

**MINUTES OF THE  
EASTON AREA JOINT SEWER AUTHORITY BOARD  
November 20, 2023**

- ❖ The regular monthly meeting of the Easton Area Joint Sewer Authority Board was held at 6:00 p.m. on Monday, November 20, 2023, at the EAJSA Administration Building, 50 South Delaware Drive, Easton, Pennsylvania 18042, with Zoom Meeting option. The meeting was open to the public.
- ❖ The meeting was called to order by Chairman, Mr. Robert Lammi. Mr. Lammi ordered the roll to be called at 6:00 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 Treasurer	Palmer Township	12/31/2025	X		*
2	Luis Campos	City of Easton	12/31/2025	X		*
3	James Frank	Forks Township	12/31/2024	X		*
4	David Hopkins Vice-Chairman	City of Easton	12/31/2028	X		*
5	Paul James	West Easton Borough	12/31/2024	X		*
6	Robert Lammi Chairman	Palmer Township	12/31/2024	X		*
7	Joseph Mauro Jr	City of Easton	12/31/2025		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	City of Easton	12/31/2023			
12	Vacant	Wilson Borough	12/31/2024			

\*Beginning of Meeting

\*\*Adjournment of Meeting

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

- ❖ **The following personnel were in attendance:**  
Michael Gaul (King Spry, Solicitor), Jeff Morgan (SC Engineers, Authority Engineer), John Schimmel (Accountant), Chuck Wilson (WWTP Operations Manager), Alex Hoffman (IPP Manager/WWTP Assistant Operations Manager), Yuslendy Zorrilla (WWTP Office Manager).
- ❖ **Agenda and any Amendment Approval:**  
A motion was made by Mr. Riegel and seconded by Mr. Hopkins to approve the posted agenda, without any amendments. **Motion Carried (9-0).**
- ❖ **Minutes Approval:**  
A motion was made by Mr. James and seconded by Mr. Frank to approve the minutes of the October 16, 2023, meeting, as presented. **Motion Carried (8-0).** Mr. Blanchfield abstained because he was not present at the last Board meeting.
- ❖ **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 he did not have any specific items to report for the Board's public meeting, but desired to share with the Authority Board that a recent Commonwealth Court decision will restrict the Board's ability during the course of the Board's meeting to amend the Agenda to add additional action items. Under the Court's decision, the Board will only be able to amend the agenda in three very limited circumstances, which means that amendment of the agenda will rarely occur.

In addition, Mr. Gaul recommended that the Authority send out letters to the City of Easton and Wilson Borough requesting that they make appointments for their vacant seats on the Board. Mr. Campos asked if anyone had a recommendation to please refer them to the City of Easton.

## ACCOUNTANT'S REPORT

Mr. John Schimmel, EAJSA Accountant, reported two requisitions for approval. One is for \$0.01 to close the 1997 Construction Fund, the second is for \$348.56. In addition, Mr. Schimmel asked for the 2024 Budget approval. Mr. Schimmel also stated there was a typo on page 3 of the initial draft of 2024 Budget Report, for which he sent the Board the corrected document.

Mr. Lammi asked if the Budget could be discussed under the Finance Committee, to which Mr. Schimmel agreed.

A motion was made by Mr. Werner and seconded by Mr. Riegel, to approve the October 2023 bills in the amount of \$1,482,371.20. **Motion Carried (9-0).**

A motion was made by Mr. Frank and seconded by Mr. Blanchfield to approve the Bond Funds Requisitions 1-C2023-1 in the amount of \$0.01 and 23-C2023-11 in the amount of \$348.56 in accordance with the Authority Engineer's reports. **Motion Carried (9-0).**

## ENGINEERING COMMITTEE REPORT

Mr. Hopkins stated he had nothing to report.

Mr. Morgan had two items on the agenda to be discussed, his Memorandum Item #11-01: Purchase of two low speed electric vehicles for use at WWTP and Memorandum Item #11-02: Approval of a proposal from ARRO to complete a Methane Gas Safety Study for the WWTP. In addition, Mr. Morgan had an update on two other items to present to the Board.

Mr. Morgan requested approval to purchase two Polaris low speed electric vehicles referred to as GEM cars. His Memorandum in the packet included pictures of these vehicles. The WWTP's current vehicles are worn out and in need of significant repairs. Mr. Morgan tried to find other comparable vehicles on the market and was unsuccessful. Mr. Morgan states the City of Easton has two vehicles available, which were used in connection with the Parking Authority. The vehicles were brought to the Authority's garage for inspection.

The Engineering Committee approved the purchase of these vehicles from the City of Easton. Mr. Morgan sought comparable price quotations from two other suppliers, Eastern Lift, and Best Line Equipment, which are regional sales offices for the vehicles. Neither supplier had comparable vehicles in stock for pricing. The price of vehicles they had in stock and offered was above the price of the City's vehicles. Mr. Morgan is looking for the approval of \$20,000 for this purchase, \$10,000 for each vehicle.

Mr. Werner asked what year these cars are, Mr. Morgan answered, 2019. In addition, Mr. Werner asked if the battery is also under warranty, to which Mr. Morgan passed the question to Mr. Wilson.

Mr. Wilson responded he will have to check with the garage manager and come back with the answer. Mr. Werner is concerned about the battery price if it is not warranty. Ms. Hoffman stated she believes the battery cost was about \$2,500.00, one of the GEM car batteries is new. Mr. Hopkins stated it is not a bad price.

Mr. Morgan stated these vehicles drive about twenty-five miles per hour. Mr. Werner is only concerned about having a warranty on these vehicles.

Next, Mr. Morgan informed the Board of the Engineering Committee that the Engineering Committee completed its in-house Risk Assessment Report. Based on recommendations in the report, the Committee sought proposals from design engineers to conduct further investigation into the methane gas safety handling equipment and the HVAC system in the Digester Building to see if more adjustments would be needed. Mr. Morgan stated two design engineers provided proposals, ARRO Consulting and Hazen and Sawyer.

Mr. Morgan stated the Engineering Committee reviewed these proposals and recommended selection of ARRO's proposal in the amount of \$16,725.00. Mr. Morgan believes ARRO would be the best option, because they have done work at WWTP recently, along with their competitive pricing.

A motion was made by Mr. Mr. Hopkins and seconded by Mr. Campos to purchase the two low speed electric vehicles to use at WWTP for the amount of \$20,000. **Memorandum #11-01. Motion Carried (9-0)**

A motion was made by Mr. Hopkins and seconded by Mr. Blanchfield to approve the proposal from ARRO to complete the Methane Gas Safety Study for the WWTP.

**Memorandum #11-02. Motion Carried (9-0)**

Mr. Morgan had two updates. The Commonwealth Financing Authority Board will not be discussing any grant approval applications at its upcoming meeting because it is not on their agenda. Mr. Morgan also received information from DCED and some governmental officials confirming this information. There might be another meeting in December, but the CFA Board normally meets quarterly, which means their next meeting will not be until February 2024. Our project is still in the preparation phase which does not present any disruption at this time.

The second update is a follow-up to information Mr. Morgan sent out to all members about the Tax Credit for the FOG and CHP Project. Mr. Morgan spoke to Ryan Hottenstein, the Authority's Financial Consultant, because he is up to date with these new IRS regulations. Mr. Morgan believes Mr. Hottenstein contacted Mr. Reid for collaboration purposes on this topic. Mr. Hottenstein will be attending the Engineering Committee Meeting in December to go over the details. The first draft regulations from the IRS on the Tax Credits did not address the participation of municipalities or tax-exempt entities in the program; however, the latest version does. In addition, Mr. Morgan elaborated that the Authority could potentially receive a direct payment, the amount of which would depend on whether the Authority issued taxable or tax-exempt bonds. The Engineering Committee was discussing this topic at its next meeting. Mr. Morgan will update the Authority Board at the next meeting in December.

#### **PRETREATMENT COMMITTEE REPORT**

Ms. Hoffman reported only two inspections remain, both Victaulic's, which will be done the same day, November 27, 2023. In addition, Ms. Hoffman stated she is working on website updates. Once the budget approval is received, all of that will be updated. The IPP section has had a lot of changes since last year. Ms. Hoffman will spend a great deal of time on these updates.

#### **FINANCE COMMITTEE REPORT**

Mr. Blanchfield reported the Finance Committee met on October 27 ,2023, to review the 2024 Budget. The

budget was acceptable to the Finance Committee with some minor changes that should be made shortly. It is expected the Budget will be ready for the Board approval at the December meeting.

The Finance Committee spent time discussing the BLL/Reserve capacity for participating municipalities. The Finance Committee intends to review whether the reserved capacity calculations can be combined so we would no longer need to deal with BLL. Mr. Schimmel and Mr. Morgan were asked to work on this issue in an effort to simplify the capacity formulas.

Mr. Schimmel invited a representative of the new auditing firm Barbacane, Thornton & Company to attend the meeting via Zoom. The representative Steven Kutsuflakis, a CPA with the firm explained the auditing process to the Finance Committee detailing the differences in previous audits by the old firm. Our accountant's time needed to assemble all necessary material has increased; therefore Mr. Schimmel's costs have increased. The firm seems very professional and competent. The firm expects to start the audit in late November and should have it completed by early January. The 2023 Audit will be done earlier, which will allow us to get reimbursement information to municipal members earlier, which will help their budgeting process.

Mr. Blanchfield stated November bills and checks were signed after verifying all appropriate backup documentation was attached.

### **INSURANCE REVIEW COMMITTEE REPORT**

Mr. Lammi stated the Insurance Committee is considering additional insurance coverage that may have a small impact on the Budget. In accordance with comments at last the Board meeting, Mr. Hopkins contacted Michelle from Kressler Wolff and Miller (KWM) to ascertain the potential availability of Environmental Liability Insurance or Pollution Liability Insurance (EPL) for the Authority. KWM attempted to solicit multiple proposed policies but was only able to obtain a quote for a single policy through XS Broker. The Insurance Committee was provided with some policy information, and costs, but still has some questions regarding the scope of the policy. The Committee intends to obtain additional information from KWM, or XS Broker, as the case may be.

Mr. Lammi stated that the policy is around \$19,000, with a \$10,000 deductible. Mr. Lammi stated the approval of the Budget can be made today if we approve a contingency of \$20,000 for this policy. If the Board finally approves the actual purchase of the policy, it remains in the Budget; if not, it can be removed.

Mr. Gaul stated the anticipated costs can be in the Budget, but not spent. Mr. Schimmel explained that this expense could be added to the contingency line in the Budget.

### **FINANCE COMMITTEE REPORT (CONTINUED)**

Mr. Blanchfield agreed to move on with the Budget, with the contingency that Mr. Lammi explained during the meeting.

A motion was made by Mr. Blanchfield and seconded by Mr. Campos to approve the proposed 2024 Budget, as revised, with the contingency of \$20,000 added for Liability Insurance.

**Motion Carried (9-0).**

Mr. Gaul asked Mr. Schimmel to confirm that the revised 2024 Budget had been distributed to all the Board members prior to the meeting. Mr. Schimmel confirmed that the revised Budget had been sent to all the Board members prior to the meeting, with the updated version containing a revision on page 3.

### **OPERATIONS REPORT**

Mr. Wilson reported that the plant is running well, just some residual variations due to the lighting strike back in  
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June. After that event both Influent Flow Meters stopped working, but they were sent out for rebuilding and now all is working well.

### ADDITIONAL REPORT

❖ **Old Business:** None

❖ **New Business:** Mr. Lammi stated the only item is the Board Meeting potential time change. After a discussion at the Engineering Committee about a potential time change to 4:00 p.m. or 5:00 p.m. Mr. Lammi asked Mr. Frank, due to this full-time position elsewhere, what time would be best for him, and he said 5:00 pm.

Mr. Gaul is concerned about that time change conflicting in obtaining the empty vacancies filled. Mr. Lammi stated 4 p.m. could be an issue but 5 p.m. should work well for everyone.

Mr. Lammi stated the new Board Meeting time would be advertised for the New Year.

Mr. Gaul suggested voting on the Board Meeting time change and schedule at the next meeting.

Mr. Gaul asked Recording Secretary to add this item on the agenda for the December Board Meeting for vote and approval.

The meeting was adjourned on a motion by Mr. James and seconded by Mr. Riegel and unanimously carried, at 6:41 p.m.

Respectfully submitted,

Yuslenny Zorrilla

EAJSA Board Recording Secretary