

**MINUTES OF THE  
EASTON AREA JOINT SEWER AUTHORITY BOARD  
April 17, 2023 Meeting**

- ❖ The regular monthly meeting of the Easton Area Joint Sewer Authority Board was held at 6:00 p.m. on Monday, April 17, 2023, at the Palmer Library, 1 Weller Place, Easton, Pennsylvania 18045, with Zoom Meeting option. The meeting was open to the public.
- ❖ The meeting was called to order by Chairman, Robert Lammi. Mr. Lammi ordered the roll to be called at 6:02 p.m. Board Members were in attendance in-person and via video conference option. Board members present at the call to order were as follows:

#	Member	Municipality	Term Expires	Present	Absent	Time Entered
1	Robert Blanchfield	Palmer Township	12/31/2025	X		*
2	Luis Campos	City of Easton	12/31/2025		X	
3	David Hopkins Vice-Chairman	City of Easton	12/31/2028	X		*
4	Paul James	West Easton Borough	12/31/2024	X		*
5	Robert Lammi Chairman	Palmer Township	12/31/2024	X		*
6	Joseph Mauro Jr	City of Easton	12/31/2025		X	
7	James McGowan Treasurer	Wilson Borough	12/31/2024	X		*
8	Stephen Riegel Secretary	Tatamy Borough	12/31/2024	X		*
9	John Van Arman	City of Easton	12/31/2024	X		*
10	Robert Werner	City of Easton	12/31/2025	X		*
11	VACANT	Forks Township	12/31/2024			
12	VACANT	City of Easton	12/31/2023			

\*Beginning of Meeting

\*\*Adjournment of Meeting

Members attending via Zoom Meeting could hear each other meeting attendee and be heard by each other attendee.

The Board's usual Recording Secretary, Erin Lane, was absent. By consensus of the Board, Alexandria Hoffman acted as the Recording Secretary for the meeting.

❖ **The following personnel were in attendance:**

Michael Gaul (Solicitor), Jeff Morgan (SC Engineers), John Schimmel (Accountant), Chuck Wilson (Operations Manager of WWTP), Alexandria Hoffman (IPP Manager/Assistant Operations Manager of WWTP)

❖ **Agenda and any Amendment Approval:**

A motion was made by Mr. James, and seconded by Mr. Riegel, to approve the posted agenda. **Motion Carried (8-0).**

❖ **Minutes Approval:**

A motion was made by Mr. Hopkins, and seconded by Mr. James, to approve the minutes of the March 20, 2023, meeting as presented. **Motion Carried (8-0).**

❖ **Courtesy of the floor:**

Ms. Hoffman confirmed that the Authority had not received any correspondence through phone, email, or mail for public comment at the meeting. No members of the public attended the meeting.

## SOLICITOR'S REPORT

Attorney Michael Gaul, EAJSA Solicitor, stated that the Pennsylvania Municipalities Authorities Association recently circulated a notice warning Pennsylvania municipal authorities and municipalities that a new wave of attempted privatizations of public water and wastewater systems could occur in the near future. The EAJSA office assistant, Erin Lane, sent Authority Board members a copy of the PMAA notice. Attorney Gaul informed the Board that in 2016 there was a law passed that liberalized the amount of money a private company could pay to buy a Municipal Authority or Municipal wastewater or water system. Another related law was passed around the same time. The impact of the two laws together was that private companies could pay "fair market value" for a system; prior to the change in law, private companies could only pay the cost of the system, less depreciation.

This change in the law allowed private companies to offer larger sums of money to Municipalities or Authorities to purchase their systems, than the private companies could in the past. The private companies were, then, allowed to take the cost of the sale, and pass that cost along to the rate payers, statewide or whomever was connected to the regional system.

Some Municipalities could not resist the temptation of the large sums of money being offered by the private companies,. The offered money allowed municipalities to pay off debt, put off raising taxes, pay pensions, or make investments that were more long term.

Attorney Michael Gaul feels that the complexity of the EAJSA, involvement of multiple Municipalities, the City of Easton owning the plant, the EAJSA holding the NPDES Permit, and the plant being leased for another fifty years, makes the EAJSA less of a target for private companies to this kind of sale.

Mr. Jeff Morgan, EAJSA Consulting Engineer, commented that, on the technical side, the Department of Environmental Protection (DEP) requires Act 537 planning for this kind of sale. All Municipalities served by the system have to sign-off on the Act 537 planning. This is a technical stumbling block that could occur.

Attorney Michael Gaul concluded by stating the 2016 law changes may have been intended to facilitate sales of public water or wastewater systems that were struggling and not being properly maintained. However, it appears that the private companies are also using the 2016 law changes to target healthy, vibrant systems, which would be an unintended consequence of the law.

## ACCOUNTANT'S REPORT

Mr. John Schimmel, EAJSA Accountant, had nothing to report.

A motion was made by Mr. Hopkins, and seconded by Mr. Riegel, to approve the April 2023 bills in the amount of \$520,195.01. **Motion Carried (8-0).**

A motion was made by Mr. James, and seconded by Mr. Blanchfield, to approve Bond Funds Requisition 21-C2023-04, in the total amount of \$488,341.62, in accordance with the Authority Engineer's reports. **Motion Carried 21-C2023-04 (8-0).**

## ENGINEERING COMMITTEE REPORT

Mr. Hopkins had nothing to report.

Mr. Jeff Morgan, EAJSA Consulting Engineer, requested approval for the proposal for office furniture for the new Administration Building, Memorandum Item #4-01. The furniture would be purchased through the Co-

Stars Program, Contract # 35 (35-E23-198).

A motion was made by Mr. Hopkins, and seconded by Mr. Van Arman for approval of the proposal, in accordance with Memorandum Item #4-01, from Corporate Environments in the amount of \$59,157.62. **Motion Carried Memorandum #4-01 (8-0).**

Mr. Jeff Morgan, EAJSA Consulting Engineer, requested approval for the purchase and installation of wireless internet equipment, in the amount of \$14,467.45 for the new Administration Building, in accordance with the proposal of Solve IT, the Authority's current IT service provider. It was noted that Solve IT is an authorized dealer of the products in the proposal and the PA bidding rules for authorities do not apply to the sale of patented and manufactured products offered for sale solely by a manufacturer's authorized dealer.

A motion was made by Mr. James, and seconded by Mr. Hopkins for approval of the purchase of wireless internet equipment, in the amount of \$14,467.45, from Solve IT.

**Motion Carried Memorandum #4-02 (8-0).**

Mr. Jeff Morgan, EAJSA Consulting Engineer, requested approval of Vistacom's proposal for the purchase and installation of audio and visual conferencing equipment for the Conference Rooms in the new Administration Building, Memorandum Item #4-03, but with the clarification that the budget price be a not to exceed amount of \$85,000 owing to the fact that this work will be completed as a change order for the Electrical Contractor for the Administration Building Project which will include their contractually allowed mark-up.

A motion was made by Mr. Hopkins and seconded by Mr. Blanchfield to approve Vistacom's proposal, in the amount not to exceed \$85,000.

**Motion Carried Memorandum #4-03 (8-0).**

Mr. Blanchfield made the record known that the Engineering Committee spent a great deal of time discussing this proposal.

#### **PRETREATMENT COMMITTEE REPORT**

Ms. Hoffman reported the presentation on the EAJSA Local Limits at the EPWPCOA in Lancaster was very successful. She and Mr. Morgan received positive feedback about their presentation. Ms. Hoffman also reported that she discussed the past Annual Reports with the Environmental Protection Agency (EPA), and they will be providing feedback on the past reports.

The next IPP Committee meeting is scheduled for Thursday, May 4 at 9 a.m.

#### **FINANCE COMMITTEE REPORT**

Mr. McGowan and Mr. Schimmel had nothing to report.

#### **INSURANCE REVIEW COMMITTEE REPORT**

Mr. Lammi stated that after the last Engineering Committee meeting himself and Mr. Morgan reviewed the flow diagram of the plant to evaluate the risk. Mr. Lammi stated that there is a great deal of redundancy in the operation. The potential risk he observed could be the Digester system, gas, and Methane system. The Committee will reconvene and focus on the environmental aspects and potential risks.

#### **OPERATIONS REPORT**

Mr. Wilson reported that the Jet-Vac was delivered. Martin's Electric completed some warranty repairs at the pump

stations. Oxidation Ditch Motor went out for repair, and a leaky seal was repaired on another Ditch Motor. He also stated that the plant is running well.

**ADDITIONAL REPORT**

❖ **Old Business:** None

❖ **New Business:** None

The meeting was adjourned on a motion by Mr. James, and seconded by Mr. Blanchfield, and unanimously carried, at 6:45 p.m.

Respectfully submitted,

Alexandria Hoffman, EAJSA Recording Secretary