

The Regular Meeting of the Bloomsburg Municipal Authority Board was held on Tuesday, November 14, 2023, beginning at 4:00pm in the Conference Room of the Municipal Authority Office, 1000 Market Street, Suite 9, Bloomsburg, PA.

Chair Thomas Evans presided. Those present included Vice-Chair Vincent DeMelfi arriving at 4:02pm; Treasurer Michael Upton and Board Members Sylvia Costa and Bill Brobst; Assistant Plant Superintendent Mark Tappe; Maintenance/Collection System Supervisor Josh Young; Special Projects Coordinator Ryan Longenberger; Jeff Slabinski and George Myers, Myers Environmental Services; Solicitor Alvin Luschas, Luschas, Naparsteck & Crane LLP; Steven Siegfried, P.E., Rettew; Secretary/Office Manager Amber Kenney and Billing and Collections Director Amy Seamans.

CITIZEN TO BE HEARD – JAMES STAIR

Prior to the start of the meeting, James Stair, handed a written statement to T. Evans and asked him to read it at the meeting since he was not able to stay for the meeting. The following was read by T. Evans:

“This is a copy of my protest to The Municipal Board, Bloomsburg, PA 17815

November 14, 2023

Hello

My name is James R. Stair. My wife Patricia & I live at 60 W. 11th St. Bloomsburg Pa. Pat has resided at this address for 65 years. Pat’s husband died in 1993 & we married in 1997. They had rented a small apt over the garage for many years. After our marriage the apartment renting continued to the present time. We have decided that with all of the regulations, inspections & general upheaval of society as we know it we would not rent the apartment again. My grandson & his family needed a place to live for a short time so we rented it this time for enough to cover expenses. They have now moved to Key West Fl on August 31, 2023. September 1, 2023, I had the utilities put in my name. Last week I had everything shut off. No problem with water, gas & elec. Pat owns the property & in Bloomsburg the property owner has to pay the sewer bill & collect from the rentor. Now we are told that will have to continue paying the sewer bill unless we pay \$100 for a permit and having a certified contractor inspect the property. Probably \$100+ plus. When the water is shut off you have no sewer usage (common sense) I was told without these procedures someone could take a bucket of water up the steps & dump in the toilet. This is one of the small reasons our country is in such a mode of uproar & confortation. Common sense has went out the window. If we do nothing we pay \$30 a month forever & it would be a burden on us as we are on a fixed income. I venture a guess that landlords that have many rentals love this rule. I suppose late payments have a late charge. I am amazed to think that any government today would be allowed to make such a rule. Oh! Just an afterthought. She said I could take the toilet & plumbing out then rehook to rent again at the cost \$2,500. A copy to our District Attorney Tom Leipold, Representative Dan Meuser & Local Paper. Thank you for letting me speak my opinion on this matter.

James R. Stair

Municipal Board: Tom Evans, William Brobst, Sylvia Costa, Vince DeMelfi, Michael Upton”

The Board took no action as this is the policy to stop the sewer billing.

CITIZEN TO BE HEARD – LISA DOOLEY

L. Dooley stated she was present at the request of the Board. A. Kenney expressed the Board had asked that L. Dooley attend the next Board meeting concerning the change in the Town’s street excavation permit application process and fees. L. Dooley stated the Town backs the Authority on loans and are listed on their financial statement. She asked if we thought we were charged incorrectly and A. Kenney stated no but the permit fee changed from \$100 plus the size of the cut to a flat \$200 fee but now the Authority had to send the Town a check for a percentage of the Sixth Street project to be put in escrow for inspection fees. L. Dooley sated the Town waived the bond requirement for the Authority’s Sixth Street project. A. Kenney expressed that the agreement with the Town was that they wouldn’t be billed for sewer at any of their facilities and the Authority wouldn’t be charged for street excavation permits and now the street excavation ordinance has been amended to include inspection fees and bond requirements. M. Upton stated he wasn’t a member of the Board when this agreement was made and feels that on an accounting level the Town should be billed for sewer to keep it smoother. No action was taken at this time.

CITIZENS TO BE HEARD – MATT ZOPPETTI, ATTORNEY SEAN LOGSDON, RICH KISNER AND ATTORNEY MATTHEW TUROWSKI

Matthew Zoppetti was present with his legal counsel, Sean Logsdon, Esquire, accompanied by Richard Kisner of Community Strategies Group represented by Attorney Matthew Turowski. Mr. Zoppetti stated that his company was entitled to connect to the Authority's sewage collection system along Sixth Street in Bloomsburg without paying current connection fees (tapping fees) and that Community Strategies Group or its affiliates who bought land from him along Sixth Street are entitled to refunds from the Authority of connection fees of several hundred thousand dollars. In support of his position, he presented the Board with a collage of email communications dating back several years where he sought verification from the Authority that he and the owners of real estate he sold to do not have to pay current Act 57 Tapping Fees. He presented no written documentation from the Authority to verify his claims. Mr. Zoppetti then demanded that the Authority execute a document titled "First Amendment to Developer Agreements" dated May 8, 2023, which had been signed by the Town of Bloomsburg. The Agreement involves the real estate that Mr. Zoppetti claims is exempt from tapping fees. The Agreement asks the Authority to agree that any changes by Mr. Zoppetti will not be unreasonably withheld, delayed, or denied by this Authority and that his development will not be subject to any changes or amendments to governing ordinances. Attorney Luschas stated that he has requested copies of the current plans for the developments referred to in the proposed Agreement and that although they have been promised by Mr. Zoppetti, none have been received by Attorney Luschas nor the Authority pursuant to the Solicitor's request. Mr. Zoppetti that stated that he would file a Mandamus action to force the Authority to sign the Agreement he seeks, and that the Authority would be responsible to pay his attorney's fees. At this point the Solicitor requested that the Board consider an Executive Session due to the threat of litigation.

The Board adjourned into Executive Session at 4:34 p.m. due to potential litigation and reconvened at 5:01 p.m. B. Brobst left the Executive Session at 4:57 p.m.

The Solicitor stated that the Authority should not pay Mr. Zoppetti's grantees hundreds of thousands of dollars in refunds based solely on the documents presented. Attorney Turowski stated that if the Solicitor wants to view Mr. Zoppetti's current development plans, he can view them at the courthouse. On the advice of the Solicitor, the Board requested that all future communications regarding the issues raised are to be directed to the Solicitor.

APPROVAL OF OCTOBER 10, 2023 MEETING MINUTES

On a motion by S. Costa, seconded by M. Upton and voted on unanimously, the Board approved the October 10, 2023 meeting minutes without any additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY OPERATING AND MAINTENANCE BILLS FOR OCTOBER

On a motion by M. Upton, seconded by V. DeMelfi and voted on unanimously, the Board approved payment of the monthly operating and maintenance bills for October in the amount of \$214,512.51.

APPROVAL OF PAYMENT OF MONTHLY SEWER MAINTENANCE BILLS FOR OCTOBER

On a motion by S. Costa, seconded by M. Upton and voted on unanimously, the Board approved payment of the monthly sewer maintenance bills for October in the amount of \$26,170.20.

APPROVAL OF PURCHASING HOLIDAY GIFT CARDS FOR AUTHORITY EMPLOYEES

On a motion by S. Costa, seconded by M. Upton and voted on unanimously, the Board approved purchasing \$50.00 gift cards from Weis Markets for Municipal Authority employees for the holiday.

APPROVAL OF FINAL PAYMENT TO SWERP, INC. FOR THE SUMMIT AVENUE SEWER REHABILITATION PROJECT

On a motion by M. Upton, seconded by S. Costa and voted on unanimously, the Board approved final payment to SWERP, Inc. in the amount of \$30,986.32 for the Summit Avenue Sewer Rehabilitation Project.

APPROVAL OF BID FROM USALCO, LLC FOR ALUMINUM SULFATE FOR 2024

On a motion by M. Upton, seconded by S. Costa and voted on unanimously, the Board approved a bid from USALCO, LLC in the amount of \$86,142.00 for Aluminum Sulfate rite for 2024.

APPROVAL OF BID FROM CHEMSREAM, INC. FOR SODIUM HYPOCHLORITE FOR 2024

On a motion by M. Upton, seconded by S. Costa and voted on unanimously, the Board approved a bid from Chemstream, Inc. in the amount of \$47,340.00 for Sodium Hypochlorite for 2024.

APPROVAL OF THE PURCHASE OF A 2023 FORD F250 SUPER CAB FROM SUNBURY MOTOR COMPANY THROUGH COSTARS

On a motion by V. DeMelfi, seconded by M. Upton and voted on unanimously, the Board approved the purchase of a 2023 Ford F240 Super Cab in the amount of \$69,805.00 from Sunbury Motor Company through Costars.

APPROVAL OF PLACING A 2006 FORD F250 ON MUNICIBID FOR SALE

On a motion by V. DeMelfi, seconded by S. Costa and voted on unanimously, the Board approved placing a 2006 Ford F250 on Municibid for sale.

S. Costa left the meeting at 5:42pm

APPROVAL OF SEWER BILL CREDIT POLICY

On a motion by V. DeMelfi, seconded by M. Upton and voted on unanimously, The Board approved a sewer bill credit policy authorizing the MATB administrative staff to approve credits to sewer bills in an amount not to exceed \$500.00. Requests in excess of \$500.00 will require MATB authorization. It was noted that sewer credits authorized by staff will be presented to the Board on a monthly basis for review.

APPROVAL OF PAYMENT TO THE TOWN OF BLOOMSBURG FOR 2023 PAVING

On a motion by M. Upton, seconded by V. DeMelfi and voted on unanimously, the Board approved payment to the Town of Bloomsburg in the amount of \$22,742.81 for paving completed in 2023 on West Fourth Street from West Street to Market Street and Whiteman Avenue from Main Street to Ridge Street.

APPROVAL OF A SEWER BILL CREDIT FOR MARK ERNST AT 24 MILLVILLE ROAD

On a motion by M. Upton, seconded by V. DeMelfi and voted on unanimously, the Board approved a sewer bill credit for Mark Ernst in the amount of \$627.37 for his 10/31/23 bill for a water leak caused by water lines being cut by a prior tenant.

Being no further business, the meeting adjourned at 5:55pm.

AMBER KENNEY
Secretary/Office Manager