

The regular meeting of the Middle Smithfield Township Municipal Authority was called to order on Thursday April 2, 2009 at 6:02 P. M. with the Pledge of Allegiance, Mickey Roth presiding.

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

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

Gary Summers moved to accept the March 18, 2009 minutes and Oscar Woerlein seconded the motion. Motion carried 4-0.

Oscar Woerlein moved to approved the April 2, 2009 payables and Gary Summers seconded the motion. Motion carried 4-0.

Allstate Septic Systems, LLC.	0.00	2,180.00	2,180.00	1017
Jack O'Rourke	50.00	50.00	100.00	1018
Scott LaBar	50.00	50.00	100.00	1019
Met-Ed	988.21	5,039.16	6,027.37	1020
Oscar Woerlein	50.00	50.00	100.00	1021
Mickey Roth	50.00	50.00	100.00	1022
Strand Pool Supply Inc.	0.00	473.75	473.75	1023
Gary Summers	50.00	50.00	100.00	1024
Verizon	236.72	74.61	311.33	1025
Waste Management	0.00	3,827.71	3,827.71	1026
<b><u>TOTAL BILLS:</u></b>	1,474.93	11,845.23	13,320.16	

**Correspondence:**

Mickey Roth informed the Authority members that the Pennsylvania Leadership Institute was holding a spring leadership program and were they interested in attending.

Jack O'Rourke motioned Mickey Roth attend the Pennsylvania Leadership Institute seminar being held on May 13, 2009 and May 14, 2009 at Lehigh University. Gary Summers seconded the motion. Motion carried 4-0

Jack O'Rourke moved the letter addressed to the Delaware River Water Basin Commission regarding the request for a refund on the 537 Plan be approved by the entire Municipal Authority Board. Oscar Woerlein seconded the motion. Motion carried 4-0.

Jack O'Rourke proceeded to inform the Board of the results of his letter addressed to the Chairman of the Interior, Ken Salazar. Mr. Salazar's correspondence secretary phoned the Authority and stated the Chairman was unable to schedule appointments for meetings because the Department of Interior was currently being reorganized and the Chairman was busy traveling.

It was requested again via phone conversation between Jack O'Rourke and Mr. Salazar's appointment secretary for an appointment to meet with the Chairman. The appointment secretary again denied the request due to the reorganization of the department and the business traveling of the Chairman. Jack O'Rourke proceeded to request the appointment secretary's denial be submitted either in a letter or an e-mail. The appointment secretary was given Sandra Black's e-mail address to send the explanation.

Jack O'Rourke requested approval from the Board to send a second letter to the Chairman of the Interior, Ken Salazar requesting the denial of the request for a meeting to put in writing and again request a meeting to discuss the Delaware River Water Park.

Oscar Woerlein moved Jack O'Rourke send the second letter to the Department of Interior, Chairman Ken Salazar, requesting an explanation of the denial for an appointment and a second request for a meeting. Gary Summers seconded the motion. Motion carried 4-0.

### **Solicitor**

Richard Deetz requested Executive Session to discuss the Bushkill Group.

Richard Deetz proceeded to inform the Board of a letter submitting by a Lake of the Pines resident regarding her arrears. The resident offered \$3,500 to settle her sewer account of \$3,848.92. She requested the balance of \$348.92 be waived. A second letter from another sewer customer was also received declaring hardship and requesting the interest and late fees be waived.

Richard Deetz recommended the Board deny both of the requests because it is not the policy or practice of the Municipal Authority Board to negotiate or waive monies owed for sewage usage.

Mickey Roth moved the Municipal Authority Board deny the requests from sewer authority customers for negotiation on their arrears because it is not the policy or the practice of the Board. Oscar Woerlein seconded the motion. Motion passed 4-0.

The Board instructed Sandra Black to respond to both parties regarding the Municipal Authority's decision.

Richard Deetz proceeded to read the acknowledgement letter received from another Lake of the Pines resident regarding her sewage capacity reservation agreement. A letter had been sent to the customer because of the customer's request for an explanation of the ten year sewage capacity reservation agreement.

Mr. Deetz then proceeded to present to the Authority Board Resolution 4-1-2009 raising the tapping fees for Winona Lakes for the year 2009 to \$12,500.00

Resolution 4-2-2009 addresses the next seven years of tapping fees for Winona Lakes, staggering the payments ending in the year 2016 with a tapping fee of \$25,000. The Authority will encourage property owners to purchase their connection or tapping fees so that they are exempt from any obligation of payments of standby fees. They will also be exempt from any requirement to make physical connection for any lots within the defined time period.

Jack O'Rourke moved the Board accept Resolution 4-1-2009. Gary Summers seconded the motion. Motion carried 4-0.

Oscar Woerlein moved the Board also accept Resolution 4-2-2009 and Jack O'Rourke seconded the motion. Motion carried 4-0.

Oscar Woerlein motioned Resolutions 4-1-2009, 4-2-2009, a copy of the decision referencing to credits for standby customers of Winona Lakes, previously approved by the Board, be mailed with the second quarter invoices. Gary Summers seconded the motion. Motion carried 4-0

### **Engineering:**

Doug Olmstead stated he had reviewed the request from LTS regarding the reduction of the Bond due to the cost of improvements and testing of the low-pressure sewage collection system along Huckleberry Drive and McCole Road. He recommended a letter be sent to the Bonding Company honoring the request of LTS to reduce Sub-division Bond #1023606 by \$94,505.70.

Mickey Roth moved a letter be sent to LTS regarding the reduction. Jack O'Rourke seconded the motion. Motion carried 4-0.

F. X. Browne, Inc. submitted an invoice from McElwee in the amount of \$31,255.00 for the Winona Plant. The invoice has been reviewed and approved by Doug Olmstead. McElwee continues working on various items at the plant such as the tanks being sandblasted, cleaned and re-painted. McElwee has approximately 50% site work remaining and about 50% of cleaning up at the old plant.

A sketch has been submitted regarding FNCB, adding an extra "block", a turn around area. It is an exhibit which Mr. Deetz can submit to FNCB regarding the easement.

Richard Deetz stated he met with the vice president and the counsel of FNCB and requested two steps from the bank. The first step is for the bank to give the Authority a temporary right-of-way until the vacant bank lot is sold or the bank revokes the agreement. Access is needed for the maintenance and upkeep of the pump station.

Step 2, the Authority will co-ordinate with the ultimate purchaser of the lot. Copies of the sketch will be sent to both the FNCB vice president and their counsel.

Mickey Roth stated a FNCB representative, in a previous Township meeting, stated they were willing to work with the Township. This statement is in the Township minutes which Michele Clewell can provide if needed. Richard Deetz stated he would note it in his letter to both the attorney and vice president of FNCB when he mails out the sketch.

Doug Olmstead stated he will continue working with Dave Scholtz on the budget for the main plant.

Also the third bid for the fence slates for Pump Station 6 was presented to the Board. The third bid was received but it was not cleared whether the slates were vinyl or made of wood. The bid was incomplete and further clarification is needed. This item was tabled and Doug Olmstead will speak to Damian DeGeorge regarding the color and the material of the slates.

Doug Olmstead proceeded to read the grease trap report submitted by Damian DeGeorge. Damian DeGeorge accompanied by Dave Scholtz conducted grease trap inspections on Caesar's, Muller's Diner, Perkins, Los Tres Amigos, Big A, and the Middle Smithfield School.

Mickey Roth recommended Damian DeGeorge, when conducting his inspections, should hand out grease trap Ordinance 106 to each customer. The ordinance is to inform the customers of their obligations towards their grease traps.

After several questions from interested private citizens, Doug Olmstead stated the inspections of grease traps would continue on an on-going basis and pumped out reports from Allstate Septic, which services the majority of the restaurants, will be requested.

Specifications and drawings have been submitted by Fred Courtright for the pump station repairs and Doug Olmstead will be reviewing the material and report back to the Authority.

### **Accountant**

Robyn Pugh reported she and Fred Courtright had reviewed the Transportation Agreement and the transfer of capacity from Big Ridge to the Authority. A written report has been submitted to the Authority. The transfer of capacity is actual edu's and not gallons per day. There is no extra capacity being transferred with each connection. The

Authority is overpaying the Bushkill Group because they are paying for 262.50 gallons per day and only 200.00 gallons per day are being transferred. A final report will be submitted at the next Authority meeting.

Robyn also stated she has been working on the Topps Program regarding the financial reports, correcting the information in it.

### **Plant Operator**

Dave Scholtz stated he had scheduled for Monday a meeting with a representative regarding an odor control product.

Water hydrant has been installed by Pump Station 6.

Confirmation letter received from Country Club of the Poconos regarding the temporary installation of the flow meter under the bridge. W. G. Malden has also been contacted to proceed with the installation. The installation of the temporary flow meter will be at no charge. If accurate data is received from the temporary flow meter, a permanent flow meter will be installed. The charge for the permanent flow meter will be discussed with W. G. Malden and approval will be obtained either from the Authority or Country Club of the Poconos before the actual installation.

Regarding the Winona Plant, a Kruger representative held a training class and Dave spent a couple of days at the plant with them learning their process and the fine points of the system. Also met with another one of the Kruger representatives regarding the maintenance on the different equipment for the tanks.

Have also met on several occasions with F. X. Browne on several startup problems with the plant. Also recommended to F. X. Browne the installation of manual shut-off valves to be installed on the sludge holding tanks. The cost of the valves is approximately \$2,800.

Jack O'Rourke requested from Dave Scholtz a standard operating procedure manual in layman terms be prepared for the plant. It was suggested by Doug Olmstead to wait until all of the manuals are received and reviewed before providing a standard operating procedure manual.

The sludge holding tank from the old treatment plant was sand blasted, coated and was found in decent shape for being in the ground.

DEP inspected the plant and they were happy with what they saw but did not take any samples. The local DEP inspector plans to return in two to three months and will take samples then.

**Old Business**

Rules and Regulations from the Wind Gap Municipal Authority have been tabled.

Mickey Roth stated the Authority needs to review their ordinances and update them.

Mickey Roth read the latest delinquent account update. Since March 19, 2009 a total of \$21,020.10 has been collected, overall collected since February, 2009 is \$99,961.86.

**Executive Session:**

Jack O'Rourke moved Authority Board enter into Executive Session at 7:30 P. M. Oscar Woerlein seconded the motion. Motion carried 4-0.

Oscar Woerlein moved Municipal Authority Board to reconvene at 7:55 P. M. and Jack O'Rourke seconded the motion. Motion carried 4-0.

There being no further business, the meeting adjourned at 8:00 P. M.

Respectfully submitted:

Sandra Black, Recording Secretary  
Middle Smithfield Township Municipal Authority

Mickey Roth \_\_\_\_\_

Jack O'Rourke \_\_\_\_\_

Oscar Woerlein \_\_\_\_\_

Gary Summers \_\_\_\_\_