

The regular meeting of the Middle Smithfield Township Municipal Authority was called to order on Thursday, May 20, 2009 at 6:00 P. M. with the Pledge of Allegiance, Mickey Roth presiding.

Municipal Authority members present: Mickey Roth, Jack O'Rourke, Oscar Woerlein, Gary Summer, and Scott LaBar.

Also present Richard Deetz, Jennifer Wise, Doug Olmstead, Scott Schaller, Dave Scholtz, Robyn Pugh, Sandra Black, and other interested parties.

Oscar Woerlein moved to accept the minutes of the Authority meeting held on Thursday, May 7, 2009 and Gary Summers seconded the motion. Motion carried 4-0 with one abstention from Jack O'Rourke due to the fact he was not present at the meeting.

Oscar Woerlein moved to accept the payables of May 20, 2009 and Scott LaBar seconded the motion.

Gary Summers questioned Dave Scholtz regarding the Carbtrol Corporation invoice. Dave Scholtz stated Carbtrol Corporation provides the barrels, carbon filters, for the pump stations and they submit their invoices every three months.

Jack O'Rourke questioned Doug Olmstead regarding the F. X. Browne invoices. Doug Olmstead stated it was alright to pay the invoice and payments for F. X. Browne would be winding down, expecting maybe two or three more invoices from them, since the Winona Plant is operational.

Jack O'Rourke questioned the PA American Water invoice. Dave Scholtz stated the invoice is for the yard hydrant which was placed at Pump Station 6.

Motion to approve the payables carried 5-0.

212 Software	28.01	56.91	84.92	1094
Achterman Associates	0.00	3,498.70	3,498.70	1095
Allstate Septic Systems	0.00	450.00	450.00	1096
Carbtrol Corporation	0.00	3,315.19	3,315.19	1097
Coyne Chemical	0.00	2,490.00	2,490.00	1098
Eagle Valley Envelopes	78.75	78.75	157.50	1099
F. X. Browne	4,036.04	65.00	4,101.04	1100
Scott LaBar	50.00	50.00	100.00	1101
Lehigh Valley Fence Co.	0.00	550.08	550.08	1102

Met-Ed	2,066.03	7,886.46	9,952.49	1103 & 1104
MST	215.58	1,827.74	2,043.32	1105
Oscar Woerlein	50.00	50.00	100.00	1106
PA American Water	0.00	48.72	48.72	1107
Prosser Laboratories	5,475.70	13,300.79	18,776.49	1108
Mickey Roth	50.00	50.00	100.00	1109
Serendipity Accounting & Taxes	90.00	3,905.37	3,995.37	1110
Stoz & Fatzinger	43.21	43.21	86.42	1111
Strand Pool Supply Inc.	0.00	1,798.60	1,798.60	1112
Gary Summers	50.00	50.00	100.00	1113
Verizon	0.00	211.31	211.31	1114
Waste Management	0.00	1,624.92	1,624.92	1115
TOTAL BILLS:	12,233.32	41,421.99	53,655.31	

Correspondence:

Mickey Roth stated Fred Courtright requested four letters in conjunction with the H2O application. The letters are addressed to the Middle Smithfield Township Supervisors, Monroe County Board of Commissioners, Richard Dishman of the Department of Community of Economic Development and a “To Whom It May Concern” letter regarding the ownership and expansion of the plant and pump stations. The four letters were requested by Mr. Dishman and required the approval of the Chairman of the Municipal Authority Board.

Jack O’Rourke moved for Mickey Roth as Chairman of the Municipal Authority Board to sign off on the requested four letters regarding the H2O application. Oscar Woerlein seconded the motion. Motion carried 5-0.

Old Business:

Pat Galpin of ARI, Alternative Resources, Inc. provided the Authority Board with a short history of ARI and their qualifications. ARI assists municipalities who wish to build, sell or acquire or operate a plant. He attended the Authority meeting in order to answer the questions and concerns of the Board regarding the possible sale of the Winona Lakes sewage treatment plant.

Mr. Galpin was questioned by Scott LaBar as to costs involved in the sale of the plant. He stated there would be no commission since ARI is a consulting firm. The price which is set forth in their proposal is the price for their services. He stated the plant would be advertised in several trade magazines. The firm would investigate the possible buyer, both financially and environmentally. A workshop will be conducted with the Authority regarding the qualification and financial status of the possible buyer.

Mickey Roth questioned Mr. Galpin as to the timeframe of the possible sale of the Winona plant. Mr. Galpin stated it would take two to three months to prepare the proposals but the Authority has to provide the as-builds and the plans before the pre-qualification of the buyer. He estimated six to eight months for the outright sale of the plant.

After a short discussion, Jack O'Rourke moved to hire ARI to sell the Winona Lakes Sewage Treatment Plant. Oscar Woerlein seconded the motion and motion carried 5-0.

Danuta Smiechowski requested to speak to the Authority Board to request a letter from the Board for the Department of Agricultural regarding her place of business "The Garden of Eden". Ms. Smiechowski stated the business is located on Route 209 and is connected to the sewer.

A short discussion ensued as to the house located behind the retail business regarding possible hooking up to the sewer. After further discussion, it was decided Sandra Black should provide the letter to Mrs. Smiechowski for the Department of Agricultural.

Gary Summers moved Sandra Black, Recording Secretary of the Municipal Authority to prepare and sign off on the letter to the Department of Agricultural for the place of business, "The Garden of Eden" and submit the letter to Danuta Smiechowski. Scott LaBar seconded the motion and motion carried 5-0.

Solicitor

Richard Deetz spoke in great length regarding the Open Records law and the different facets regarding it.

Jennifer Wise prepared the Resolutions regarding the Open Records Law for the Township and also prepared Resolutions for the Municipal Authority regarding taping devices and hand-written notes of the recording secretary. Copies of the Resolutions were given to the Board members at a previous meeting for their review.

Oscar Woerlein moved the Municipal Authority Board adopt the Resolutions regarding the Open Records Law presented by Jennifer Wise. Gary Summers seconded the motion and motion carried 5-0.

There was an extensive discussion regarding emails and Jennifer Wise will follow-up on rulings regarding emails and present it at the next Authority meeting.

Richard Deetz informed the Board FNCRB rejected the request for the right of way. Mr. Deetz requested Doug Olmstead to adjust the map indicating the use of the driveway which will be put together with the Declaration of Taking and presented at the next Board meeting.

Suggestion was made that Dave Scholtz should service the pump station utilizing Route 209 until the easement problem is resolved.

Gary Summers moved to table the Declaration of Taking until the bank changes their mind regarding the right-of-way. Scott LaBar seconded the motion. Motion carried 5-0.

Doug Olmstead stated Penn Dot has available a HOP permit which is used for emergency repairs along Route 209. The permit is usable several times a year.

Jack O'Rourke moved Doug Olmstead acquire the HOP permit from Penn Dot which will enable the pump station to be serviced using Route 209. Oscar Woerlein seconded the motion. Motion carried 5-0.

Richard Deetz stated he was still working on the sale connection rights, ordinances, and will provide the members a final format at the next meeting.

Bushkill Group will be discussed during Executive Session

Engineering:

Doug Olmstead stated there was a pre-top soil inspection at Winona regarding the grading which has been taken care of. On May 27 there will be an inspection regarding the punch-list. On June 3rd the location of the fence will be staked out.

Regarding the budget for the main plant, Doug will be meeting with Dave Scholtz next Wednesday to work on it.

Achterman Associates is working on the permits for the 209 sewer line extension to submit them to Penn Dot and DEP.

The slats for Pump Station 6 have been received and Township personnel will be installing them some time next week. Damian DeGeorge is taking care of the landscaping.

Doug Olmstead stated he is also working with Damian DeGeorge and Tres Amigos regarding their grease trap problem. He will be meeting with Damian to choose the next group of restaurants to inspect.

Doug Olmstead requested a motion from the Authority Board to request bid offers for the pump station repairs. The bid opening meeting will be held July 15, 2009 and the work should be done by either September or October before winter sets in.

Gary Summers moved for Doug Olmstead working with Sandra Black request bid offers for the pump station repairs. Jack O'Rourke seconded the motion and motion passed 5-0.

Regarding LTS Letter of Credit No.742 which was tabled at the previous meeting and dealt with the letter of credit for the payment of reservation fees. Reviewed the reservation agreement which is a fixed amount of \$2,200 per edu, out of the \$215,600 for the 98 lots which currently exists, they have paid \$153,780 and they have an outstanding balance of \$61,820. The original Letter of Credit is \$111,980; the Authority should allow the reduction of \$61,820 to it which is due to be renewed in August 1, 2009.

Mickey Roth tabled the request from LTS in order for Richard Deetz to review the request from LTS and present his comments at the next meeting.

Fred Courtright of Achterman Associates has contacted Chuck Leonard and is waiting on setting up an appointment with him.

Accountant

Robyn Pugh stated she is still waiting on the answers to her questions regarding the 2008 audit results presented by Riley and Company.

A letter has been sent to M&T Bank requesting the balance of the remaining funds in the construction account.

Ms. Pugh contacted Tom Beckett to set in motion the processing of obtaining a General Obligation Bond for the Authority. Sherry Predmore of the Middle Smithfield Township has provided the necessary paperwork for the Township and Michele Clewell will provide the paperwork for the Municipal Authority Board.

Plant Operator

Dave Scholtz stated the discharge monitoring report was submitted to DEP for the main treatment plant and the pump stations. There were no exceptions on the report. Treatment plant flow average was 370,000 gallons with a peak flow of 499,000. Sludge processing, processed 44 tons of solids which went to Keystone Landfill.

Regarding odor control, have not received any complaints. Presented the Board with a summary of the Siemen's proposal and the Coyne Chemical proposal comparing the prices. Dave proceeded to explain to the Board in great details the different chemicals used on the pump stations regarding the odors. Siemens proposal was found to be too expensive compared to the Coyne Chemical proposal.

Oscar Woerlein suggested Dave Scholtz should research other companies for prices of chemicals.

A temporary flow meter was placed at Country Club of the Poconos and W. G. Malden was able to get good readings from it. The flow meter was removed. W. G. Malden submitted a price quote of \$4,500 for the flow meter and installation of \$1,600 for a total of \$6,100 with a delivery of two to three weeks. Jack O'Rourke will check around for better prices on flow meters.

No substantial change in electrical usage between April 2009 and April 2008. No alarms at the plants during the month of April. Pump Station 4 had one alarm, a low level alarm. DEP conducted their inspection and everything was found to be good.

Winona Plant discharge monitoring report was also submitted to the PA DEP and it only had one exception because of ammonia which has been corrected. Plant flow rate was 15,400 gallons and peak rate was 22,000 gallons for the month of April. There were no problems at the pump stations.

Old Business

Monies collected from delinquent accounts since May 8, 2009 totaled \$5,198.62. Overall collected since February, 2009 is \$133,995.25 and balance still outstanding is \$400,915.87.

New Business

Oscar Woerlein stated Donald G. Karpowich would like to be considered for the position of alternate Municipal Authority attorney. A resume will be provided for the Board members' review at the next meeting.

Citizen's Comment

A citizen informed the Board about the National Park Services right to first refusal regarding the Marshall's Creek bypass and "Judy Purtech" was looking into taking over what they would not be using for the bypass. He suggested the Board should also look into it.

Mickey Roth directed Richard Deetz to investigation the matter.

Executive Session:

Gary Summers moved to enter into Executive session at 8:00 P. M. and Scott LaBar seconded the motion. Motion carried 5-0.

Oscar Woerlein moved to reconvene the Board meeting at 9:20 P. M. and Jack O'Rourke seconded the motion. Motion carried 5-0.

There being no further business, the meeting adjourned at 9: 25 P. M.

Respectfully submitted:

Sandra Black, Recording Secretary
Middle Smithfield Township Municipal Authority

Mickey Roth _____

Jack O'Rourke _____

Oscar Woerlein _____

Gary Summers _____

Scott LaBar _____