

The regular meeting of the Middle Smithfield Township Municipal Authority was called to order on Wednesday, April 15, 2009 at 6:01 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, Doug Olmstead, Scott Schaller, Dave Scholtz, Robyn Pugh, Sandra Black, Michele Clewell and other interested parties.

Oscar Woerlein moved to accept the minutes of Thursday, April 2, 2009 and Jack O'Rourke seconded the motion. Motion carried 5-0.

Gary Summers questioned Doug Olmstead regarding the F. X. Browne invoice presented for payment. Doug Olmstead stated he had reviewed the invoice and approved it. The invoice reflected sixty-one hours which the F. X. Browne engineer, Paul McNemar, had worked at the new Winona Plant.

Oscar Woerlein also questioned Doug Olmstead regarding the McElwee Group invoice. Doug stated their invoices should also be "winding down" because the new plant was now operational.

Mickey Roth proceeded to question Dave Sholtz regarding the Prosser Laboratories' invoices which totaled approximately \$20,000. Dave Scholtz explained the invoices were a combination of both the old plant and new plant, supplies for the new plant, compliance testing, repair on the sludge pump line, the regular invoices for the main plant, grease trap survey conducted with Damian DeGeorge, meeting with Doug Olmstead and Fred Courtright of Achterman Associates, and the welder's invoice.

Jack O'Rourke questioned Dave Scholtz regarding liability insurance for the Prosser Laboratories employees. Dave Scholtz stated a copy of the insurance certificate has been submitted to the Authority and the Municipal Authority is also listed as an additional insurer

Jack O'Rourke requested from Dave Scholtz a time schedule for each employee of Prosser Laboratories associated with the plants as to their daily duties as far as maintenance, events, etc.

Jack O'Rourke also questioned Dave Scholtz as to the usage of the fork lifts. Jack had observed during one of his visits to the plant that the new fork lift was not being utilized. Dave stated both fork lifts were being used. When questioned by Jack which fork lift would be preferable for usage at the plant, Dave Scholtz stated he would prefer keeping the newer fork lift because the older fork lift could not go up hills.

Jack O'Rourke moved to approve the April 15, 2009 payables and Oscar Woerlein seconded the motion. Motion carried 5-0.

212 Software	28.04	56.91	84.95	1027
Achterman Associates	0.00	16,020.86	16,020.86	1028
AT&T	0.00	77.56	77.56	1029
Coyne Chemical	0.00	2,490.00	2,490.00	1030
F. X. Browne, Inc.	7,200.05	357.50	7,557.55	1031
Jack O'Rourke	50.00	50.00	100.00	1044
McElwee Group	31,255.00	0.00	31,255.00	1032
Middle Smithfield Township	380.00	380.00	760.00	1033
Oscar Woerlein	50.00	50.00	100.00	1034
Prosser Laboratories	2,417.14	18,425.83	20,842.97	1035 & 1036
PSATS	0.00	100.00	100.00	1037
Mickey Roth	50.00	50.00	100.00	1038
Serendipity Accounting	240.00	1,260.00	1,500.00	1039
Stoz & Fatzinger (Supplies)	142.36	142.36	284.71	1040
Strand Pool Supply Inc.	0.00	688.00	688.00	1041
Gary Summers	50.00	50.00	100.00	1042
Waste Management	0.00	2,386.69	2,386.69	1043
<u>TOTAL BILLS:</u>	41,862.59	42,585.71	84,448.29	

Correspondence:

Mickey Roth informed the Municipal Authority Board members that the registered return receipt for the letter mailed to the DRBC had been received.

He also informed the Board that the letter regarding the new tapping fees for the Winona Lakes standby customers was ready for approve.

Jack O'Rourke moved for Mickey Roth as Chairman of the Municipal Authority Board sign off on the letter being sent to the Winona Lakes standby customers regarding the new tapping fees. Also being mailed with the letter will be Resolution 4-1-2009 and

Resolution 4-2-2009 and a copy of the Authority's minutes dated February 5, 2009 regarding the refund of the standby fees. Motion was seconded by Oscar Woerlein. Motion carried 5-0.

Jack O'Rourke proceeded to inform the members of the Board about the follow-up letter mailed to the Chairman of the Department of Interior. This letter had been sent registered mail and the receipt has not been received as of yet.

Solicitor

Richard Deetz requested Executive Session to discuss the possibility of litigation. He also stated he had not heard anything from the Bushkill Group.

Mickey Roth informed the Authority Board members that the Bushkill Group had requested a meeting for sometime at the end of April, 2009.

Engineering:

Doug Olmstead stated work at the Winona Plant was almost completed. There were some site clean up and other things which have to be addressed but as far as the actual operation of the plant itself, it is in a position for a "punch list inspection" by next week. F. X. Browne will also be involved in the "punch list inspection".

Doug stated he would be meeting with Dave Sholtz at the completion of the meeting to setup a date for a meeting to discuss budget items for the main plant.

FNCB has not responded regarding the easement problem.

In researching the files, Mr. Olmstead was able to find 537 approval documents. The 537 approval from DEP gave them just under 400,000 gallons. Until we know what is actually going to be going in the rest of the real estate for the Big Ridge projects, it is suggested the Authority not pursue them for any capacity unless they willingly give them up. If they agree to this, the Authority would need to notify them that it will adversely affect their 537 approvals.

In continuing with the research of the 537 approvals, a letter should also be sent to the Big Ridge Developers letting them know that the 56 EDUs at the Reserve at Pond Creek will be moved from the Authority's allotment because we inadvertently sold the EDUs to them as opposed to the EDUs coming out of the Big Ridge allotment.

Oscar Woerlein moved Doug Olmstead to draft a letter to the Big Ridge Developers regarding the 55 EDUs and present the draft to the Authority members at the next meeting for approval. Jack O'Rourke seconded the motion. Motion carried 5-0.

Gary Summers questioned Doug regarding tapping fees. Doug stated he had to pull a couple of reports together regarding additional EDUs and will present a written report to the Board on it.

Robyn Pugh informed the Board that tapping fees would not be affected.

Doug Olmstead continued providing the Authority with an extensive EDU report. Doug Olmstead requested the Authority allow Robyn Pugh and him to develop a detail report on EDUs.

Mickey Roth moved Robyn Pugh and Doug Olmstead conduct the EDU study. Jack O'Rourke seconded the motion. Motion carried 5-0.

Regarding grease trap, Damian DeGeorge and Wayne Rohner are still addressing the issues regarding grease traps. This is an on-going project and Damian DeGeorge will continue conducting inspections and follow up letters requesting grease trap reports will also be sent out again to businesses which have not responded to the first request.

Wayne and Damian also revisited the two houses in Lake of the Pines. The house has one grinder pump which services both houses. This is an issue for the Authority not zoning and Doug will also draft a letter, approved by Richard Deetz regarding this situation.

Sub-Contractor:

Mickey Roth informed the Board Riley and Company has completed the audit and it has been received by the Authority Board. The Board members need to review it and comment on it at the next meeting since Scott Miller will be attending.

Accountant

Robyn Pugh submitted to each of the Authority Board members a balance sheet. First quarter looks very good. She will also review the audit submission from Riley and Company. She is also working on completing balances for the standby users for Winona Lakes.

Robyn Pugh stated 2009 budget information will also be available for the next meeting.

The PNC Authority accounts, construction and operating, will be moved to Wayne bank once she has completed the reconciliation of the accounts.

Robyn also stated she will email a letter to be printed out on Authority's letterhead for the signature of Mickey Roth to close out the M&T account.

Reports will also be prepared, separately, regarding the Winona Lakes plant's expenditures and receivables from other accounts.

Plant Operator

Dave Scholtz stated the DMR reports for the main plant were submitted for the month of March and there were no exceptions.

The annual monitoring report was also submitted to the Keystone landfill.

Repair on the suction line of the press was completed and the sludge tank was emptied and cleaned out.

Met with the representative from the Seaman Company and provided all requested information and awaiting a proposal from him regarding odor control.

On March 27th accompanied Damian DeGeorge on grease trap inspections of several establishments. Damian will continue monitoring the grease trap situation and provide reports to the Authority.

The hydrant at Pump Station 6 has been installed.

Accompanied both Doug Olmstead and Fred Courtright on a corrosion survey of Pump Stations 4, 5 and 6.

Responded to a Great Bear sewer line leakage.

Regarding the Big Ridge flow meter, W. G. Malden has been notified and they will install the meter under the bridge next Thursday.

March was a month which was split between both Winona plants which required two reports to be submitted. The report submitted for the old plant had no exceptions.

The new plant only had one exception which is water nitration running high. Contacted Kruger regarding this problem and other issues and they will be at the plant next Tuesday.

Jack O'Rourke questioned Dave regarding the nitrate problem and Dave responded in great detail, one of them being that it is a measure courtesy of the DRBC.

Richard Deetz explained requirements for newer sewage plants are very strict and they must meet the criteria.

Inspection by the DEP was conducted on March 24th and they will be returning in two months to collect samples.

Mickey Roth informed Dave Scholtz the Authority would be selling the old forklift.

Old Business

Rules and Regulations from the Wind Gap Municipal Authority will be discussed at the next Authority meeting. Item was tabled.

The Ordinances for the Middle Smithfield Township Municipal Authority were also tabled. Richard Deetz will get together with Doug Olmstead and review the re-drafts of the Ordinances which were done on December 17, 2008. The new drafts of the Ordinances will be reviewed at the next Authority meeting.

The total amount collected on delinquent accounts since April 2, 2009 is \$11,005.64, bringing the overall total collected to \$110,767.50.

New Business

Gary Summers made reference to the two new Resolutions adopted by the Middle Smithfield Township regarding the "Sunshine Act; Open Meetings Law" and the retention and disclosure of notes, drafts and revisions of meetings. Gary encouraged the Board to also apply the Resolutions to the Municipal Authority Board.

Richard Deetz also suggested the Authority Board adopt the Resolutions regarding public records. Mr. Deetz also stated minutes can be amended and corrected. He stated minutes are a record of official actions which were taken during the meeting, a motion, a vote, people present at the meeting and the start and ending of the meeting. Notations can be requested to be made to minutes to the secretary as a reminder or checklist. Every comment made does not have to be typed into the minutes.

Resolution No. 04-2009-01 and Resolution No. 04-2009-02 will be reviewed by the Municipal Authority Board members and revised to adhere to the Municipal Authority Board.

Citizen's Comments:

Comments and questions were made by a citizen regarding grease traps.

Mickey Roth responded stating the grease trap situation was an on-going issue and will continue to be addressed by Damian DeGeorge.

Another citizen questioned the Authority about the sewer lines being extended to the flea market area. Doug Olmstead responded it would be extended within the next twelve months.

Executive Session:

Jack O'Rourke moved for the Municipal Authority Board to enter into Executive Session at 7:15 P. M. Motion was seconded by Oscar Woerlein. Motion carried 5-0.

Oscar Woerlein moved for the Board to reconvene at 7:40 P. M. and Jack O'Rourke seconded the motion. Motion carried 5-0.

There being no further business, the meeting adjourned at 7:41 P. M.

Respectfully submitted:

Sandra Black, Recording Secretary
Middle Smithfield Township Municipal Authority

Mickey Roth _____

Jack O'Rourke _____

Oscar Woerlein _____

Gary Summers _____

Scott LaBar _____