

## MEETING OF DECEMBER 20, 2021

The regular meeting of the Danville Municipal Authority was held at the Danville Borough Hall, on Monday, December 20, 2021. Present were Pete Rickert, Dick Blosky, Mike Kuziak, Donald Lutz, and Betty Ann Moyer together with their Solicitor, Michael P. Dennehy, Esquire. Also present was Shannon Berkey, Brindy Mordan and The Press Enterprise.

### **PUBLIC COMMENT:**

George Forese who owns the, Railroad Street Laundromat and rents from Michael Currid, had some questions regarding the billing of the current water bill and how that affects them. Mr. Forese said that Mr. Currid had been attributing a water bill to them that was approximately three times more than they pay at two other laundromats they own and both of those laundromats have twice the business. They did find out after they inquired that there was a minimum fee charge for water, however, they have since been informed that the minimum charge was for a four-inch pipe and not a two-inch pipe. They wanted to confirm that there was an inspection done and that the Borough did in fact find there was a two-inch pipe which would also change the minimum charge to them as well. He was looking for some clarity, so they could move forward on how they want to proceed with their business. Pete Rickard addressed Mr. Forese's concerns and explained that they bill the owner of the property on how much usage they have and according to how many units are in the building. Solicitor Dennehy explained part of the issue was that the owner did not report the number of units correctly which then led to the inspection of the property, during which time they also agreed that the property did in fact have a two-inch pipe and not a four-inch pipe. Shannon Berkey also explained that Mr. Currid will be receiving a refund with regard to the difference in the pipe size. However, they were still in discussions regarding the number of units which is why the issue is still pending.

Mr. Forese asked if the Borough could get him the difference in the minimum usage charge between a 2 inch and a 4 inch. Brindy Mordan will get that information and send it along to Mr. Forese.

### **MINUTES:**

Minutes of the Meeting of November 15, 2021 were approved as published on Motion of Donald Lutz and seconded by Dick Blosky. MOTION CARRIED

### **WATER:**

The financial reports submitted by the Borough for the month of November 30, 2021 were reviewed. The expenditures for the operation of the water plant were \$224,204.16.

A Motion to approve the financial reports and expenditures for the operation of the water plant in the amount of \$224,204.16 was made by Betty Ann Moyer, and seconded by Mike Kuziak. There were 3 to carry the Motion and 1 opposed. MOTION CARRIED

**Superintendent's Report:**

Shannon reported that there were no actionable items in Brad Horne's report at this time.

**Borough Manager's Report:**

**Filter Project** - Shannon Berkey requested payment for Contract #1 Payment #12 – Final - \$155,993.60 and Contract #2, Payment #7 - \$16,332.11 and Change Order #1 \$5,191.70 . attached. A Motion was made by Dick Blosky and seconded by Betty Ann Moyer, to pay Contract #1, Payment #12 in the amount of \$155,993.60 and Contract #2, Payment #7 in the amount of \$16,332.11 and Change Order #1 in the amount of \$5,191.70. MOTION CARRIED

**SEWER:**

**Financial Report:**

The financial reports submitted by the Borough for the month of November 30, 2021 were reviewed. The expenditures for the operation of the sewer plant were \$186,436.44. A Motion to approve the financial reports and expenditures for the operation of the sewer plant was made by Dick Blosky and seconded by Donald Lutz. MOTION CARRIED

**Superintendent's Report:**

Shannon reported that there were no actionable items in Jane Graham's report at this time.

**Borough Manager's Report:**

**Sludge Disposal Lease** – Shannon made the changes to the Lease Agreement by using an existing map to define the parameters of property. The map also showed the buildings on the property as well. After some discussion and review of the map, Mike Kuziak wanted the area more defined with regard to the description of what exactly is being leased to the farmer and to the Authority, and any buildings that are shared with the farmer. A suggestion was made that they look at the lease to the farmer and maybe come up with an outline of all the tillable area that is farmed. Shannon will provide the Authority with a revised Lease Agreement property description for the next meeting.

**Amendment to Engineering Services Proposal** - Mike Kuziak would like to see exactly what the cost of \$65,000.00. covers. He would like to see how the Engineers came up with that amount. Shannon will have that information for the next meeting.

**Other Items Under Borough Manager**

**Final Approval of 2022 Water/Sewer Budgets** – Dick Bloskey expressed concern over the Water Budget moving into the new year, because they are still in the negative. How do you not increase the water rates when we keep going backwards with the water? Mike Kuziak suggested perhaps we could consult an expert to study the expenses to see if a rate increase should be done.

After discussion of the proposed budget for water and sewer, a Motion was made to Approve the Water and Sewer Budget by Betty Ann Moyer and Seconded by Donald Lutz. There were 3 to carry the Motion and 1 opposed. MOTION CARRIED

(Note that Donald Lutz's vote to second the Motion was conditioned on looking at an expert to review the water expenses at the end of the second quarter for a possible rate change.)

**Railroad Street Plaza Property (Currid)** - Brindy Mordan explained to the Authority that after the building was inspected it was found that there are two issues with this current property. The first, is that it was confirmed that he was over-billed for the usage amount for a 4-inch pipe when in fact he had a two-inch pipe. This pipe size change apparently occurred when the building was first constructed, but the Borough wasn't aware of it until now. Past practice has been that if the Borough owes a reimbursement to the owner of the property, we go back 10 years but no further. Shannon said there has been at least two reimbursement situations in the past 10 years. A calculation has been done for Currid based on the number of units that he was billed for at that time which was 8 units. Shannon also explained that it is the owner's responsibility to contact the Borough if there is a vacancy on the property so they are not billed. If the owner does not report it then no vacancy credit is given, this is also based on past practice.

After much discussion a Motion was made by Mike Kuziak and seconded by Betty Ann Moyer to send correspondence to Mr. Currid the calculated refund amount which will be done following the past practice of using the past 10 yrs. with 8 units and inform him that there will be no vacancy credit. MOTION CARRIED

**Transfer of EDU (430 Mill Street to 420-424 Mill Street)** – The owner of 430 Mill Street, has 7 EDU associated with the property, which includes a separate structure in the rear of the property that was torn down. The owner bought the property adjacent to him which is 420-424 Mill Street and requested that the 1 EDU not currently being used for the vacant part of his property be transferred to the adjacent property that he now owns. Under normal circumstances we would not transfer EDU's, however, in this circumstance since the property is adjacent is a separate structure and has the same owner, they did not see an issue with it, as long as we put it in writing.

Solicitor Dennehy suggested that Shannon just touch base with Gannet Fleming to make sure this is following the current regulations.

A Motion was made by Betty Ann Moyer and seconded by Dick Bloskey to grant a special exception to transfer one unused EDU from the current property to the adjacent property which has the same owner. MOTION CARRIED

**Reappointment of Donald Lutz** – A Motion was made to recommend the reappointment of Donald Lutz for the 2022 – 2026 term by Dick Blosky and seconded by Betty Ann Moyer. MOTION CARRIED

**Engineer's Report for Water/Sewer:**

After reviewing the report provided by Tia Trate, there were no questions or actionable items at this time.

**ADDITIONAL COMMENTS:**

**Service 1<sup>st</sup>** - RSP's went out for financial services for the Borough and Service 1<sup>st</sup> was chosen as the new financial service to be used. As of January 3, 2022 everything will be switched from Fulton Financial to Service 1<sup>st</sup>. During that transition time Brindy Mordan asked if the Authority would be comfortable with herself and Shannon as the only signatures on the account until everything is transitioned. Then they would add two board members to the new accounts as well.

A Motion was made by Donald Lutz, and seconded by Betty Ann Moyer, to allow Brindy Mordan and Shannon Berkey to be the signatures on the account until the transition is over and then add two board members. MOTION CARRIED

There being no further business, a Motion to Adjourn was made by Betty Ann Moyer and seconded by Donald Lutz. MOTION CARRIED.

Respectfully submitted,

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Secretary