

The special meeting of the Middle Smithfield Township Municipal Authority Board was called to order on Wednesday, July 22, 2009 at 6:00 P. M. with the Pledge of Allegiance, Mickey Roth presiding.

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

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

Jack O'Rourke moved to accept the minutes of the Authority's meeting held on Wednesday, July 15, 2009. Oscar Woerlein seconded the motion and motion carried 5-0.

Oscar Woerlein moved to accept the payables of Wednesday, July 22, 2009. Gary Summers seconded the motion and motion 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
<b><u>TOTAL BILLS:</u></b>	<b>10,504.88</b>	<b>31,915.26</b>	<b>42,420.14</b>	

### **Solicitor**

Richard Deetz requested Executive Session to discuss several items regarding the pending agreement with the Bushkill Group

### **Engineering:**

Doug Olmstead stated the Conservation District visited the Winona Plant today and it passed inspection.

Paul McNemar of F. X. Browne has been instructed to send notification both to the McElwee Group and Barry Hoffman instructing them that they had two weeks to present to the Authority Board the as-builts and the manuals for the Winona Plant.

Have also checked with the Kruger group to see if they have set up a time frame regarding the warranty period and will report on it at the next meeting.

Per the recommendation of Fred Courtright of Achterman Associates and Doug Olmstead the pump stations rehabilitation contract is being awarded to the lowest bidder which is Aqua Net Environmental. The work on the pump stations must be completed within 90 days of the issuance of the contract or there will be a \$250 per day penalty enforced.

Oscar Woerlein moved to award the pump station rehabilitation contract to Aqua Net Environmental, contract bid of \$268,025. Jack O'Rourke seconded the motion and motion carried 5-0.

Doug Olmstead stated since this is a special meeting, there would be no reports from either the sub-contractor, Achterman Associates or Damian DeGeorge on grease traps.

The flow meter for Country Club of the Poconos was installed by W. G. Malden on Tuesday, July 21, 2009. Dave Scholtz was informed of the installation.

### **Old Business**

Total collected on delinquent accounts since July 15, 2009 was \$9,359.39, new outstanding balance is \$219,646.29, with unpaid liens still at \$308,461.50

### **New Business:**

Letters of appreciation addressed to Senator Lisa Baker and Representative John Siptroth were presented to the Board for the approval of the Chairman.

Jack O'Rourke moved for Mickey Roth to sign off on the letters to Senator Lisa Baker and Representative John Siptroth. Mickey Roth is to also approve an appreciation letter for Senator Robert Mellow once it has been prepared by the secretary. Oscar Woerlein seconded the motion and motion carried 5-0.

Mickey Roth mentioned Fred Courtright is working with Representative John Siptroth on a press event regarding the issuance of the H20 grant monies.

Tom Beckett of G. K. Baum spoke to the Board at great length regarding the General Obligation Bond. He detailed the capital costs, engineering costs and interest rates. He would be setting up a conference call with both Standards and Poor and the Township regarding the rating. Once he receives the rating from Standards and Poor, he will provide a contract.

Jack O'Rourke requested of Mr. Beckett that both the engineering and legal fees be "broken down". Mr. Beckett stated he would do this for the Authority.

Scott Schaller questioned Mr. Beckett as to raising connection fees. Mr. Beckett stated connection fees would have to be raised to about \$6,000. Robyn Pugh stated an ordinance would have to be passed before the connection fees and the rates are changed.

Citizen Al Decker questioned Tom Beckett, regarding the actual bond holder. Tom Beckett replied that typically bond holders are banks or trust companies.

Citizen Pat Cusmano questioned whether the monies received from the general obligation bond would be used in the purchase of the Fernwood capacity. Mickey Roth stated it would be used towards the purchase of capacity from the Bushkill Group and the Route 209 sewage line extension

Tom Beckett stated the timeframe for the acquiring of the rating would be early August and then he would contact the bond insurance company. After acquiring the bond insurance, he will probably request a joint meeting between the Board of Supervisors and the Authority Board by approximately August 20, 2009. Once everything has been completed, the Authority should have the monies by mid-September with a 20-day period for the closing.

Citizen Al Decker questioned the Board as to the repayment of the bond, does it depend on the sale of edus' and connection fees and what happens if they are not sold. Mickey Roth stated current customers' costs would be affected.

Citizen Pat Cusmano questioned the Board whether the Bushkill Group would be paying the same rates as a regular customer does. Gary Summers answered they would be.

Citizen Pat Cusmano questioned the Board as to the government property currently owned by the Bushkill Group and would it be a part of the Authority's purchasing agreement. Jack O'Rourke stated it was a part of the agreement and "Leroy" was also part of the package.

### **Citizen's Comments**

Citizen Rosina Getting requested to speak to the Authority Board regarding the Bushkill Group agreement. Richard Deetz explained she would be given the opportunity when the Authority reconvened from their Executive Session because there were some minor items regarding the agreement which needed to be addressed by the Board.

### **Executive Session:**

Jack O'Rourke moved to enter into Executive Session regarding the Bushkill Group at 6:56 P. M. Scott LaBar seconded the motion and motion carried 5-0.

Jack O'Rourke moved to reconvene the Board meeting at 7:35 P. M. Oscar Woerlein seconded the motion and motion carried 5-0.

Richard Deetz recapped the proposed agreement between the Municipal Authority Board and the Bushkill Group dated July 22 2009 for the purchase/sale of capacity at Fernwood. The Authority is purchasing 134,069 gallons with an option to purchase an additional 33,800 gallons. After the sale has been completed, the Authority will take ownership of the collection system subject to some limitations.

Mickey Roth moved to accept the proposed agreement between the Bushkill Group, Inc. and the Middle Smithfield Township Municipal Authority Board. Oscar Woerlein seconded the motion and motion carried 5-0.

Rosina Getting questioned the Board whether the purchase by the Authority of capacity from the Bushkill Group, Inc. will affect the homeowners of Country Club of the Poconos.

Gary Summers replied there would be no effect at all to the residents.

Citizen Pat Cusmano questioned the Board as to the laying of the pipes for the Turkey Hill gas station. Doug Olmstead replied the Authority was not responsible for this.

Oscar Woerlein moved to adjourned the special meeting of the Municipal Authority Board at 7:52 P. M. 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 \_\_\_\_\_