

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

**MINUTES**

**OCTOBER 26, 2023- 7:00PM**

**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  
Michael E. Gable, P.E., LVL Engineering  
Stephen Reider – Borough Manager

**Absent:**

Robert Rhodes

**PUBLIC COMMENTS:**

1. Joanna Paulson questioned Mr. Gable regarding Roseto's tapping fees owed to the Authority. Mr. Gable answered her questions.
2. Forrest Meyers questioned why Roseto does not apply for a loan for the repairs to their system. Chairperson Schweitzer addressed his questions.
3. Joanna Paulson questioned the amount that Roseto residents currently pay for sewer. Chairperson Schweitzer answered her questions.
4. Mayor DeFranco had questions about the previous merger discussions between Roseto Sewer Authority & the Bangor Borough Authority. Chairperson Schweitzer and Solicitor Margle answered her questions.

**APPROVAL OF MINUTES:**

A **MOTION** to approve the minutes dated September 28, 2023, was made by Engle, seconded by Capone. All were in favor, **MOTION** carried.

**ACTION ITEMS:**

*Roseto Borough* – Mike Gable reported that he collected the data needed to install the plates in the sewer system and is working with a hydraulic engineer for numbers and flow distribution.

Solicitor Margle stated that at the direction of the Authority, letters were sent to both Roseto users and Roseto Borough Authority. Margle stated that a letter was received from a resident of Roseto stating that he is unhappy with the proposed result of the plate installation and would sue both Authorities if there was a sewer back-up in his home.

Mike Gable stated that per the PADEP, under the conditions of the Bangor Borough Authority's permit, the Authority is obligated to put in a restriction device to protect the system from high flows.

*WWTP Actuator Purchase* – Mike Gable reported that this actuator purchase is needed due to the flood that occurred in July. A **MOTION** was made by Engle, seconded by Berger to approve the actuator purchase from MLK & Associates for \$6,590.00. All were in favor, **MOTION** carried.

*WWTP DRBC Draft Docket* – Mike Gable gave an overview of the DRBC docket that is for the WWTP to discharge to Martins Creek. DRBC realized that the Bangor Borough Authority’s docket was outdated and does not include current DRBC standards. Gable reviewed his recommendations with the Authority board. A **MOTION** was made by Capone, seconded by Berger to have Engineer Gable and if needed Solicitor Margle, attend the docket hearing. All were in favor, **MOTION** carried. A **MOTION** was made by Berger, seconded by Capone to have Solicitor Margle send a letter to Roseto Borough Council and Roseto Borough Sewer Authority with a copy of the draft docket for their review; stating that they must comply with the terms in the docket. All were in favor, **MOTION** carried.

*2024 Preliminary Budget* – Manager Reider reviewed the 2024 preliminary budget with the Authority board and answered questions. A **MOTION** was made by Capone, seconded by Engle to tentatively approve the 2024 sewer and sanitation budgets pending approval by Council. All were in favor, **MOTION** carried.

*WWTP NPDES Permit Renewal* – Gable reported that the NPDES permit for the WWTP is set to expire on April 30, 2025. The permit must be submitted 180 days prior to the expiration date, or by November 30, 2024. Gable is working with WWTP operator and will consult with the PADEP to determine the scope of work and an estimated cost for budgeting purposes.

*2024 Fee Schedule Resolutions* – Manager Reider reviewed the draft 2024 sanitation and sewer fee schedules with the Authority and answered questions. Manager Reider will make the revisions to the fee schedules that were suggested, and Solicitor Margle will review.

*Recycling Containers* – Manager Reider and the Authority had a discussion regarding continuing the purchase of recycling containers. After discussion the decision was to not purchase recycling containers due to increasing costs.

## **ENGINEERING REPORT:**

*Corrective Action Plan* – Gable updated the Authority Board on the current flow data.

*Capital Improvements Project* – Gable updated the Authority Board on the PennVEST loan application process. A **MOTION** was made by Engle, seconded by Berger to approve a \$5,500 administrative fee for Mike Gable to complete the administrative portion of the PennVEST application. All were in favor, **MOTION** carried.

*Ridge Road Property* – Gable reported that he has prepared a review of the sanitary sewer collection system and the pump station proposed by the developer. A response is awaiting from the developer.

*Slate Belt Veterans Housing Project* – Gable reported that resubmission Number 3 has been reviewed from the applicant (letter dated September 21, 2023).

*Chapter 94 Compliance – Available EDU Tracking* – Gable updated the Authority on the projects currently under reservation for sewer capacity.

*2023 I&I Video Inspection* – Gable outlined the project timeline in his report.

*WWTP DRBC Docket*- Discussed during the action items and a detailed analysis is in Gable’s report.

## **SOLICITOR’S REPORT:**

Items will be discussed in Executive Session.

**EXECUTIVE SESSION:**

A **MOTION** to go into Executive Session at 8:55 P.M. to discuss legal matters with potential action to follow was made by Capone, seconded by Engle. All were in favor, **MOTION** carried.

Open session was re-entered at 9:05 P.M. Litigation was discussed, which is permitted under the Sunshine Act (section 708) as an exempt meeting topic.

A **MOTION** was made by Engle, seconded by Berger to authorize the Solicitor to submit a counter proposal for settlement in the pending litigation matter which would incorporate the comments of the Authority's Engineer and suggest modifying the repayment schedule which would provide for quarterly payments beginning January, 2024 and include a reasonable legal rate of interest effective November, 2022. All were in favor, **MOTION** carried.

A **MOTION** was made by Capone, seconded by Engle to authorize the Solicitor to send a letter to a current Authority Member, Robert Rhodes, and request that he execute a letter indicating a desire to resign from the Authority. In the fault of his acknowledging receipt of the letter and sending it back, the Authority will entertain a motion to remove from him for the Authority Board after the Solicitor's office opines as to the legality of the same and the manner as which it is to be effectuated. All were in favor, **MOTION** carried.

**ADJOURNMENT:**

A **MOTION** to adjourn was made by Engle, seconded by Capone. All were in favor, **MOTION** carried. The Bangor Borough Authority Meeting adjourned at 9:09 P.M.

Respectfully Submitted,  
Tracy Palmer, Administrative Secretary