

**BANGOR BOROUGH AUTHORITY MEETING
HELD AT 197 PENNSYLVANIA AVENUE, BANGOR, PA**

MINUTES

June 22, 2023- 7:01PM

CALL TO ORDER AND PLEDGE TO FLAG

ROLL CALL

Members Present:

Barry Schweitzer
Robert Engle
Brian Berger
Rosemarie Capone

Others Present:

Stanley J. Margle – Solicitor (via phone at 7:52 p.m.)
Michael E. Gable, P.E., LVL Engineering
Jason Kocsis – Coldwell Banker
Doug Frederick – Howard Hanna

Absent:

Robert Rhodes
Stephen Reider – Borough Manager

PUBLIC COMMENTS:

1. Jason Kocsis was present from Coldwell Banker to give the Authority a history of the properties that he is currently involved with and his recommendations/options for the potential sale 872 Lower South Main Street.
2. Doug Frederick was present from Howard Hanna to give the Authority a history of Howard Hanna and the properties that he is currently involved with as well as his recommendations/options for the potential sale 872 Lower South Main Street.

APPROVAL OF MINUTES:

A **MOTION** to approve the minutes dated May 25, 2023, was made by Engle, seconded by Berger. All were in favor, **MOTION** carried.

ACTION ITEMS:

872 Lower South Main Street - Discussed during Public Comment.

Roseto Borough – Will be discussed in Executive Session.

MANAGER'S REPORT: Manager Reider provided a report outlining the current updates regarding the Authority. Mike Gable reviewed the report with the Authority.

SOLICITOR'S REPORT: Will be discussed in Executive Session.

ENGINEERING REPORT:

Corrective Action Plan – Gable updated the Authority Board on the current flow data. May and June have had historical dry weather. Roseto Borough Sewer Authority flows have reduced but the rate is still well above the permitted average flow.

Capital Improvements Project – Gable had discussions with PennVEST, and a pre-consultation meeting will be scheduled in a few weeks to get the remainder grant process moving along.

Ridge Road Property – Gable reported that he has prepared a review of the sanitary sewer collection system proposed by the developer. The submission of the pump station design needs some changes, so it was sent back to the developers engineer.

Slate Belt Veterans Housing Project – No updates to report.

Chapter 94 Compliance – Available EDU Tracking – No updates to report.

2023 I&I Video Inspection - The project will be advertised once the County gives a Notice to Proceed. A **MOTION** was made by Engle, seconded by Capone to authorize Engineer Gable and Manager Reider to advertise the bid for the new video inspections for 2023. All were in favor, **MOTION** carried.

Roseto Borough Authority – LVL Engineering and the Solicitor drafted a letter to the PADEP regarding the collective concerns of the Bangor Borough Authority regarding Roseto Borough Sewer Authority's system and requesting their assistance with enforcing compliance. Gable reported that he had email correspondence with the PADEP, and they will be in contact with the Roseto Borough Sewer Authority to start corrective action.

A **MOTION** was made by Berger, seconded by Engle to direct Mark Brown on behalf of the Authority to visit the known Roseto overflow areas and when there is a significant heavy rain, document his findings and if he witnesses an overflow to report it to PADEP, with a follow-up email to Gable, Sanders, and Manager Reider documenting what he found with pictures for the record. All were in favor, **MOTION** carried.

EXECUTIVE SESSION:

A **MOTION** to go into Executive Session at 7:52 P.M. to discuss legal matters with potential action to follow was made by Capone, seconded by Engle. All were in favor, **MOTION** carried.

Legal matters were discussed, which is permitted under the Sunshine Act (section 708) as an exempt meeting topic. No action was taken.

A **MOTION** was made by Berger, seconded by Capone to authorize the Authority Engineer and Authority Solicitor to reach out to the appropriate persons at PADEP for the purpose of attempting to resolve the issues raised by Attorney Peter Layman on behalf of his client EK Holdings and do so in an attempt to avoid litigation. All were in favor, **MOTION** carried.

A **MOTION** was made by Engle, seconded by Berger to authorize the institution of litigation against Saber HealthCare Group (Slate Belt Nursing & Rehabilitation Center) as a result of our receipt of their letter dated June 1, 2023, indicating that they have declined our request to make payment in the amount of \$112,500 and therefore we have no choice to pursue litigation. All were in favor, **MOTION** carried.

A **MOTION** was made by Capone, seconded by Engle to authorize having the Borough Manager review and assess the Right-to-Know records and in anticipation of making a formal recommendation to the Authority at the July meeting. All were in favor, **MOTION** carried.

ADJOURNMENT:

A **MOTION** to adjourn was made by Berger, seconded by Capone. All were in favor, **MOTION** carried. The Bangor Borough Authority Meeting adjourned at 8.53 P.M.

Respectfully Submitted,
Tracy Palmer, Administrative Secretary