BCWSA

MINUTES OF THE REGULAR BOARD MEETING
November 17, 2021

PRESENT: Dennis Cowley, Richard Weaver, Bryan Allen and Patricia Poprik

VIA ZOOM: John Cordisco and Russell Dunlevy, P.E.

Benjamin W. Jones, CEO; Arthur J. Hass, CFO; Jeffrey P. Garton, Esquire; Steven Hartman, P.E., Nathaniel Rafalski, CTO and Anne M. O'Toole Executive Assistant

VISITORS: Denise Luna, AFSCME; Len Hughes, BCWSA; Tom Tosti AFSCME; Sean Shaffer, AQUA and Dave Kralle; AQUA

CALL TO ORDER:

The BCWSA's Chairman, Dennis Cowley, called the Regular Meeting of BCWSA to order at 7:10 pm.

PUBLIC COMMENT:

Mr. Tom Tosti, Director of AFSCME Counsel 88 and a resident from Middletown Township addressed the Board of Directors regarding his concern about the potential sale and privatizing the BCWSA systems. He stated that as a resident and customer of BCWSA, he is sure that the rates will increase if the Authority is sold and that the service the residents have come to expect will no longer exist. He is also the AFSCME Director and also representing the employees who have concerns about the PMRS Pensions. He concluded that he will do everything in his power to stop any potential sale of BCWSA.

MINUTES:

Mr. Weaver moved, Ms. Poprik seconded the motion that unanimously approved the Minutes of BCWSA's Regular Meeting held on October 25, 2021. (Minutes are attached to the Minute Book)

REPORT OF THE CEO: Benjamin W. Jones, CEO

Bid Award

Mr. Weaver moved, Ms. Poprik seconded the motion unanimously awarding the Pump Maintenance and Emergency Equipment Repairs Contract to the lowest responsive bidders, Longo Electrical -Mechanical, Municipal Maintenance Company and Blooming Glen Contractors for a period of (2) years each. (bid tabulation is attached to the Minute Book)

-Tank Cleaning & Sludge Hauling-

Mr. Weaver moved, Ms. Poprik seconded the motion unanimously awarding the Tank Cleaning and Sludge Hauling Contract to the lowest responsive bidder, Franc Environmental for a period of two (2) years in the amount of $53,403.00. (bid tabulation is attached to the Minute Book)

-Reservation of Capacity Agreement (ROC) Middletown Township-

Mr. Weaver moved, Ms. Poprik seconded the motion that unanimously approved the Reservation of Capacity Agreement (ROC) between BCWSA and CRP/CT Oxford Valley Owner, LLC for the proposed construction of a 223-unit multi-family apartment building in Middletown Township. (agreement is attached to the Minute Book)

ENGINEERS REPORT:

-Gilmore & Associates-

Mr. Dunlevy, P.E., reviewed the Engineer's Report dated November 17, 2021 with the Board of Directors.

Kings Plaza WWTP Trailer Replacement (Contract CP-90)

Mr. Weaver moved, Ms. Poprik seconded the motion unanimously awarding the contract associated with the Kings Plaza WWTP Trailer Replacement project to the lowest responsive bidder, Modular Genius, Inc in the amount of $89,663.00, as recommended by the Engineer.

Consulting Engineer's Report

Steven Hartman, P.E. reviewed the Engineer's Report with the Board of Directors.

NESHAMINY AND POQUESSING SEWER SYSTEM

-Neshaminy Interceptor Lining Project (Contract S-46A)-

Mr. Weaver moved, Ms. Poprik seconded the motion that unanimously approved Application and Certificate for Payment No. 9 for Contract S-46A in the amount of $1,115,177.25 be paid to Spiniello Companies, as recommended by the Consulting Engineer.

-Golden Corral Emergency Sewer Replacement-

Mr. Weaver moved, Ms. Poprik seconded the motion that unanimously approved Application for Payment No. 2 (final) for the completion of the permanent pavement restoration in the amount of $60,712.30 be paid to D.J. Pinciotti Construction Co. Inc., as recommended by the Consulting Engineer.

SOLICITORS REPORT: Jeffrey P. Garton, Esquire

Mr. Garton stated that the Board met in Executive Session for approximately one (1) hour and ten (10) minutes prior to the meeting that related to several matters that included a discussion on real estate matters. No action was taken at the public meeting.

Mr. Garton stated that Operating Engineers, Local 835 and the AFSCME Supervisors requested to meet for the purpose to discuss the rumors associated with the sale of Authority assets. Mr. Garton and Ms. Susan Dardes, Corporate Counsel met and assured all parties that no decision had been made and that they would be kept aware of any outcome.

-Lease Agreement; T Mobile-

Mr. Weaver moved, Ms. Poprik seconded the motion that unanimously approved the First Amendment to the Lease Agreement with T-Mobile associated with the installation of a back- up generator on the facility located at 2560 Sugan Road in Solebury Township. (agreement is attached to the Minute Book)

-Water & Sewer Service Agreements; Middletown Township-

Mr. Weaver moved, Ms. Poprik seconded the motion; that unanimously approved the Water & Sewer Service Agreements between BCWSA and the Delaware River Joint Toll Bridge Commission (DRJTBC) associated with the proposed construction of a new highway maintenance facility in Middletown Township. (agreements are attached to the Minute Book)

Sewer Service Agreement; Springfield Township

Mr. Weaver moved, Ms. Poprik seconded the motion that unanimously approved the Sewer Service Agreement and the Sewer Facilities Escrow Agreement associated with the proposed construction of a four (4) lot subdivision known as 225 N. Western requiring the purchase of three (3) EDUs with one (1) existing EDU in Springfield Township. (agreements are attached to the Minute Book)

-EPORT OF THE CFO/CONTROLLER

-Bills for Payment-

Arthur J. Hass CFO presented the list of bills that were prepared by in-house staff and he recommended Board approval.

Mr., Weaver moved, Ms. Poprik seconded the motion that unanimously approved the Bills for Payment dated November 17, 2021. (Bills are attached to the Minute Book)

-Bond Resolution No. 2021-08-

Mr. Chris Gibbons addressed the Board of Directors regarding Bond Resolution 2021 -08 associated with the purchase of Lake Galena Conservation Easement and the up-front lease payment of the Dam at Lake Galena; the acquisition of Birmingham Sewer System and improvements to the Ambler Borough Sewer System. He stated that the maximum borrowing amount is 56 Million and a maximum of 5 % interest rate

Ms. Poprik asked what type of bond issue would it be and could the resolution be adjusted to include negotiated sale.

Mr. Cowley had asked when the bond issue would be completed. Mr. Gibbons stated by the end of the year.

Ms. Poprik asked if the Board Members will meet again for the BPA. Mr. Gibbons said no.

Mr. Cordisco made the motion to revise the bond resolution to include a negotiated sale in the resolution as per Ms. Poprik' s request.

Mr. Cordisco moved, Ms. Poprik seconded the motion to adopt Bond Resolution No. 2021-08 to include negotiated sale in the resolution. Mr. Cowley voted no.

OLD BUSINESS: Nothing to Report

NEW BUSINESS:

BCWSA December Board Meetings

Mr. Weaver moved, Ms. Poprik seconded the motion that unanimously approved cancelling the Board Meeting scheduled December 14th and December 27th and have one monthly meeting on December 21, 2021 at 8:30 am.

ADJOURNMENT:

There being no further business to be presented to the Board, Mr. Weaver moved, Ms. Poprik seconded the motion that unanimously adjourned the meeting.

12-21-2021 P K Poprik
DATE **SECRETARY**

Next Regular Board Meeting; December 21, 2021 @ 8:30 am