

## MINUTES OF THE 05/19/2021 MEETING

A meeting of The Municipal Authority of the Borough of Lewistown was held at 70 Chestnut St., Lewistown, a Zoom teleconference option was offered due to COVID social distancing restrictions. The meeting was called to order at 1:00 p.m.

<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, Consiglio, Hassinger, Stoy
<b><u>OTHERS ABSENT:</u></b>	None
<b><u>OTHERS LATE:</u></b>	None
<b><u>PUBLIC PRESENT:</u></b>	Tony Willard – Kish Insurance Thomas Smida via Zoom Various Public Participants via Zoom Meeting

Tony Willard presented the PIRMA Risk Management Safety Award to MABL for 2020 and commended the employees for their diligence to the safety program. Willard presented the 2021 – 2022 PIRMA Property/Liability Insurance Policy renewal in the amount of \$54,927 which was \$464 less than the prior year premium. The last five (5) years premiums have been consistent with an actual increase in MABL property values. Willard gave a recommendation to include a cyber-crime policy increasing coverage from 10,000 to 100,000 for a three (3) year period at \$700 per year. This covers the area of cyber extortion crime and funds transfer fraud. A Bargo/Miller motion to approve the additional coverage for cyber-crime for three (3) years at \$700 each year was approved 5-0. A Miller/Berrier to approve the PIRMA Insurance renewal for 2021 – 2022 was approved 5-0.

### **PUBLIC COMMENT:**

None

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

A Berrier/Miller motion was made to approve the 04/21/21 minutes as presented. The motion passed 5-0.

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

The budget report was approved 5-0 on a Rager/Bargo motion.

The voucher report was approved 5-0 on a Miller/Rager motion.

January Tucker Arensberg January invoice \$1,313.66

January Cozen O'Connor invoice \$9,189.71

Consiglio reported that all information from both legal firms has been received. He advised to table any action until the documents can be reviewed for specific information.

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

Hassinger's presented her written report.

The Q1 2021 Conrad Siegel actuary summary, monthly reports on overtime, meter testing, and aged accounts receivable were presented for review with no action required.

A COVID update was provided. The turn off moratorium will be lifted 6/1/21. A recommendation to waive the \$40 administrative service fee to customers and the \$20 service fee to Township and Boroughs for sewer turn offs was presented and discussed. A Berrier motion to not waive the fees died for a lack of a second to the motion. A Miller/Bargo motion to waive the \$40 and \$20 fee as discussed for a period of three (3) months June, July and August 2021 was approved 4-1 after a roll call vote. Rocco-Yes, Bargo-Yes, Berrier-No, Miller-Yes, Rager-Yes.

The new process for sewer turn off authorization has been communicated to each Township or Borough in an effort to streamline the process moving forward.

An update on the capital project of software upgrade to Finance and Payroll is moving forward with no issues. First phase of training is complete. Effective target date is still on track for 7/1/21.

Hassinger reported the material purchasing submission for the PA Coalition for Oral Health grant amount of \$11,703 was submitted. *Pennsylvania Department of Health through the Centers for Disease and Prevention*

*(CDC) of the U.S. Department of Health and Human Services (HHS) under Grant NU58DP006467: Using Surveillance Data and Evidence-based Interventions to Improve Oral Health Outcomes in Pennsylvania. This information or content and conclusions are those of the author and should not be construed as the official position or policy of, nor should any endorsements be inferred by CDC, HHS or the U.S. Government.*

The request for a 3-year history of unemployment records continues with the Department of Labor and Industry. Delays are expected in response due to high volume of claims. A Berrier/Miller motion to approve the requesting of the detailed history records to include a nominal fee was approved 5-0.

An update on the Filter Plant Operator was provided. One candidate declined the offer. Hunter Corbin started 5/17/21. There was no response from the trade website postings. Matt Castel will work with Mifflin County Academy of Science and Technology for recommendations from the graduating class.

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

Bubb presented his written report.

Bubb provided an update on the N Walnut St and Mann Avenue water main construction status. All projects are moving forward or toward completion with no major issues.

The material deposit for the water line extension at North Hills trailer court for a 2" connection and meter has been received. MABL will work with developer on tap location and make the service tap.

MCS Bank tap in Armagh Township is complete. The main extension project will be completed according to PA DOT specs to satisfy grant requirements.

The Geisinger Outpatient clinic plan was submitted for review. The old foundation will be removed and new building will be started. The site plan was attached for review.

Bubb gave an update on the Valley Street waterline replacement project. The preliminary drawings have been received for review. MABL will work with Uni-Tec to make any adjustments to the drawings and return a response to PA DOT.

The sodium hypochlorite system is up and running. The process is more efficient and provides more effective treatment. The old equipment is being dismantled.

Bubb nominated Matt Castel for employee of the month. Matt has worked well with all staff and engineering on the operational changes and increased monitoring at the Filter Plant.

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

Stoy presented the Engineer's written report.

He reported the SRBC comments for the submitted application are still pending.

Data was presented to DEP related to the water treatment plant filtration process of filter to waste to support the current process. The DEP recommended process would waste approximately 300,000 gallons of filtered water at every startup operation. DEP determined that the filters need to be filtered to waste when started after shutting down to avoid filter contamination risk. The MABL staff is moving forward with filtering to waste at every start up.

Stoy reported the water treatment turbidimeter replacement with updated Hach models is complete. DEP required a revision to the Operating Permit for this change. A Bargo/Miller motion to authorize the check for \$50 to DEP for the operational permit revision was approved 5-0.

An update and photos of the CCTV inspection of the waterline in Granville Township, was provided. The inspection was completed April 20, 2021. There was a small section under the railroad that the camera couldn't see. The information has been submitted to two (2) field professionals to give a work estimate and an opinion on the best pipe lining process.

Stoy updated the Valley Street project. Uni-Tec is working on drawings with profiles and a proposed layout.

The Uninterrupted Service Plan continues to move forward. The report is due to DEP by August 17, 2021 and a copy will be at the Filtration Plant for the operator's reference in emergencies.

#### **SOLICITOR'S REPORT:**

Consiglio discussed his activity related to a draft resolution for the bond refinance with Lewistown Borough.

The draft resolution was circulated for review prior to the meeting. The draft resolution was revised to accomplish the twin goals of both entities having legal interests in the assets of MABL; MABL and Lewistown Borough. The revision addresses the need for MABL to maintain funding options for capital improvements and the ability to do this independently. Section 3 of the draft resolution was read and Consiglio discussed the details of the procedure for future borrowing while preserving MABL's autonomous status with Lewistown Borough.

Rocco questioned the rationale behind refinancing the bonds through Lewistown Borough and expressed his opposition as an individual and stated the county in general was in opposition based on the recent election results. He stated moving forward with the draft resolution would be wrong and he encouraged the Board to do the right thing for the entire community. Rocco recommended using the existing Memorandum of Understanding that was initially agreed upon by all parties.

A detailed discussion on the financing options and mechanics of the draft resolution were discussed. Consiglio pointed out there would be no transfer of assets to Lewistown Borough with the draft resolution.

Berrier directed an inquiry to Consiglio stating the transaction was like a joint borrowing to take advantage of lower interest rates and save money for consumers and Lewistown Borough. Consiglio restated his goal with the draft resolution is to allow MABL to remain autonomous, keep the assets and enter into a subsidy agreement to satisfy Lewistown Borough's financial interest. Consiglio stated his actions are directed by the MABL Board.

Rocco stated MABL can use their credit rating and do the financing on their own and not refinance the PennVest loan that is currently at a lower interest rate than the refinancing interest rate. Smida provided input on the borrowing being part of a much larger project and explained how the existing fund balances would be used to finance payment to Lewistown Borough and even out the debt service payments.

Berrier asked Smida if MABL would get a more favorable rate using the Lewistown Borough as a conduit for borrowing verses MABL going out on our own? Smida stated Lewistown Borough would pledge full faith and taxing credit along with the subsidy agreement as security, the market looks upon both sources of collateral favorably. Rocco countered with the MABL borrowing capability being every bit as good as the Lewistown Borough and MABL can get the same refinancing or better without getting the Lewistown Borough involved. Rocco reiterated the voters have spoken and the people who were elected in the primary for Lewistown Borough Council will move forward toward a county wide solution. Rocco requested the actions be put on hold or tabled until the end of the year. Rager concurred with the idea of the actions being tabled. Consiglio agreed MABL can secure borrowing. Consiglio also pointed out the litigation that has transpired related to Lewistown Borough not getting a return on their statutory interest. Consiglio stressed cooperation between both parties is needed at some point and didn't advise on a vote today. He recommended the attorneys circulate the revision to Lewistown Borough's attorneys and discuss options to move forward to resolve.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

A Berrier/Miller to approve BRIF Requisition 2021-05 in the amount of \$50,203.12 was approved 5-0.

Jeff Rocco left the meeting at 3:03 p.m.

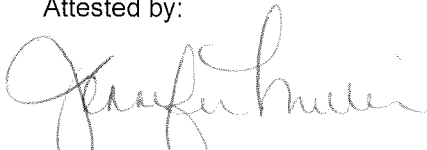
The meeting moved to executive session for litigation and personnel matters at 3:03 p.m.

The regular meeting reconvened at 3:35 p.m.

Hassinger provided an update from Tony Williard of Kish Insurance. He wanted to inform the Board that cyber security related to ransom situations was covered under the liability insurance.

A Berrier/Miller motion to adjourn the meeting at 3:36 p.m. was approved 4-0.

Attested by:



Jennifer Miller  
Secretary