

The regular meeting of the Middle Smithfield Township Municipal Authority was called to order on Wednesday, February 18, 2009 at 6:02 P. M. with the Pledge of Allegiance, Mickey Roth presiding.

Municipal Authority members present: Mickey Roth, Oscar Woerlein and Gary Summers

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

Oscar Woerlein moved to approve the February 5, 2009 minutes and Gary Summers seconded the motion. Motion carried 3-0.

Gary Summers questioned the Met-Ed invoice of \$10,445.11 which was reflected in the Payable listing under Winona Lakes. Dave Scholtz explained the invoice should be listed under the column for the main plant not Winona Lakes. Correction to the Accounts Payable list regarding Met-Ed invoice.

Dave Scholtz also stated the invoice is an estimated invoice as opposed to actual meter reading. Dave suggested a letter should be sent to Met-Ed requesting actual meter readings. Mickey Roth instructed Sandra Black to write a letter regarding the estimated invoices from Met-Ed.

Dave Scholtz also noted the Waste Management, Strand Pool and Coyne Chemical invoices should also be listed under the "MSTMA column" as opposed to the Winona plant column. A corrected payables list will be submitted at the next meeting.

Mickey Roth questioned Doug Olmstead as to the invoices submitted from Barry Hoffman and McElwee Group and the dollar amounts. Doug Olmstead stated the invoices had been reviewed by him and approved.

Mickey Roth also questioned Doug Olmstead regarding the invoices from F. X. Browne, Inc., Paul McNemar. Doug stated he reviewed the two invoices submitted for the Authority's approval and initialed his approval of them for payment. One of the invoices was for general engineering and the other for the Winona Plant.

Doug stated Paul McNemar also submitted two invoices, one for Echo Lakes and the other for the Miggy Corporation which will be billed directly to them.

Oscar Woerlein moved to approve the payables with a corrected list to be submitted at the next Municipal Authority meeting. Gary Summers seconded the motion. Motion carried 3-0.

212 Software	0.00	84.95	84.95	4183
Allstate	360.00	0.00	360.00	4184
Coyne Chemical	0.00	2,490.00	2,490.00	4185
Richard Deetz	300.00	15,441.00	15,741.00	4186
F. X. Browne, Inc.	2,754.65	3,440.90	6,195.55	4187
Barry J. Hoffman Co.	78,225.00	0.00	78,225.00	4188
McElwee Group, LLC.	34,580.00	0.00	34,580.00	4189
Met-Ed	2,493.59	10,445.11	12,938.70	4190 & 4191
Middle Smithfield Township	0.00	1,478.27	1,478.27	4192
Prosser Laboratories, Inc.	0.00	23,097.23	23,097.23	4193 & 4194
Stotz & Fatzinger Office Supply	0.00	41.49	41.49	4195
Strand Pool Supply LLP	0.00	855.70	855.70	4196
Verizon	0.00	66.50	66.50	4197
Waste Management	0.00	2,715.10	2,715.10	4198
<u>TOTAL INVOICES:</u>	118,713.24	60,156.25	178,869.49	

Correspondence:

Mickey Roth proceeded to read the letter of resignation submitted by Fred May -“As of today, Wednesday, February 18, 2009, I, Fred May, am resigning from the Board of the Middle Smithfield Municipal Authority. I leave hoping my years of service on the Board have benefited the community.” Original resignation letter from Fred May will be submitted to the Township Supervisors.

Mickey Roth moved to have a letter of appreciation thanking Fred May for his services to the Board be sent to him. Oscar Woerlein seconded the motion. Motion carried 3-0.

Mickey Roth then referred to the letter received from the “Monroe County Planning Commission” regarding the H2O Grant Application. The letter stated the Planning Commission had reviewed the grant application for “Winona Sewage Treatment Plant Upgrade and the Rehab of 3 Pump Stations” and had found it to be consistent with the Middle Smithfield Township Comprehensive Plan, 2008, Section 7, Plan for Utilities,

and with the County's Monroe 2020, and more particularly with Part II, Section F Utilities.

Fred Courtright, Achterman Associates stated the Planning Commission letter should have been a part of the H2O Grant Application. Fred stated a bounded copy of the H2O Grant Application which was submitted to the Pennsylvania Department of Community and Economic Development had been submitted to Sandra Black for the Authority's files.

Doug Olmstead stated a proposal was submitted by Achterman Associates regarding the rehabilitation of Pump Stations 3 and 7. Doug recommended the Board proceed to approve the proposal from Achterman Associates regarding these projects. The prime contract will be for Pump Station 3 and added repairs to Pump Station 7. There will probably be a minor change to the proposal from Achterman Associates because of the addition of emergency generators which these two pump stations do not have. Doug continued to state the proposal is broken up into two separate prices, a fixed fee plus reimbursable expenses. The other one is a budgeted amount. The items budgeted are the construction observation and a final inspection and reviewing of the contractor's payment requests.

Gary Summers moved the proposal from Achterman Associates be approved by the Municipal Authority and a letter accepting the proposal be sent accordingly. Oscar Woerlein seconded the motion. Motion carried 3-0.

Mickey Roth instructed Sandra Black to compose the acceptance letter to Achterman Associates.

Doug Olmstead stated Fred Courtright also had information regarding the sewer relocation work at Fernwood and the invoice submitted by Penn Dot requesting payment for the Municipal Authority's portion. Fred Courtright stated one of the attachments submitted by David Rader of Penn Dot is the actual contract which was signed in 2004, a relocation agreement, reflecting the Authority's approval. Fred Courtright stated since there is an approved contract, he recommends the Authority approve for payment the invoice submitted from Penn Dot.

Richard Deetz also recommended the Authority pay the Penn Dot invoice based on not only the signed contract but also on the engineer's recommendation. The letter requesting information from Penn Dot regarding the invoice is no longer necessary due to the information submitted by Fred Courtright of Achterman Associates and Dave Rader of Penn Dot.

Gary Summers moved the Municipal Authority approve for payment the Penn Dot invoice for the sewer relocation work at Fernwood. Oscar Woerlein seconded the motion. Motion carried 3-0.

Fred Courtright proceeded to thank Mickey Roth for signing off on the various documents required for the H20 Grant Application and Sandra Black and Michele Clewell for researching and copying the needed information. The electronic copy was filed on Tuesday and the hard copy was mailed on Wednesday to Harrisburg and a confirmation of receipt was received regarding the package. He stated the project is identified as the “Winona Sewage Treatment Plant Project and the Rehabilitation Work Done on the Pump Stations”, because it is possible to go back to 2007 for construction. Total construction was 2.4 million and the grant request is for 1.900 million. The decision will be made in Harrisburg by a grant board who will review the application and the submitted documents.

Mickey Roth stated the original estimated fee for the filing of the H20 Grant Application was \$1,600 but actual cost is \$2,200. Fred Courtright will submit an invoice to the Authority at the end of the month.

Doug Olmstead questioned Fred Courtright regarding the paperwork used for the H20 Grant Application and the possibility of using it for future grant applications. Fred Courtright replied the documents and backup used for the H20 application could possibly be used for future grant applications.

Mickey Roth questioned Fred as to the additional three Authority projects and the possibility of future grant monies for them. Fred replied there is a possibility and recommended a meeting to further discuss the possibilities. The H20 Grant Application is only the first round for applying. The second round of applications will be in six months upon completion of the first round of the applications.

Mickey Roth proceeded to read off the additional projects on the Authority’s list which are the 209 line extension to the Flea Market, a manhole by McDonald’s and the rehabilitation of Pump Stations 3 and 7.

Fred Courtright agreed the manhole and the rehabilitation of the pump stations are maintenance and rehabilitation type of work. For the sewer line going down to the flea market, the Authority already has planning approval and sketch plans had been completed when the project was stopped.

Doug Olmstead requested Fred Courtright contact Joseph Mina of F. X. Browne, Inc., Doylestown office, to submit the needed sketch plans which belong to the Municipal Authority.

Oscar Woerlein moved Fred Courtright, as the alternate engineer of the Municipal Authority, is authorized to contact Joseph Mina of F. X. Browne, Inc., regarding the sketch plans for the 209 line extension to the flea market. Gary Summers seconded the motion. Motion carried 3-0.

Solicitor

Richard Deetz referred to an advertisement listed in the Pocono Record regarding the rental of two apartments in North Park Estates. The home in question is a one-family home with one EDU. Mr. Deetz stated somebody should be assigned to check out the property and report on it.

Doug Olmstead stated the Township Zoning officer has already been assigned to investigate the situation due to the fact that there are not only sewer questions but also zoning issues, building code issues and potentially other conditions. The Township is proceeding with the zoning issue first.

Regarding the correspondence sent to Sandra Black from Victoria Meechan and her reservation agreement, Mr. Deetz explained to the Board Ms. Meechan was under the misunderstanding that she no longer had to pay reservation fees at the completion of ten years. Ms. Meechan owns Lot 5, Section 0066 in Lake of the Pines.

The Authority originally sent out agreements regarding reservation fees. Capacity agreement letters went out to various owners regarding the capacity agreement. Victoria Meechan agreed to a reservation agreement ten years ago. The agreement was for a reservation and if they wanted to purchase a connection, the price would be \$2,300.

Richard Deetz suggested a letter be sent to Victoria Meechan regarding an explanation of the agreement immediately. After extensive discussion, it was decided Doug Olmstead would draft a letter of explanation to Ms. Meechan.

No further information regarding the easement to Pump Station 6 by CVS has been received.

Mr. Deetz reported he sent a letter to Jeff Snyder's attorney on behalf of the Authority agreeing to their figure and is waiting on the check. This item can now be removed from the Authority's Agenda.

Richard Deetz stated he has not heard anything from the Bushkill group. Doug Olmstead explained he received a USB external drive with plans from the Bushkill Group. Doug will submit a report on the Bushkill Group at the next Authority's meeting regarding the plans.

Doug Olmstead stated he would be working with Robyn Pugh on the operational costs for Bushkill.

Richard Deetz referred to the previous Authority's meeting regarding compensation for the Authority Board members. He quoted a portion of the Municipality Authorities' Act Section 5610(d) thereunder provides as follows: "members shall hold office until their successors have been appointed and may succeed themselves and, . . . , shall receive such salaries as may be determined by the governing body of the municipality, but no salary

shall be increased or diminished by a governing body during the term for which the member shall have been appointed”. Therefore, salaries for the Municipal Authority members may be established by the Middle Smithfield Township Board of Supervisors.

Engineering

Doug Olmstead stated he received from Dave Scholtz test results and discharge monitoring reports in order to complete the Chapter 94 reports which have to be filed by March 31, 2009.

He also met with Dave Scholtz and generated a “to do” list of about 15 to 20 items which need to be addressed either at the plant or within the system. Doug plans to continue meeting with Dave Scholtz to try to expand on the list especially in relationship to the plant. Doug will present the plans at the next Authority meeting after prioritizing the list. Two items on the list have already been addressed - Pump Stations 3 and 7.

Doug stated that between himself and Dave Scholtz a maintenance program will be established and it will also be part of a budgeting program in order to know what monies have to be budgeted each year.

Doug met with Robyn Pugh to discuss tapping fees for 2009. Both Robyn and Doug are continuing on their research regarding the fees and they will report on them at the next meeting.

Plant Operator

Dave Scholtz reported January discharge monitoring report was submitted to DEP and there were no excursions on the report for the main plant.

Pump Station 3, one alarm called during the month, lost one phase on one of the poles – power company did not respond right away. A portable generator was used even though the generator has a damaged circuit board which needs to be repaired. The unit is about 35 years old. Both Pump Station 3 and 7 need generators to be considered for purchase but the portable generator’s circuit board should be repaired for possible emergency usage.

Flow for the treatment plants 364,000 gallons, average flow 554,000 gallons, peak flow through the month of January is about where it has been. Took in about 15,000 pounds of sludge from the Winona plant, generate 33 tons of sludge cake going to the landfill

Order control still continuing on as it has in the past. Electrical usage will be reported on at the next meeting after checking on past records. The composite sampler has been received.

Dave continued his report and stated that in the press room there is a leak on the air compressor tank which needs to be welded. Need a licensed, certified welder to look into it. Also wants the welder to repair the frame on the plate frame press which is part of routine maintenance.

The Winona plant discharge monitoring report for January was submitted, no violations. The chlorine level for one day was high. No chlorine will be used for the new plant. The average flow was 15,700 gallons, 21,400 gallons peak flow. Pump stations on the ridge had no problem. The electrical company had a transformer problem which they fixed. Started up training on the grinder for the plant. The unit was installed backwards and the contractor has been made aware of it and will correct it.

Met with Kruger personnel who conducted the equipment check on the oxidation ditch. This is the first step towards the start up of the plant which could be around the second to the third week of March.

Accountant

Due to the absence of Robyn Pugh, Gary Summers presented the Accountant's report to the Board.

Gary Summers and Oscar Woerlein met with Scott Miller and Jay Grobelny of Riley and Company and Robyn Pugh of Serendipity Accounting and Tax Services to establish roles and responsibilities regarding their engagements with the Municipal Authority. One of the requirements presented to them is phoning Gary Summers before appearing at the Municipal Authority offices. It was established that Sandra Black is the Authority's Bookkeeper, Scott Miller and Jay Grobelny are the CPA representatives, and Robyn Pugh the Accountant.

Following up on the audit, it appears it is almost completed. The year end PLGITS statements have been received and worked on. Inventory will be handled on the 2008 statements as it was handled on the 2007 statements. Tapping fees, the audit reflected a reduction in the connection fees in 2007. No reduction will be done and it will be reflected in the 2008 audit. Audit should be completed sooner than it was last year. Scott Miller is waiting for the flow reports from Dave Scholtz and Doug Olmstead.

The treatment of payments to Bushkill will be the same as in 2007. Addressing closing out the 2008 statements regarding the Maula case, the 2008 statements will reflect a standby fee ruling which affected only one Winona user.

Old Business

Mickey Roth stated the Rules and Regulation of the Wind Gap Municipal Authority will continue on the Agenda but will be tabled for this meeting.

A written report was given to the Board by Sandra Black regarding Delinquent Accounts. A total of \$24,218.90 was collected since the February 5, 2009 Authority meeting bringing the total monies collected since the inception of delinquent notices to sewer customers of \$56,699.10 reducing the balance due to the Authority to \$478,575.99.

Mickey Roth questioned Richard Deetz as to the motion made at the last Authority's meeting to further pursue the first couple of accounts on the lien list. Mr. Deetz stated searches have been started regarding the accounts and will report on them at the next meeting

New Business

John DeBold of BCA Financial Services gave a short history regarding the background of BCA Financial Services of which he is the owner with his wife, Cindy and his background on collection of delinquent accounts.

John DeBold proceeded to extensively explain the different methods to obtain satisfaction of outstanding delinquent accounts. Mr. DeBold handed out to the Board members information regarding the collection system. Several questions were directed to Mr. DeBold from Board members regarding the different procedures of collection which were successfully answered.

BCA Financial Services will pursue the debt by either phoning the debtor at their home, job or sending delinquent letters. BCA Financial Services reports the debt to the credit bureaus. BCA Financial Services does not collect a fee if the debt is not satisfied.

Before pursuing the accounts, Mr. DeBold would have to check allowable Pennsylvania collection procedures with Richard Deetz.

Mr. DeBold charges a fee of 25% on everything he collects. If a sewer customer sends their payments directly to the Municipal Authority, BCA Financial Services would still require payment of their fees and also to be informed of the payment. BCA Financial does not place liens, they go after properties. If the customer resides in Pennsylvania but is employed in New York, BCA will garnish their salaries.

Mr. DeBold stated BCA Financial Services handles associations' fee collection, school tax collection, etc.

Mickey Roth questioned Mr. DeBold as to the Authority choosing the accounts to turn over to BCA Financial. Mr. DeBold stated the Authority has the right to pick and choose which accounts would be turned over to BCA Financial Services.

Citizens' Comments

Mickey Roth thanked Pat Cusmano for his services in aiding Jack O'Rourke and Dave Scholtz during the grease trap survey conducted in January, 2009.

There being no further business, the meeting adjourned at 7:38 P. M.

Respectfully submitted:

Sandra Black, Recording Secretary
Middle Smithfield Township Municipal Authority

Mickey Roth _____

Oscar Woerlein _____

Gary Summers _____