

Towanda Municipal Authority

March 20, 2023

The March meeting of the Towanda Municipal Authority was called to order by Mr. Walsh at 5:02 p.m.

PRESENT: Michael Angerson, Michael Walsh, Carmen Venezia, Mark Christini, Joseph Snell, Fred Johnson, Kayla Saxon

ABSENT: William Shaw, Robert Williams-WTMA Chairman

OTHERS: Lauren Hotaling, Borough Manager; Chad Strickland, Superintendent; Eric Casanave, Stiffler McGraw; Morgan Madden, Eckert Seamans Cherin & Mellott, LLC (via zoom); Phil O'Dell, The Daily Review

Visitors: None

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Minutes:

The February 27, 2023 meeting minutes were approved as written on a motion made by Mr. Johnson, and seconded by Mr. Snell, approved.

Bills:

The February bills were approved on a motion made by Mr. Christini, and seconded by Ms. Saxon, approved.

Morgan Madden:

Ms. Hotaling stated she emailed the engagement letter from Eckert Seamans Cherin & Mellott, LLC to the Board for Ms. Madden's services as our solicitor. Ms. Hotaling asked the Board if they have any questions; Mr. Walsh asked how the firm handles delinquent accounts, what are the fees associated with that; Ms. Hotaling stated they charge an hourly rate and the delinquent accounts were discussed with Ms. Madden. Mr. Walsh stated our rules and regulations need updated with the associated fees involved in collection. Mr. Walsh stated who is going to change the rules and regulations Ms. Hotaling stated she would send our current rules and regulations to Ms. Madden so she can review them and make appropriate changes.

Mr. Johnson questioned if a RFP (request for professional service) was done for our Solicitor, and if this is our only applicant; Ms. Hotaling stated we don't need to do a RFP, and we would end up with the same conflict of interest if we go with a local solicitor for our services and delinquent account collections. Ms. Hotaling stated she did call local attorney's and did not find any interested parties.

Mr. Christini made a motion to enter into an engagement for Ms. Madden's services with Eckert Seamans Cherin & Mellott, LLC, Mr. Angerson seconded, approved.

Ms. Hotaling and Ms. Maynard will forward the current rules and regulations and delinquent list to Ms. Madden.

Monroeton Water Line Replacement:

Ms. Hotaling stated that we have the warranty for the project expiring August 30, 2023. An eleven-month inspection is scheduled to identify any issues. Mr. Casanave stated that we will ensure everything is still in working order.

2018 Flood:

Ms. Hotaling stated she that FEMA is reviewing the change order request; they did have some questions on the change order and Ms. Hotaling was able to answer their questions and provided additional documentation they

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requested, so hopefully this gets approved.

Penn Dot Route 220 section 223 Project:

Ms. Hotaling stated that there was a pre-construction meeting a couple of weeks ago, the project will begin in April and the water main is scheduled to be addressed in May.

LCCR Service Line Inventory:

Ms. Hotaling stated that the service line inventory needs to be completed by October 2024. Mr. Strickland stated he went to training with DEP in January in regards to new EPA regulations. This is a six-step process, the first being that we need to inventory service lines by October 2024. We need to inventory service lines on our side, the customer side and basement; they are requiring a three-step process, eighteen inches on either side of our curb stop counts as two and the basement would be three. Mr. Johnson questioned if we have to do this with every property; Mr. Strickland stated with all construction prior to 1991, basically our whole system. Mr. Strickland stated that they are being told that galvanized lines are okay as long as there is no lead upstream, a lead gooseneck is acceptable if it is attached to copper but not to galvanized. Mr. Johnson stated what is the point of this new regulation, are they going to give the Authority funds to replace service lines; Mr. Strickland stated they would not answer that question, but they also wanted us to look in the basement for lead soldered joints. We will need to enter the premises even if we have a meter pit as we need to look at the plumbing in the residence. Ms. Madden needs to review our rules and regulation to see if we can put wording in our regulations to allow us to enter a residence. There are 5 more steps to follow, Mr. Strickland assumes backflow prevention will be one of them.

Funding:

Mr. Johnson questioned if the grant we put in for is the same grant New Albany received funds for, Ms. Hotaling stated yes. She will analyze who and what funding was granted and try again making our projects fit what they have approved this first round, Ms. Hotaling questioned Mr. Casanave and Mr. Angerson when this will open up again, Mr. Angerson stated he has not heard anything, Mr. Casanave stated that he heard at the end of this month, but he doubts that as it took them a long time to get a quorum to even award this round of projects.

Sewer:

Ms. Hotaling stated that Mr. Shura requested additional information, Ms. Maynard stated that she did provide Mr. Shura with the information that was requested from the bond counsel as it is similar to his request and we already gathered that information for the bond refinance, but Ms. Maynard has not heard from Mr. Shura if that is sufficient information, Mr. Casanave stated Mr. Shura is reviewing that information. Mr. Walsh questioned if this information is being gathered to present to Penn Vest, Mr. Casanave stated yes, it is to have a planning presentation meeting with Penn Vest.

Mr. Walsh stated in the report there was immediate attention items that Mr. Shura reported. Mr. Venezia stated there was several items throughout the plant that needed addressed immediately. Mr. Walsh stated if we address the immediate items now would we be able to get funding, Mr. Casanave stated yes with Penn Vest we can get reimbursed after the fact.

Mr. Johnson stated he read the report and what exactly are we planning to do? He did see pricing on items that need addressed and overall pricing, at this point he is confused. Mr. Casanave stated he would have Mr. Shura address the Board's questions.

Mr. Walsh stated we definitely need to address the immediate need items in the report.

Delinquent List:

Mr. Christini stated that there are definitely at least 18 accounts on the delinquent list that need

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immediate attention so to ensure our lien is in place. Mr. Angerson asked about the properties that sold he stated that we should be pursuing the current owners and they should then go after the title company. Ms. Madden stated that the lien follows the property, Ms. Maynard stated that no lien was ever filed on the property, Ms. Madden stated they would place a lien and it would affect the current owner of the property.

Mr. Walsh stated our rules and regulations do need addressed on collections. Ms. Madden stated she will look into that, their firm assess charges on the delinquent accounts at 10%; for example, if they enter a lien on January 15th for \$500.00 on February 15th the account will be charged a \$50.00 penalty that keeps accumulating every month until the debt is paid, plus attorney fees, lien placing and lien satisfaction fees. Mr. Johnson questioned how we update the lien with current charges that are accumulating, Ms. Madden stated she is in contact with one of the attorneys in the firm who has been working delinquent accounts for over 30 years to get a better understanding of that process. Ms. Madden stated she is looking at the statute on liens to see what she can do on accounts that continue to accumulate charges.

Thomas Street PRV:

Mr. Johnson asked are we still going to do this project; Mr. Casanave stated we did get an extension and are awaiting a timeline from LB water.

Adjournment

As there was nothing further to discuss, the meeting adjourned at 5:37 p.m.

Respectfully Submitted,
April Maynard
Recording Secretary