

# **CHALFONT-NEW BRITAIN TOWNSHIP JOINT SEWAGE AUTHORITY**

## **BOARD MEETING MINUTES**

**February 22, 2022**

The meeting of the Chalfont-New Britain Township Joint Sewage Authority was held on February 22, 2022, in the Authority's meeting room.

**Present:** William Evans, Chairman; Donald Cameron, Vice Chairman; Timothy Hagey, Treasurer; Lawrence Nuesch, Secretary, Preston Campbell, Assistant Secretary and William Muzika, Assistant Treasurer. Also present: John Schmidt, Executive Director; Joseph Nolan, Engineer; and Joseph Bagley, Solicitor. Also present were Ernest Closser, special counsel, and Chris Gibbons of Concord Finance.

The Chairman opened the meeting at 5:00 p.m.

### **PUBLIC COMMENT**

No members of the public were present.

### **REPORTS OF OFFICERS**

No Reports of Officers were presented.

### **COMMITTEE REPORTS**

No Committee reports were presented.

### **EXECUTIVE DIRECTOR'S REPORT- John Schmidt**

Mr. Schmidt acknowledged Chris Gibbons of Concord Finance. Mr. Gibbons reported by way of a summary the solicitation of separate proposals for the Pump Station No. 4 Project and refinancing the existing debt of the Authority. Concord solicited 38 banks for separate financing proposals. The recommended proposal for the capital projects was from People's Security Bank & Trust Company of Doylestown with a combination of a five-year fixed rate of 1.79% and a variable rate thereafter having an interest rate cap of 2.09% which will provide annual debt service costs savings of \$10,000 over what was initially proposed by Concord. The recommended proposal for the refinancing of the Sewer Revenue Note, Series of 2016 was provided by PeoplesBank of Lancaster with a fixed rate of 1.59% for the term providing over \$30,380 of interest rate savings.

The proposed settlement date is March 17. Following a general discussion, including the fact that funds spent so far on Pump Station No. 4 could be reimbursed by the account as preliminary expenses, a motion was made to move forward with the proposals.

**MOTION:** It was moved by Mr. Hagey and seconded by Mr. Campbell to adopt Resolution No. 2022-3 authorizing the issuance of Chalfont-New Britain Township Joint Sewage Authority Sewer Revenue Note, Series A of 2022 and Sewer Revenue Note, Series AA of 2022 (collectively, the "2022 Notes"), for the purpose of refinancing existing debt of the Authority and financing capital projects and paying the cost of issuance of the 2022 Notes; accepting proposals for the purchase of the 2022 Notes; establishing the details of the 2022 Notes; authorizing the execution and delivery of the 2022 Notes and agreements and documents related thereto; and providing an effective date

along with the blank in the Resolution distributed to the Board filled in as Series A Peoples Security Bank & Trust Company and the blank for Series AA completed as PeoplesBank. The Motion was unanimously adopted.

The Chairman and the Secretary thereafter executed financing documents. Mr. Closser and Mr. Gibbons left the meeting.

Mr. Schmidt next reported upon the sewer backups of September 1-2. The Board recessed into executive session at approximately 5:23 PM to discuss potential litigation and attorney-client privileged matters. The Board returned to its regular session at approximately 5:38 PM.

**MOTION:** It was moved by Mr. Hagey and seconded by Mr. Cameron to reimburse Mr. Gabriel of 107 Brittany Drive consistent with the Executive Director's recommendation in exchange for a release. The Motion was unanimously adopted.

Mr. Schmidt next presented a sewage capacity form completed and forwarded by New Britain Township for a proposed 70-unit apartment building at 409 W. Butler Avenue.

**MOTION:** It was moved by Mr. Hagey and seconded by Mr. Nuesch to approve the Sewage Capacity Approval Form for 409 West Butler Avenue. The Motion was unanimously adopted.

Mr. Schmidt next reported upon the progress of acquiring easements for the Pump Station No. 4 Project. The Board moved into executive session to consider the purchase of real property and to discuss agency business which if discussed in public would violate a lawful privilege at approximately 5:43 PM. The Board returned to its regular session at approximately 5:43 PM.

**MOTION:** It was moved by Mr. Hagey and seconded by Mr. Campbell to authorize Mr. Schmidt to attempt to settle with certain property owners of land proposed for easement acquisition in accordance with Mr. Schmidt's recommendations. The Motion was unanimously adopted.

Mr. Schmidt asked about revisions to the February minutes. It was suggested that the order of the presentation of plaques to former Board members be revised and the titles ascribed to Mr. Campbell and Mr. Muzika be revised.

Mr. Schmidt next reported on the request of EPWPCOA to contribute to its scholarship fund to encourage youth to enter the study of science or environmental fields.

**MOTION:** It was moved by Mr. Hagey and seconded by Mr. Cameron to contribute \$1000 to the EPWPCOA Scholarship Fund to encourage the study of science and environmental science and expand the field of potential future operators for treatment plants. The Motion was unanimously adopted.

Mr. Schmidt recognized that employee Tim Kulp has been serving the Authority for 35 years as of this week.

Mr. Schmidt reminded the Board about PMAA training on March 24. He also reminded the Board that Mike Stoller of Mantis Innovation will be appearing at the March 22 Board meeting and Ethics Training will take place at the March 8 meeting.

**ENGINEER’S REPORT – Joseph Nolan**

Mr. Nolan reported that he resubmitted the Act 537 Special Study to DEP for their comments. The Township requested an easement plan in connection with the land development plan waiver granted by the Township. Mr. Nolan is preparing the plan and forwarding to the Township. Mr. Nolan has received an engineering review letter with 4 or 5 comments from the Township Engineer. The design plans for the Pump Station are completed. Mr. Nolan will be submitting the Part II Permit Application to DEP for initial comments.

**SOLICITOR’S REPORT- Joseph Bagley**

The Board Ethics Training will be held on March 8.

**ADJOURNMENT**

**MOTION:** It was **MOVED** by Mr. Hagey and **SECONDED** by Mr. Campbell to adjourn the meeting. The Motion was unanimously adopted.

The meeting was adjourned at approximately 6:15 PM

Respectfully submitted,

Joseph M. Bagley, Solicitor  
and Recording Secretary