

The regular meeting of the Middle Smithfield Township Municipal Authority was called to order on Wednesday, July 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 Summers and Scott LaBar.

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

Jack O'Rourke moved to accept the minutes of the Authority's meeting held on Thursday, July 2, 2009. Oscar Woerlein seconded the motion and motion carried 5-0.

Gary Summers moved to accept the payables of Wednesday, July 15, 2009 and Oscar Woerlein seconded the motion.

Gary Summers questioned the invoices submitted by Achterman Associates, were the invoices for one project or several projects.

Sandra Black replied that the invoices for Achterman covered several projects such as the pump station rehabilitation, water/wastewater and the Route 209 sewer extension.

Jack O'Rourke questioned Doug Olmstead as to the F. X. Browne invoice, was the submitted invoice the last one.

Doug Olmstead stated he expected to receive at least two more invoices from F. X. Browne and then the contract would be completed.

Motion to accept the payables of Wednesday, July 15, 2009 carried 5-0.

212 Software	28.04	56.91	84.95	1166
Achterman Associates	0.00	11,030.15	11,030.15	1167
AT&T	0.00	120.11	120.11	1168
Coyne Chemicals	0.00	2,490.00	2,490.00	1169
Eagle Valley Printing	59.06	59.07	118.13	1170
F. X. Browne	2,989.59	0.00	2,989.59	1171
Scott LaBar	50.00	50.00	100.00	1172
MST	340.53	1,401.48	1,742.01	1173
John O'Rourke	50.00	50.00	100.00	1174

Oscar Woerlein	150.00	50.00	200.00	1175
Prosser Laboratories	2,623.00	13,692.25	16,315.25	1176
Pocono Record	24.46	260.76	285.22	1177
Mickey Roth	50.00	50.00	100.00	1178
Strand Pool LLP	4,090.20	0.00	4,090.20	1179 & 1180
Gary Summers	50.00	50.00	100.00	1181
Waste Management	0.00	2,554.53	2,554.53	1182
<u>TOTAL BILLS:</u>	10,504.88	31,915.26	42,420.14	

Opening of Bids for the Pump Stations Rehabilitation

Doug Olmstead proceeded to open the three pump stations rehabilitation bids which were submitted by the Derstine Company, Aqua Net Environmental and the Linde Company.

Doug Olmstead opened the first envelope which was submitted from the Linde Company located in Wilkes-Barre. Their base bid was \$144,900. Their Alternate A bid was \$64,200, Alternate B was \$83,400, Alternate C was \$54,900, Alternate D, if work was completed within the time limit, a reduction of \$2,000 and Alternate E was \$79,800 and a bid bond was enclosed.

The second bid was from the Derstine Company located in Souderton. Their base bid was \$122,000. Alternate A bid was \$55,000, B bid is \$18,000, C bid is \$55,000, a reduction of \$3,000 and their E bid is \$54,000 and a bid bond was also enclosed.

The last submitted bid came from Aqua Net Environmental located in Bethlehem. Their base bid was \$118,475. Alternate A was \$32,800, B bid is \$49,800, C bid \$66,550, a reduction of \$2,500 and their E bid was \$35,700. They also enclosed a bid bond.

All of the bidders' provided their qualifications and recommendations were also a requirement. The addendum gave them ninety days in which to complete the work. If work is not completed within the time specified, a \$250 penalty would be enforced.

Doug Olmstead requested the final decision regarding the bids be tabled so that both the Authority's Engineer and the sub-contractor, Fred Courtright of Achterman Associates could review them and make their recommendations to the Board at the next meeting.

Oscar Woerlein moved to table the final selection of the bids until they have been reviewed and studied by Fred Courtright of Achterman Associates and Doug Olmstead. Jack O'Rourke seconded the motion and motion carried 5-0.

Correspondence:

Mickey Roth stated a letter was received from Matson Environmental, a company comprised of grant-eligible efficiency experts. Sandra Black has been directed to request further information from Matson.

Tom X Restaurant requested a letter from the Authority addressed to the Board of Health stating they are connected to the central sewer system and their payments were up-to-date.

Oscar Woerlein moved Mickey Roth approve the letter for the Tom X Restaurant addressed to the Board of Health. Jack O'Rourke seconded the motion and motion carried 5-0.

Also a letter to be sent to the First National Community Bank regarding the reduction in the Letter of Credit No. 742 of LTS Builders was submitted for approval by the Board. The reduction in the letter of credit was previously approved at the Authority's meeting held on Wednesday, June 17, 2009.

Oscar Woerlein moved for Mickey Roth to approve the letter addressed to First National Bank for the reduction of the letter of credit of LTS Builders. Jack O'Rourke seconded the motion and motion carried 5-0.

Mickey Roth proceeded to read emails sent to the Board from Fred Courtright regarding the decision of the DCED of a 1 million dollar grant for the Municipal Authority's H20 grant application for the Winona Plant. An official letter will be forthcoming within approximately two weeks.

Mickey Roth expressed his gratitude to Fred Courtright, Doug Olmstead, Michele Clewell, and Robyn Pugh for their assistance in the preparation of the necessary material for the H20 grant.

Representative John Siptroth will be putting out a press release regarding the grant and Mickey Roth was also interviewed via phone by the Pocono Record regarding the grant.

Jack O'Rourke suggested the Authority Board should have a photo-up with Representative Siptroth regarding the grant. Mickey Roth stated he wanted a press review event reflecting the issuance of the check.

Citizen Al Decker questioned the Board if the grant money was solely designated for the Winona Plant, could it also be used for renovation of the parks.

Mickey Roth stated the DCED would be informing the Authority Board as to how to apply the grant money.

Citizen Pat Cusmano questioned the Authority Board as to the absence of the sub-contractor engineer, Fred Courtright. Mickey Roth informed Mr. Cusmano that it was not necessary for Mr. Courtright to be present at every Board meeting.

Solicitor

Richard Deetz requested Executive Session to discuss the Bushkill Group.

Engineering:

Doug Olmstead stated the Winona Plant has one more inspection for the fencing and the cleaning of the site. Once the work is completed, he will contact the Conservation District to setup the inspection. He is still waiting for Barry Hoffman to provide the as-builts. Still working on the budget for the main plant.

Also trying to finish up the work for the Route 209 line sewage extension with Fred Courtright. Also have spoken with a representative from PA American who stated they are willing to assist in offsetting the expenses for the Route 209 line sewage extension. Have also met with an interested developer and requested a contribution towards the sewage extension.

Doug Olmstead requested the Board to pass a motion authorizing the Chairman, Mickey Roth to sign both the Penn Dot and the Part Two applications once they are received. Jack O'Rourke moved Mickey Roth approve both the Penn Dot and the Part Two applications once they are received by Doug Olmstead. Oscar Woerlein seconded the motion and motion carried 5-0.

Setting up meetings to immediately start on the preparation of the needed paperwork for the next H20 grant go-around which has a August 4, 2010 deadline. The majority of the previously submitted information will also be used for the new H20 grant application submission. Jack O'Rourke moved that Doug Olmstead and Fred Courtright immediately start working on the August 4, 2010 H20 grant paperwork. Oscar Woerlein seconded the motion and motion carried 5-0.

Robyn Pugh requested the Authority contact Chuck Leonard regarding applying for a PIDA grant before applying for the H20 grant. Jack O'Rourke moved for the Authority to either go forward with the next round for the H20 grant and/or apply through Chuck Leonard for a PIDA grant. Oscar Woerlein seconded the motion and motion carried 5-0.

Doug Olmstead continues to work on the performance clause for the Winona Plant.

Accountant

Robyn Pugh submitted to the Board members a worksheet reflecting the balance owed to the McElwee Group which was questioned at the last Authority meeting by Scott LaBar. The total owed to the McElwee Group for their work on the Winona Plant is

\$103,453.75. Barry Hoffman is owed approximately \$9,000 and payment will be made to the contractor once he has submitted both the as-builts and manuals for the plant.

A Profit and Loss statement was also distributed to the Board members on the Winona Plant reflecting a lost during the first two quarters of 2009.

A balance sheet will be provided to the Board members once the year-end numbers have been received from Riley and Company.

Had a meeting today with Gary Summers and Sandra Black on the preparation of policy and procedure manuals for both the Recording Secretary position and her position as the Accountant for the Authority.

Ms. Pugh is also gathering information for the preparation of the RFP for a new auditing firm for the Municipal Authority.

Met with Tom Beckett and the Township Supervisors regarding the bond issue for the Authority the previous Friday. The Township Supervisors are in support of the bond for the Authority and Mr. Beckett will be in attendance at the next Authority meeting to discuss it with the Board members.

Robyn Pugh also plans to meet with Doug Olmstead regarding the current connection fees of \$2,300.

Plant Operator

Dave Scholz reported the DMR report for the main plant for the month of June had been submitted and it was acceptable. Flow rates from the plant averaged 425,000 with a peak flow of 556,000. Peak flows are much higher during the summer months. No sludge received at the plant but 77 tons of sludge was processed for a new high and sent to the Keystone Landfill.

Existing control measures continue to be implemented for odor control and no complaints have been received. Had two alarms related to the air valve actuator and a new actuator was ordered and will be installed on Thursday. At two pump stations there were power outages on June 9 and June 13 but everything is now okay. The generator at Pump Station 4 came on but tripped the main circuit breaker. The breaker was reset.

Will submit his report on the Met-Ed invoices at the next meeting.

The Winona Plant's DMR was also submitted and it was in full compliance. Plant flow averaged 21,000 with a peak flow of 27,000 due to the summer months. No sludge has been removed from the plant and pump stations are functioning properly.

Old Business

Scott LaBar spoke with Pat Galpin of ARI who stated he is getting the information he had requested of the Authority with the exception of the as-builts. Once they have received all of the necessary paperwork, they will be able to proceed.

Doug Olmstead stated he had spoken to PA America and they will be submitting a bid for the Winona Plant.

Total collected on delinquent accounts since June 17, 2009 is \$6,416.52, outstanding balance is \$235,422.20, with unpaid liens at a total of \$308,461.50.

Mickey Roth also expressed the Authority's gratitude to Sandra Black for her assistance in gathering and copying the necessary paperwork for the H20 grant.

Citizen's Comments

Citizen Pat Cusmano recommended the sewage system connected to the Tom X Restaurant should be checked before the opening of the restaurant.

Executive Session:

Jack O'Rourke moved to enter into Executive Session to discuss the Bushkill Group with Attorney Charlie Vogt of the Bushkill Group, Inc. in attendance at 7:02 P. M. Oscar Woerlein seconded the motion and motion carried 5-0.

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

Mickey Roth moved to authorize the officers of the Middle Smithfield Township Municipal Authority to enter into agreement with the Bushkill Group Inc. on the draft agreement dated July 15, 2009 as proposed by Attorney Charles Vogt subject to certain changes as indicated:

1) The takeover of the Bushkill Group, Inc. collection system be postponed until the closing,

2) Obligation to pay user charges by the Bushkill Group, Inc. is pushed back to the date of the closing,

3) In the event of default that the remedy of the Bushkill Group, Inc. would be limited to the retention of the \$10,000 deposit.

Jack O'Rourke seconded the motion and motion carried 5-0.

There being no further business, the meeting adjourned at 7:55 P. M.

Respectfully submitted:

Sandra Black, Recording Secretary
Middle Smithfield Township Municipal Authority

Mickey Roth _____

Jack O'Rourke _____

Oscar Woerlein _____

Gary Summers _____

Scott LaBar _____