

**THE TOWNSHIP OF MAXATAWNY  
MUNICIPAL AUTHORITY  
THURSDAY, OCTOBER 22, 2015**

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**AGENDA**

**CALL THE MEETING TO ORDER:** Chairman Michael Berger called the meeting to order at 730PM with the Pledge of Allegiance. Members present: Steve Wilson, Garret Miller and Marlowe Graff. Professionals present: Engineer, Tim Miller; Solicitor, Jill Nagy; Utility Operator, Allen Leiby.

**ANNOUNCEMENT:** Nothing at this time.

**ACTION ON THE MINUTES:** Motion was made by Wilson and seconded by Garrett to approve the Minutes of the August 27, 2015 meeting. Motion passed (4-0).

**PUBLIC HEARING:**

1. Kutztown University Foundation - Series Note 2012
  - a. Bond Counsel, Peter Edelman gave a brief presentation for a bond refinance with Kutztown Foundation. He opened a public hearing at 7:30PM.
  - b. There were no public comments and the hearing closed at 7:40PM.
2. Motion was made by Wilson and seconded by Grafft to ratify and confirm the execution of amendment documents related to the Authority's Revenue Note (Kutztown University Foundation, Inc. Project) Series of 2012 and extend the note from October to May. Motion passed (4-0).
3. Motion was made by Wilson and seconded by Graff to authorize the issuance by the Authority of its Revenue Note (Kutztown University Foundation, Inc. Project), Series of 2015, in an original principal amount of not to exceed \$7,400,000.00. Motion passed (4-0).

**REPORTS:**

1. Manager's Report.
  - a. The Authority reviewed the Manager's report for the month.
  - b. Chairman Michael Berger requested changing the meeting schedule to quarterly meetings. The consensus of the Authority was to advertise the meetings monthly but only hold meetings as necessary. The Township doors will be posted when meetings are cancelled.

**OLD BUSINESS:**

1. Nothing at this time.

**NEW BUSINESS:**

1. Nothing at this time.

**PROFESSIONAL SERVICES:**

1. Engineer - Tim Miller
  - a. Engineer Miller reported that is continuing to work with the Manager on the USDA grant application for water line replacements in Bowers.
2. Solicitor - Jill Nagy
  - a. Solicitor Nagy reported on various matters of litigation and their status.

- b. The Authority discussed a request from Attorney O'Keefe to return monies collected from the Kutztown Mobile Home Park residents since they will not be connecting to public sewer.
  - c. Motion was made by Miller and seconded by Wilson to enter money into the Berks County Court where it can be distributed back to the residents who paid in.
  - d. Solicitor Nagy reported on some DEP violations that the Kutztown Waste Water Plant had received. The concern is that the flow of sewer is comingled and Maxatawny is treating sewer from some of Kutztown's industrial users which will lead MTMA to experience the same issues as the Borough.
  - e. Motion was made by Graff and seconded by Miller to send a letter notifying DEP notifying the Department of MTMA's concerns in being joined to the Kutztown Treatment line. Motion passed (4-0).
3. Utility Operator - Allen Leiby
    - a. Operator Leiby reported on the various leaks fixed in 2015. He also voiced support of the new bypass line proposed for Area A that will separate the flows from Kutztown Borough. He feels that many of the issues he is having with pump blockages are related to flows from industrial users in the Borough of Kutztown.

**HEARING OF THE VISITORS AND PUBLIC COMMENT:**

1. Steve Haring asked about the status of the 20" main usage and if we advised DEP and the Commonwealth of this.
2. Josh Tucker asked about the status of resolving the conflict with Kutztown Borough. Authority Member Steve Wilson brought up the various litigation matters Kutztown engaged in and the amount of tax dollars the Borough is wasting on legal fees.

**FINANCIAL MATTERS:**

1. Motion was made by Miller and seconded by Wilson to pay the bills as presented. Motion passed (4-0).
2. Motion was made by Graff and seconded by Miller to approve the Treasurer's Report as presented. Motion passed (4-0).

**ADJOURNMENT:** Chairman Michael Berger adjourned the meeting at 8:10PM.

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Respectfully Submitted,

Justin Yaich, Manager