

MAXATAWNY TOWNSHIP MUNICIPAL AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
OCTOBER 27, 2022

ATTENDING: Chairman Mike Berger, Vice Chairman David Sobotka, Secretary/Treasurer Judy Daub: Board Members: Steve Haring, Steve Wehr, Allen Leiby and Josh Tucker. Solicitor: Steve Price, MSBK, Engineer: Chris Falencki, McCarthy, Operators: Matthew Crump and Jason Coyle, Arro Water Services, Administrator: Tricia Green, MTMA

CALL TO ORDER: Meeting was called to order by Chairman Mike Berger at 7:33 pm with the Pledge of Allegiance.

ANNOUNCEMENTS: Chairman Mike Berger announced that the meeting is being recorded for administrative purposes. When speaking, please state your name so it may be recorded properly in the minutes.

MINUTES: Minutes from the meeting held September 22, 2022 were distributed to the Board of Supervisors and available for the public. Chairman Mike Berger called for motion to approve the minutes. There was a motion to approve the September minutes by David Sobotka, motion seconded by Steve Haring. There was no further discussion. All in favor. Motion passed.

NEW BUSINESS:

OLD MAIN, LLC (DIAKON)/KUF - Peter Edelman Stevens and Lee representing KU Foundation and Old Main LLC (Diakon) and their Revenue Bonds.

Mr. Edelman spoke regarding a Resolution amendment to the loan documents for the Authority's 2017 financing on behalf of Old Main LLC. The amendment is to substitute the LIBOR index (which expires next year) with a new floating rate index.

The next Resolution would be to finance for KU Foundation as we have in the past on the Revenue Bonds. There is no liability to MTMA.

There was a motion made by David Sobotka to sign the resolutions to amend and sponsor the Bond, Judy Daub seconded the motion. There was no further discussion. All in favor. Motion passed.

C&B DEVELOPMENT – Mark Koch, Koch& Koch Attorneys at Law, presenting 15132 W Kutztown Road as a potential 750,000 square foot warehouse. They are estimating a need of 9,800 gpd (gallons per day) of water and sewer.

A motion was made by Allen Leiby to have a WILL SERVE Letter drafted to Kutztown Borough for access to Borough of Kutztown (BOK) public water for 15132 W Kutztown Road, the motion seconded by Steve Wehr. There was no further discussion. All in favor. Motion passed.

Michael Berger asked Mark Koch to obtain a letter from BOK to allow them to flow sewer through their interceptor.

OLD BUSINESS:

NORTH PARK BRIDGE UPDATE – Michael Berger reports Dessco removed the old bridge. We are waiting on the bridge design. There is still no definitive price tag on the overall project. They are still projecting completion by the end of the year.

ST LUKE'S PROJECT – Kevin Fanelli presented his water line plan. The Township Fire Marshall Robert Hauck asked for another hydrant to be added to the project. There was a brief discussion. Kevin Fanelli agreed to add a hydrant to the plan.

There was extensive discussion on agreements and bonds between Kutztown Municipal, Kutztown Borough, Fanelli and MTMA. There seems to be a lot of confusion between developer and Kutztown Borough. A motion was made by David Sobotka to have the appropriate agreements drafted and approved by the MTMA Solicitor and Engineer and the other parties, and for Michael Berger to sign said agreements. The motion was seconded by Steve Wehr. There was no further discussion. All in favor. Motion passed.

OLD BUSINESS (CON'T)

ST LUKE'S PROJECT (CON'T):

There is a Construction Approval Agreement was presented. There seems to be a difference of opinion as to who should be holding the BONDS. A motion was made by David Sobotka to authorize our Solicitor to contact the Borough Solicitor to redirect this agreement between BOK and Fanelli. The motion was seconded by Steve Wehr. There was no further discussion. All in favor. Motion passed.

Mark Koch requests agreements to billing agreements to be duplicated for EAST PENN in anticipation of their pending, coordinated project. The motion made by David Sobotka, seconded by Steve Haring. There was no further discussion. All in favor. Motion passed.

ENGINEERING REPORT:

Report submitted.

Engineer, Chris Falencki has no other items to discuss.

SOLICITOR REPORT:

Steve Price reports liens are being placed.

OPERATOR REPORT:

Matthew Crump submitted report. Jason Coyle, Arro Operations, attended and introduced himself to the Board.

Sludge and grit are being taken care of before the cold weather.

Lead and copper tests are complete and compliance reports sent.

Mixers for WWTP are ordered.

LYONS MUNICIPAL AUTHORITY:

Allen Leiby submitted the LBMA report.

TREASURER REPORT:

Tricia Green asked for a motion to pay the bills. A motion by David Sobotka, seconded by Judy Daub. There was no further discussion. All in favor. Motion passed.

MRM sent the automatic renewal notice for insurance with a 3% increase overall. A motion to approve the renewal was made by Judy Daub, seconded by Allen Leiby.

PUBLIC COMMENT:

NONE.

A motion to adjourn at 8:27PM pm was made by David Sobotka, seconded by Steve Haring. All in favor.

The next meeting is scheduled for Tuesday, November 15, 2022 at 7:30pm.

Respectfully Submitted,

Tricia J. Green