

Mount Pocono Municipal Authority
Regular Meeting
January 18th, 2024

The monthly Meeting of the Board of Directors of the Mount Pocono Municipal Authority (the "Authority") was called to order by Solicitor Scott Lipson at 7:05 PM. The following people were in attendance: Board Member Matthew Hensel, Board Member Jeff Woehrle, Board Member Christine Farrugia, Board Member Karl Davis, Executive Director Jonathan Klotz, ARRO Engineer David Kee, Solicitor Scott Lipson, Accountant Dean Cable, and Administrative Assistant Alexandria Patrick all via Zoom™.

BOARD REORGANIZATION:

Solicitor Scott Lipson led the reorganization of the Authority's Board members for 2024.

Board Positions:

Chairman:

A motion to nominate Jeff Woehrle as the Authority's Chairman was made by Board Member Matthew Hensel. Board Member Karl Davis seconded the motion, which passed unanimously 4-0.

Vice Chairman:

A motion to nominate Matthew Hensel as the Authority's Vice Chairman was made by Chairman Jeff Woehrle. Mr. Davis seconded the motion, which passed unanimously 4-0.

Secretary:

A motion to nominate Matthew Hensel as the Authority's Secretary was made by Mr. Davis. Board Member Karl Davis seconded the motion, which passed unanimously 4-0.

Treasurer:

The Treasurer position for the Authority's Board is responsible to monitor monthly bills and present them at the Authority's Board meeting. This information is provided to the treasurer prior to the meeting for preparation.

A motion to nominate Christine Farrugia as the Authority's Treasurer was made by Vice Chairman Matthew Hensel. Mr. Davis seconded the motion, which passed unanimously 4-0.

Mr. Davis thanks the Authority for the opportunity that he was given as the treasurer and wishes Ms. Farrugia the best during her term. He will be available to assist her if she has questions about the position.

Additional Positions/Contractors:

Solicitor Scott Lipson led the reorganization of the Authority's additional positions and contractors for 2024.

Executive Director:

Jonathan Klotz explained that the Executive Director position must be reappointed annually, where there is no contract required.

A motion to nominate Jonathan Klotz as the Authority's Executive Director was made by Mr. Davis. Mr. Hensel seconded the motion, which passed unanimously 4-0.

ARRO Engineering, Norris McLaughlin, Lawrence Cable & Company:

A motion of nomination to reappoint David Kee from ARRO as the engineer, Norris McLaughlin as the solicitor, and Lawrence Cable & Company as the Authority's outside accountant (CPA) was made by Mr. Woehrle. The motion was seconded by Mr. Hensel and the motion carried unanimously.

Once the Board Reorganization was completed, Chairman Woehrle led the Pledge of Allegiance.

MINUTES:

Regular Meeting Minutes:

Minutes of the December 14th, 2023, regular monthly Authority Meeting were presented.

A Motion was made by Vice Chairman Matthew Hensel, seconded by Treasurer Christine Farrugia, to approve the Minutes of the December 14th, 2023, meeting as presented. Motion passed unanimously.

TREASURER'S REPORT:

The Treasurer's Report was presented by Executive Director Jonathan Klotz.

Bills to be paid:

A motion was made by Mr. Hensel to pay the bills in the total amount of \$62,130.69 as listed in the Treasurer's Report. The motion was seconded by Ms. Farrugia, and the motion was carried unanimously 4-0.

Transfer from Operating to Payroll:

A motion was made by Mr. Davis to transfer from Operating to Payroll in the amount of \$39,433.53 as listed in the Treasurer's Report. The

motion was seconded by Mr. Hensel, and the motion was carried unanimously 4-0.

COLLECTIONS:

Executive Director Jonathan Klotz presented a memo explaining the current payment arrangements, liens, and properties on shut off. There are currently 17 payment arrangements. There are currently 64 active liens, and 13 liens have been released from December 14th to January 16th. A total of 6 accounts have been sent to the legal team for collections.

SOLICITOR:

Mr. Lipson stated that Paralegal Michelle Sandone prepared a collections list to be shared with the Authority. There are four sections included in this collection list. The first section includes customers that have been filed with District Judge Riley. The second section are those who have filed for bankruptcy. Customers that are in this second section have collections essentially on hold. The third section are customers who have received judgements and may be requested for sheriff's sale. Mr. Lipson explained that this may only be done when there is no mortgage on the home, and will cost the Authority \$2,000.00 per property requested, but is reimbursable. The fourth section are customers that District Judge Riley requires more for terms of service, which includes restricted delivery.

Chairman Woehrle asked about the progress on collections for 404 Manorview Avenue. Mr. Lipson explained that the property is likely vacant, but there is an issue because there is a co-owner of the property that is unable to be served. One of the two owners were able to be served at this time. Currently there is a lien on the property placed by the Authority.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Klotz presented the solids report and SARS-Cov2 report. Both reports are consistent with prior reports.

Mr. Klotz stated that the Authority has been rewarded two grants and the signatory pages have come out January 16th, 2024. The signatory pages have not yet been signed due to the Board Reorganization.

The Parks and Recreation project for Oak Street Park has not yet progressed in regard to the Authority. Mr. Klotz explained that Parks and Recreation will need a waiver of fees in terms of planning, but the Authority is currently waiting for formal documentation of the project.

ENGINEER REPORT:

Mr. Kee presented the Engineer's report.

The annual DRBC is due at the end of this month, and there is no action that the Authority needs to take to progress.

The Chapter 94 Report is due at the end of march, and there is no action that the Authority needs to take at this time.

All items need no action and are ongoing.

NEW BUSINESS:

Executive Director Jonathan Klotz presented each item for New Business.

Request for Abatement of Late Fees Account No. 006336-0:

The Board was presented with the request and transaction history of account 006336-0. The Board had did not approve the abatement request last month, but the customer spoke with Mr. Klotz after the December 14th, 2024, Board meeting and found that the previous request was not accurate. In June of 2022, the property owner refinanced the home, but when the allocation came through, the billing address was changed to an incorrect address. The bill was sent to the previous tenant, and the first delinquency was when the homeowner was first aware of the issue. Mr. Klotz explained to the customer that the Authority could not abate the lien filing fee in the amount of \$75.25 because the Authority has paid this amount to the court previously. The customer now requests the amount of \$71.62 to be abated.

A motion to approve the abatement request for account 006336-0 in the amount of \$71.62 was made by Vice Chairman Mr. Hensel and seconded by Board member Mr. Davis. The motion passed unanimously 4-0.

Request for Abatement of Late Fees Account No. 000205-0:

The Board was presented with a memo for the customer's request for the abatement of late fees. The customer had filled their pool over the summer and filled out a pool fill form late because they are new to the pool fill. Once the form was completed, the office was going to grant the credit, but Accountant Ms. Rodgers was out of the office due to an accident. The customer asks to abate late fees of \$29.50 due to the lapse in office communication.

A motion to approve the abatement request for account 000205-0 in the amount of \$29.50 was made by Mr. Davis and seconded by Mr. Hensel. The motion passed unanimously 4-0.

Request for Abatement of Overage Account No. 000692-0:

The Board was presented with the request for account 000692-0. The customer contacted Mr. Klotz, the office, and Mr. Hensel multiple times throughout the leak. Mr. Klotz visited the property to see where the water was coming from, stated he saw the water in the front yard of the property, and believes that the water did not enter the sewer. The customer did contact Pennsylvania American Water to have the issue corrected, and only received a credit of 2,000 gallons. Mr. Klotz explained that the usage of the property has a slight overage on the next bill, but the usage has gone down significantly. Vice Chairman Hensel stated that the customer is his neighbor, and he was notified by the customer about the pipe burst. Mr. Hensel instructed the customer to keep in contact with Mr. Klotz and the office, which the customer has done.

A motion to approve the abatement request for account 000692-0 in the amount of \$2,064.80 was made by Mr. Davis and seconded by Treasurer Ms. Farrugia. The motion passed unanimously 4-0.

Request for Abatement of Overage Account No. 009137-0:

The Board was presented with the request for account 009137-0, a picture of the flooded crawl space, the invoice from Roto-Rooter, and the bill from the Fourth Quarter for the MPMA. The tenant had an issue with a sink in the home, where the pressure was low at first, then not functioning at all. The tenant said they could still hear running water for about one week. The owner was then notified by the tenant and called Pennsylvania American Water and our office. Mr. Klotz explained that the water went into the crawl space and did not reach the sewer system. Board Member Karl Davis asked if the Authority should be responsible for the incident. Mr. Klotz explained that it was an issue with the tenant, and the owner had no way of knowing there was an issue in the home until the tenant contacted the owner. He also explained that the water that went into the crawl space was stagnant and seeped into the ground, not entering the sewer system.

A motion to approve the abatement request for account 009137-0 in the amount of \$501.70 was made by Ms. Farrugia. The motion was seconded by Mr. Hensel and the motion carried unanimously 4-0.

Request to Switch Account Retroactively to Standby Account No. 000636-0:

The Board was presented with the request for account 000636-0 and an insurance claim. The home was damaged by a fire and is still currently uninhabitable. The request was supposed to be at a previous meeting, but unfortunately was not presented. The customer has made the request to be on standby, but there has not been a payment made. Mr. Klotz stated that the account is currently \$595.49. If the Board chooses to switch the account retroactively excluding accumulated fees, the customer's balance will be \$397.17. If the Board chooses to switch the account including accumulated fees, the customer's balance will be \$436.99. Mr. Klotz recommended if the Board chooses to switch the account to standby, to include a term to ensure the Authority knows the house is still uninhabitable. Vice Chairman Hensel inquired if the Authority is responsible to "check-in" with the customer, and if there is a lapse in communication between the customer and the Authority within a year, will the customer be returned to regular billing. Mr. Klotz explained that the office wants to be in contact with the customer about the property and if there is a lapse, the customer will be returned to regular billing. The caveat was to ensure the owner is required to keep in contact with the office about the home's status.

A motion to temporarily convert the billing status to standby for a one-year period for account 000636-0, with circumstantial notification of switch of status from the office, was made by Mr. Hensel. The motion was seconded by Ms. Farrugia and the motion carried unanimously 4-0.

An additional motion was made to remove the accumulated fees for account 000636-0 due to the time lapse, correcting the customer's balance to the amount of \$397.17 was made by Mr. Hensel. The motion was seconded by Ms. Farrugia and the motion passed unanimously 4-0.

Request of EDU Change Account No. 008471-0:

The Board was presented with the request for account number 008471-0. The customer paid for an inspection on January 12th, 2024 because the county and zoning have the property as two units, but the Authority has been billing the customer for three EDUs. The customer of the account has passed, and his son is currently paying for the account. Executive Director Jonathan Klotz and Plant Operator Joshua Snook inspected the property, and the inspection shows that the home was previously used as a two efficiency and two full apartment dwelling (four units total) about 20 years ago, which is why the customer had been billed for three EDUs. When the current customer moved into the home, the property was being used as a two-unit dwelling. Mr. Klotz explained that the downstairs of the home has two sliding doors into studio apartments, but they are no longer that type of use. There is no notation from the Authority, Zoning, or the Mount Pocono Borough of when the changes have been made to the property. Mr. Klotz explained that the home can be reduced from 3 EDUs to 2 EDUs due to the inspection and consistent water usage. Board Member Mr. Davis explained that the motion may need a stipulation that the Authority cannot retroactively reduce the number of EDUs due to lack of documentation of the changes in the home. Mr. Klotz explained that because there is no documentation of the changes in the home, the Authority will not be able to retroactively reduce the number of EDUs.

A motion to reduce the number of EDUs from 3 EDUs to 2 EDUs for account 008471-0 was made by Mr. Hensel. The motion was seconded by Ms. Farrugia and the motion passed 3-1. Matthew Hensel, Christine Farrugia, and Jeff Woehrle voted in favor of the motion. Karl Davis voted against the motion.

Employee Klotz Request for Reimbursed Holiday:

Jonathan Klotz is requesting the Board to reimburse two floating holidays. Mr. Klotz worked Christmas Eve and Christmas due to emergencies at the plant. He was unable to take the holiday between then and the new year due to the Authority's needs and consistently worked more than 50 hours per week from the end of November to January. Mr. Klotz stated that if Board members need to see his time sheets, that he will present the sheets to them in the MPMA office.

A motion to reimburse Executive Director Jonathan Klotz with two floating holidays for the year 2024 was made by Mr. Hensel. The motion was seconded by Ms. Farrugia and the motion carried unanimously 4-0.

Employee Rodgers Request for Reimbursed Holiday:

Stephanie Rodgers is requesting the Board to reimburse one floating holiday. Ms. Rodgers was out due to an accident and a holiday was missed during payroll. Mr. Klotz explained that she ended the year with a total of 80 hours holiday time used, instead of the 88 hours that are provided by the Authority.

A motion to reimburse Office Accountant Stephanie Rodgers with one floating holiday for the year 2024 was made by Ms. Farrugia. The motion was seconded by Mr. Hensel and the motion carried unanimously 4-0.

Employee Fisher Request for Reimbursed Vacation:

Daniel Fisher has unused vacation time that he planned to use, but due to the weather and Authority's needs between November and January, these hours have prevented them. Mr. Fisher has 30 hours that he is requesting the Board reimburse for 2024.

A motion to reimburse Lead Operator Daniel Fisher 30 Hours of vacation time for the year 2024 was made by Mr. Hensel. The motion was seconded by Ms. Farrugia and the motion carried unanimously 4-0.

OLD BUSINESS:

Office Location:

Executive Director Mr. Klotz stated that he has not received an update on the status of the proposition made to the Mount Pocono Borough.

An Executive Session was called by Chairman Jeff Woehrle at 8:08 PM to discuss legal issues with the purchase of the Pocono Mountain Industrial Park Authority. The Board retired from Executive Session at 8:27 PM with no further motions to be made or business to discuss.

ADJOURN:

There being no further business to be discussed, the Meeting was adjourned at 8:27 pm.

Respectfully submitted,

Alexandria Patrick
Mount Pocono Municipal Authority