management Practices with Butler Twp. for Greenwood Pump Station

- *Mr. McKee asked the Board to approve the Operations and Maintenance Agreement for Stormwater Best Management Practices with Butler Township for the Greenwood Pump Station.*
- *A motion was made by Mr. Sybert and seconded by Mr. Vero to approve the Operations and Maintenance Agreement for Stormwater Best Management Practices with Butler Township for the Greenwood Pump Station. Motion approved 4-0.*

D. Consider Approving Canadian National Railroad Consent to Assignment of License agreement from BASA to PAWC.

- *Mr. McKee asked the Board to approve the Canadian National Railroad Consent to Assignment to transfer the license agreement from BASA to PAWC. This request is pending the closing of the sale of BASA to PAWC.*

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- *A motion was made by Mr. Sybert and seconded by Mr. Vero to approve the Canadian National Railroad Consent to Assignment to transfer the license agreement from BASA to PAWC. This request is pending the closing of the sale of BASA to PAWC. Motion approved 4-0.*

E. Consider Approving Extending D&O Coverage- Mitchell Insurance

- *See Item 9F.*

F. Consider Approving Discontinued Operations Insurance- Mitchell Insurance

- *Mr. McKee asked the Board to approve extending the D&O Insurance and new liability insurance or Discontinued Operations Insurance, Items E and F, pending the sale of BASA to PAWC.*
- *Mr. McKee informed the Board that Mitchell Insurance recommended the three years of coverage, the Authority can cancel at any time.*
- *A motion was made by Mr. Braden and second by Mr. Vero to approve extending the D&O Insurance and new liability insurance or Discontinued Operations Insurance, Items E and F, pending the sale of BASA to PAWC. Motion approved 4-0.*

10. OLD BUSINESS

- *None*

11. NEW BUSINESS

A. Establish Board Meeting Dates for 2024

- *Mr. McKee suggested that the motion to approve the 2024 meeting dates be structured so that the location of the meeting can be moved to the Butler Township Building if the sale of BASA to PAWC takes place before the new year.*

B. Authorize Advertisement of 2024 Board Meeting Dates

- *A motion was made by Mr. Braden and seconded by Mr. Vero to approve advertising the 2024 meeting dates. Allowing the location of the meeting to be at the Authority office if the sale is not complete prior to the new year and the meetings held at the Butler Township building if the sale is completed before the new year. Motion approved 4-0.*

C. Consider Approving Grinder Pump Agreement for Jase Holdings, LLC at 692 East Butler Road, Butler

- *Mr. Oswald asked that the Board approve the private grinder pump agreement for Jase Holdings located at 692 East Butler Road, Butler. The document ensures the agreement is attached to the parcel and that the grinder pump is private.*
- *A motion was made by Mr. Sybert and seconded by Mr. Braden to approve the private grinder pump agreement for Jase Holdings located at 692 East Butler Road, Butler. Motion approved 4-0.*

D. Motion to Approve the AFSCME Memorandum of Understanding for Collective Bargaining Agreement - One Year Extension 2024

- *Mr. Hnath reviewed the memorandum of understanding providing for a one-year extension to the collective bargaining agreement.*

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- A motion was made by Mr. Vero and seconded by Mr. Braden to approve the AFSCME Memorandum of Understanding for Collective Bargaining Agreement a one year extension for 2024. Motion approved 4-0.

E. 3-5 Meadow Avenue, Drew Miller- Billing Dispute

- See Public Comment on Agenda items- Item 3.

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

- None

13. EXECUTIVE SESSION: PERSONNEL and LEGAL MATTERS

- Mr. Sybert, Mr. Vero, Mr. Braden, Mr. Goepfert, Mr. McKee, and Mr. Hnath went into an executive session from approximately 9:20 a.m. to 9:55 a.m. to discuss personal and legal matters.

14. RETURN TO REGULAR SESSION

- Mr. Sybert called the meeting back into session at 9:55 a.m.
- A motion was made by Mr. Sybert and seconded by Mr. Vero to approve the nonunion wages for 2024. Motion approved 4-0.

15. ADJOURNMENT

- A motion was made by Mr. Sybert and seconded by Mr. Goepfert to adjourn the meeting at 10:00 a.m. Motion approved 4-0.



Secretary

1-9-2023

Date

NEXT MEETING: TUESDAY, JANUARY 9, 2024 at 9:00 A.M. WITH LOCATION TO BE DETERMINED AFTER CLOSING FOR THE SALE OF BASA TO PAWC IS COMPLETED

