

## MINUTES OF THE MEETING

A meeting of The Municipal Authority of the Borough of Lewistown was held at 70 Chestnut St., Lewistown, a teleconference option was offered due to COVID social distancing restrictions.

<b><u>BOARD MEMBERS PRESENT:</u></b>	Bargo, Berrier, Miller, Rager, Rocco
<b><u>BOARD MEMBERS ABSENT:</u></b>	None
<b><u>BOARD MEMBERS LATE:</u></b>	None
<b><u>OTHERS PRESENT:</u></b>	Bubb, Gaines, Hassinger, Searer, Ward
<b><u>OTHERS ABSENT:</u></b>	None
<b><u>OTHERS LATE:</u></b>	None
<b><u>PUBLIC PRESENT:</u></b>	Booher, Baker, Semler

### **REORGANIZATION:**

Mr. Rocco made a statement to the Board and attendees prior to the reorganization.

Mr. Searer conducted the reorganization.

A Berrier motion was made to approve the nomination of Rager as Chairman. The motion passed 3-1 (Rocco-Abstain, Bargo-No).

A Bargo motion was made to approve the nomination of Rocco as Chairman. Mr. Rocco declined.

A Miller motion was made to approve the nomination of Berrier as Vice-Chairman. The motion passed 3-2 (Rocco, Bargo-Abstain).

A Berrier motion was made to approve the nomination of Miller as Secretary/Treasurer. The motion passed 4-1 (Rocco-Abstain).

A Berrier motion was made to approve the nomination of Ward/Uni-tech as Engineer. The motion passed unanimously.

A Berrier motion was made to approve the nomination of Miller/Kistler/Campbell as Solicitor at \$225/hr. with an increase of \$100/hr. the chairman to a sign and engagement letter instructing the former solicitor to turn over all records. Discussion was held on the change of the solicitor. The motion passed with a rollcall vote of 3-2 (Rocco, Bargo-No).

### **PUBLIC COMMENT:**

Mr. Brent Erb (teleconference) declares that he is disappointed in the meeting and in the dissolution of the MOU.

Ms. Kay Semler asks about the recent newspaper article, the representation of other municipalities on the board, and the loss of control of the water authority if sold to a private corporation.

Mr. Keith Booher questions the total revenue for the Water Authority and any requirements to hold a seat on the Authority Board.

Mr. Mark Baker states he was in support of the County-wide authority. Also, declared that Mr. Bubb does an outstanding job and does not see the benefit with a new solicitor.

Mr. Bill Gomes (teleconference) says he thought the Borough and MABL had an understanding in 2020 and questioned if the Borough was using the Act 47 to attempt to use MABL to stabilize its own finances.

Ms. Mary Herto (teleconference) expresses that Ms. Miller does not represent Granville Township on the Board.

### **READING OF THE MINUTES:**

A Berrier/Miller motion was made to approve the 12/16/20 minutes as presented. The motion passed unanimously.

### **TREASURER'S REPORT:**

The Treasurer's Report was presented.

Berrier questioned if there were any payables that need to be put in. Hassinger states there will be some accruals that they typically do a journal entry. Hassinger said that it was prepared preaudit, so they were made

to serve at the year-end entries. Berrier questioned if there would be any more cash transactions going out. Hassinger replied no. The budget report was approved unanimously on a Miller/Berrier motion. Rager questioned if the Cozen O'Conner invoice from 12/17/2020 was paid at the last meeting. Berrier stated that he requested bills and was denied. The funds for the bills were transferred shortly after. Bubb states they were instructed by Cozen O'Conner not to give the information due to details of litigation in the narrative. Berrier responds stating the bills will be reviewed because he suspected they were not correct. Berrier questioned if there were more legal bills for the voucher report. Hassinger states the voucher report as final. Nothing else would be added because it would show up on the next voucher report. Hassinger stated she did have an addition and there will be an amendment to the agenda for the Cozen O'Conner bill that arrived 1/20/21.

A Miller/Rocco motion was made to approve the voucher report. The motion passed with a rollcall vote of 3-2 (Rocco, Bargo-No).

A Berrier/Miller was made to amend the motion to exclude the Tucker Aaronsburg invoice for \$1,313.66 before it was to be paid. The voucher report was approved unanimously.

A Berrier/Miller was made to defer paying the Cosen O'Conner bill until review. The motion passed with a roll call vote of 3-2 (Rocco-Abstain, Bargo-No).

### **OFFICE MANAGER'S REPORT:**

Hassinger presents her written report.

A Berrier/Miller motion was made to approve the incumbency certification. The motion passed unanimously.

A Bargo/Miller motion was made to approve Depository Resolution 1-2021. Rager questioned how many signatures are required to sign and if it was a requirement for everyone to sign. Hassinger states it gave more opportunity for signatures for checks.

A Berrier/Miller motion was made to approve the organizational chart. The motion passed unanimously.

A Bargo/Berrier motion was made to approve Policy #884. The motion passed unanimously.

Hassinger reported that penalties were still not being applied due to Covid-19 and the Software upgrade has a proposed schedule for Q2.

Hassinger stated she needs to submit the annual PMAA roster.

### **EXECUTIVE DIRECTOR'S REPORT:**

Bubb presented the Laurel Creek Water Treatment Plant Report by Matthew Castel.

Bubb presented his written report.

There is a new "lot Addition" proposed for 244 N Walnut St. for Alan Auman. They are requesting new service from this new water line.

2<sup>nd</sup> Street Milroy, Brown's Addition – Project complete, 9 service line replacements

Oakland Avenue, Lewistown – the last house on the left of the street having discolored water. MABL will replace the 4" Cast Iron main with 400' of 2" HDPE pipe in the coming weeks and new 10 Services.

Olde Carriage Crossing - Still waiting on the developer to get started.

MCS Bank, Milroy, 8 lot subdivision in Milroy, Lucas Parkes has everything, and they are waiting on signature for extension.

Shelly Drive- Still waiting on work to started. Extension signed and waiting on terms of agreement.

Pleasant Acres West – Started working on the terms of agreement with Mike Buffington. Drawings have been submitted.

SCADA system upgrade – hardware installed and there are 3 bugs left to work out. There is programing issues.

Lewistown waterline replacement – Utility coordination meeting is scheduled for 12/22/20 to discuss the project.

Ozon System – Generator replacement by Pureflow. The parts have arrived, and they are waiting on the install. This install should happen soon.

Railroad Crossing at Juniata Terrace – Issues with the Permit was denied. They are being asked to reconstruct the line.

The Bargo/Miller motion was made to give Mr. Craig Bubb permission to sign for the F750 dump truck. The motion passed unanimously.

Bubb recognized Jesse Jones as Employee of the month. Bubb thanked Jesse for stepping up and taking on a leadership role.

### **ENGINEER'S REPORT:**

Ward presented his written report.

Annual inspection report turned in for DEP.

**SOLICITOR'S REPORT:**

Gaines, Miller, Kistler & Campbell, had nothing to report.

**OLD BUSINESS:**

A Berrier/Miller motion was made to direct Miller, Kistler & Campbell to enter its appearance of behalf of MABL in the litigation. The motion passed 4-1 (Rocco-No).

A Berrier/Miller motion was made to terminate Cozen O'Connor and Tucker Arensburg's representation of MABL. The motion passed 4-1 (Rocco-No).

A Berrier/Miller motion was made to direct Miller, Kistler & Campbell to withdraw the previously filed Emergency Motion to Enforce Settlement Agreement and Memorandum of Understanding. The motion passed 3-2 (Rocco-No, Bargo-No).

**NEW BUSINESS:**

A Berrier/Rager (stepped down) motion was made to readvertise the meeting schedule. With the committee meetings at 1:00 p.m. and the board meetings at 1:30 p.m. The motion passed unanimously.

A Miller/Berrier motion was made to pay the BRIF REQUISITION 2021-1 in the amount of \$166,576.33. The motion passed unanimously.

A Berrier/Miller motion was made to approve the Baker Tilly Audit Engagement Letter. The motion passed unanimously.

**EXECUTIVE SESSION:**

Board went into executive session at 2:55 p.m. for personnel matters.

Rocco left the meeting at 2:57 p.m.

Board came out of executive session at 3:21 p.m.

A Berrier/Miller motion was made to give authority to Rager & Berrier to talk to the Borough of Lewistown about pending litigation negotiations. The motion passed unanimously. Bubb questioned how this would affect litigation with the board ending litigation. Also, PMAA still has a suit against the Borough of Lewistown. Berrier stated that it would be between the Borough and PMAA and he does not appreciate PMAA involving themselves the MABL business.

Berrier questioned when the dues for PMAA was paid. Hassinger stated they were due at the beginning of the year.

A Berrier/Rager (stepped down) motion was made to not join the PMAA for 2021. The motion passed 3-1 (Bargo-No).

Berrier instructed Hassinger to inform PMAA they just lost a customer. Bubb stated that MABL joined the PMAA in 1944. Berrier asked in those years how many times had PMAA sued a chartering Municipality and Bubb should probably ask.

A Berrier/Rager (stepped down) motion was made that every employee is prohibited to go on Facebook and discussing MABL business or the business of the chartering municipality under penalty of immediate termination. The motion passed 3-1 (Bargo-No).

A Berrier/Miller motion was made that it is now an Authority policy that Bubb no longer has the authority to represent MABL in any capacity. Either Media, other governmental agencies, trade associations, etc. in no public capacity. The motion passed 3-1 (Bargo-No).

A Berrier/Miller motion was made that all company vehicles that are given to the employees to use are only for the use of company business and to be returned to the company headquarters at the end of the day.

The motion passed 3-1 (Bargo-No).

A Berrier/Miller motion was made that due to the Covid-19 pandemic that all employees working from home are subject to board approval. The motion passed 3-1 (Bargo-No).

**COMMITTEE REPORTS:** None

**CORRESPONDENCE:** None

A Berrier/Miller motion to adjourn the meeting at 3:28 p.m. was approved with no opposition.

Attested by:

Jennifer Miller  
Secretary

CC: Borough Manager via mail