

Mount Pocono Municipal Authority  
Monthly Meeting  
April 13, 2023

The monthly Meeting of the Board of Directors of the Mount Pocono Municipal Authority (the "Authority") was called to order by Chairperson Matthew Hensel at 7:00 pm. The following persons were in attendance: Board members Christine Farrugia, Jeff Woehrle, Executive Director Jon Klotz, Solicitor Scott Lipson, property owner Manny Farrugia, and Ann Marie Harris, Mount Pocono Borough Council member and resident. Accountant Dean Cable of Lawrence Cable and Company, Ed Overberger, from ARRO Consulting, Steve Crimmel and Seth Brady, from Solar Renewable Energy, Special Counsel, John Lushis, and Suzan Hanc, MPMA Administrative Assistant were present via Zoom. The Pledge of Allegiance was led by Chairperson Hensel.

**MINUTES:**

Minutes of the March 9, 2023 regular monthly Authority Meeting were presented.

A Motion was made by Mr. Davis, seconded by Ms. Farrugia, to approve the Minutes of the March 9, 2023 meeting as presented. Motion passed unanimously.

**SRE PRESENTATION:**

Steve Crimmel and Seth Brady presented a potential solar project partnership with the Authority. Questions were asked throughout the presentation by Board of Directors' members and consultants. The main portion of the discussion surrounded the Power Service Agreement and the calculator of cash position. Focus of the project for the Authority is rate certainty.

**SRE Project Development:**

A motion to approve expenditures by the Executive Director to enlist the assistance of consultants. The expectations of the motion are to investigate the viability of the solar project. The motion was made by Mr. Davis and seconded by Ms. Farrugia. The motion carried unanimously.

**TREASURER'S REPORT:**

The Treasurer's Report was presented by Treasurer Karl Davis.

**Bills to be Paid/Mid-month Bills.**

A Motion was made by Mr. Woehrle to pay the February 2023 bills, including mid-month bills, in the total amount of \$57,063.61 as listed in the Treasurer's Report. The Motion was seconded by Ms. Farrugia and carried unanimously.

**Transfers:**

A Motion was made by Mr. Woehrle to approve to the transfer of Payroll funds in the amount of \$28,711.84. The motion was seconded by Ms. Farrugia. The Motion carried unanimously.

**COLLECTIONS:**

The Executive Director stated that Solicitor Lipson has continued pursuit of some delinquent accounts. There are two properties listed on Sheriff Sale that we have put in a claim to collect. Stephanie is analyzing the payment plan system and reviewing the eligibility of customers.

**EXECUTIVE DIRECTOR'S REPORT:**

Mr. Klotz discussed the sludge report along with some details of plant performance. He then went on to discuss a potential study/partnership with PMAA. PMAA is conducting performance reviews. With the reviews, there will be compiled reports made available to the participants. Mr. Klotz asks for Board of Directors support to participate. Chairman Hensel and Mr. Davis both stated even though the expense is within the Executive Director purview, they would make a motion to express support.

**PMAA PERFORMANCE STUDY:**

A motion was made by Mr. Davis to approve the Executive Director to participate in the PMAA Performance Study. The motion was seconded by Ms. Farrugia. The motion carried unanimously.

Mr. Klotz then presented a letter of resignation from Administrative Assistant, Suzan Hanc. The Executive Director and Chairman Hensel made notes of the time served to the Authority and the accomplishments achieved because of Ms. Hanc's tenure.

**HANC LETTER OF RESIGNATION:**

A motion was made by Mr. Davis to accept the resignation of employee Suzan Hanc effective April 28, 2023. The motion was seconded by Ms. Farrugia and passed unanimously.

Mr. Klotz presented the unsealed sludge bids for liquid sludge hauling. In the presentation, Executive Director announced all bidders were vetted and met all necessary requirements of eligibility. All the prices for 1-year, 2-year, and 3-year contract terms were presented to the Board of Directors.

**SLUDGE HAULING BID ACCEPTANCE:**

A motion was made by Mr. Woehrle to accept a 2-year term at a rate of \$0.1016 per gallon to Environmental Service Corporation. Contract will begin June 1, 2023 and end May 31, 2025. The motion was seconded by Ms. Farrugia and carried unanimously.

Executive Director Klotz then lets the audience know there are a longer list of customer issues this month that need to be discussed.

**ACCOUNT 089220:**

Account holder requests to relinquish 18 EDUs back to the Authority due to lack of space in development. Part of the request is only pay for the prorated standby for the full allotment until the day of the vote. There are brief discussions on capital income and potential risks. Ultimately, a motion is made by Mr. Woehrle to accept the terms presented as is. The motion to accept the 18 EDUs is seconded by Ms. Farrugia and carried unanimously.

**ACCOUNT 000302:**

Account holder requests abatement of overages charges of \$506. The overages were due to a faulty bathroom fixture while the customer was

admitted to the hospital. Upon return to their residence, they fixed the leak. The previous quarter the customer received a first-time overage credit and from the water use change, the dates presented by the customer are accurate and were recorded prior to the charges occurring. A motion was made to adjust the overages off the account by Mr. Woehrle and seconded by Ms. Farrugia. The motion carried with a vote of 3-0 with 1 abstention by Mr. Davis.

**ACCOUNT 000612:**

Mr. Klotz presented updated information from account 000612. The Board of Directors took no action. There were no further discussions.

**ACCOUNT 000482:**

Mr. Klotz presented an email from the account holder. They moved in mid quarter and received a bill in the previous owners' name. Forwarded that invoice to the previous owner. However, by the late bill, MPMA received notification of the sale from the county. Customer immediately paid and requested abatement. Due to the mailing issues from closing company to county, a motion was made to adjust the penalty on the account by Mr. Davis. The motion was seconded by Mr. Woehrle and carried unanimously.

**ACCOUNT 000235:**

Mr. Klotz presented an email request by the account holder for overage abatement due to pool fills. Executive Director Klotz presented the terms provided by the customer. A motion was made by Mr. Davis to accept the terms provided by the customer. Ms. Farrugia seconded the motion. After discussions of pool permit, customer communications, and overall request to policy the motion failed 0-4.

Another motion was made to abate the \$210.00 charge from 2Q22 if the customer completes a pool permit form by 4/21/23. The pool permit will then be subject to approval of MPMA Executive Director. If approved, waive \$210.00 from 2022 and 1 credit from 2023. The motion was made by Mr. Woehrle and seconded by Ms. Farrugia. That motion carried unanimously.

**ACCOUNT 006370:**

Account holder presented documentation in January of a hot water heater leak. The pictures show no water entered the sewer, exiting a crawl space area. A motion was made to abate the overage charge of 1Q23 Sanitary Sewer service in the amount of \$1,447.60. The motion was made by Mr. Woehrle and seconded by Mr. Davis. Motion carried unanimously.

**ENGINEER REPORT:**

Ed Overberger reported the Pine Hill pump station generator project will be starting the following week of the meeting. The executed Change Orders were processed and sent to the contractor.

Mr. Overberger mentioned the grants that were submitted by MPMA and ARRO Consulting. No determinations have been made. Nothing expected until mid-summer at best.

Mr. Overberger also deferred some of the report for later sections of the meeting due to posted agenda items. He finished with a discussion on the APA with Pocono Mountains Industries.

**SOLICITOR:**

Attorney Scott Lipson reports one major item necessary for the group to confer for the evening is an amendment to the Clarius Developer's Agreement. Since changes were made to the original document, MPMA is an original signatory. Even though the changes do not affect MPMA, it is advised to sign the amended document.

**CLARIUS DEVELOPER'S AGREEMENT AMMENDMENT 1:**

A motion was mad by Mr. Davis to approve signature of the Clarius Developer's Agreement. The motion was seconded by Mr. Woehrle and carried unanimously.

Attorney Lipson then deferred the floor to Special Counsel, John Lushis. Attorney Lushis discusses the Asset Purchase Agreement with Pocono Mountain Industries. Mr. Lushis states his satisfaction with the current agreement.

**ASSET PURCHASE AGREEMENT:**

A motion is made by Mr. Woehrle and seconded by Ms. Farrugia to execute the APA with PMI as presented by Special Counsel Lushis. Discussions about the necessary work remaining occur. Special Counsel Lushis reiterates that a large proportion of work remaining has to come from PMI. Attorney Lushis also states there needs to be an in-person meeting if the motion were to pass. Chairman Hensel calls for a vote. Motion carried unanimously.

**1355 Pocono Blvd.:**

Executive Director Klotz states the need to discuss the potential building purchase. Jeff Woehrle, Christine Farrugia, and Mr. Klotz have worked with the listing agent and contractors to investigate the building. Jonathan states there are additional investigations necessary prior to making an offer on the property. A motion was made by Mr. Woehrle and seconded by Mr. Davis authorizing the Executive Director to make contacts and make expenditures necessary to have the building appraised and inspected. The motion carried unanimously.

**ADJOURN:**

There being no further business to be discussed, the Meeting was adjourned at 10:35 pm.

Respectfully submitted,

Jonathan Klotz  
Mount Pocono Municipal Authority