

The regular meeting of the Middle Smithfield Township Municipal Authority was called to order on Thursday, February 5, 2009 at 6:03 P. M. with the Pledge of Allegiance, Mickey Roth presiding.

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

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

Gary Summers moved to approve the January 21, 2009 minutes and Oscar Woerlein seconded the motion. The motion carried 4-0.

Jack O'Rourke moved to approve the listed payables. Oscar Woerlein seconded the motion. The motion carried 4-0.

	<u>Winona</u>	<u>MSTMA</u>	<u>Total</u>	<u>Check No.</u>
Allstate Septic Systems, LLC.	450.00	0.00	450.00	4171
AT&T	75.53	0.00	75.53	4172
Middle Smithfield Township	0.00	10,713.32	10,713.32	4174
Riley Computer Services	0.00	595.00	595.00	4175
Roto-Rooter	0.00	250.00	250.00	4176
Sheeley Insurance Agency	0.00	499.00	499.00	4177
Stotz & Fatzinger Office Supply	0.00	32.99	32.99	4178
Strand Pool Supply LLP	903.00	0.00	903.00	4179
Verizon	66.44	165.35	231.79	4180
<b>TOTAL BILLS:</b>	1,494.97	12,255.66	13,750.63	

**Correspondence:**

A flyer received by the Authority, "Water We Going to Do Workshop" – presentation date Thursday, March 26, 2009. Oscar Woerlein moved to table "Water We Going to Do Workshop" due to lack of registration information and workshop details. Jack O'Rourke seconded the motion. The motion carried 4-0.

**New Business:**

Marianne Glamann, Regional Manager of Wayne Bank for Monroe County and Bill Hennigan, Regional Manager for commercial loans presented the Board with a short synopsis of Wayne Bank's financial history, different locations of the banks and the different products featured by the bank.

Marianne Glamann presentation encompassed free checking for businesses, "Remote-to-Deposit-Capture" abilities, municipal monies are tax-free, cash management account, secured loans and commercial lending.

Oscar Woerlein moved to have Sandra Black take a tour of Wayne Bank and acquire the needed information and submit to the Authority an analysis of the bank in order for the Authority to make a decision regarding Wayne Bank becoming the Authority's bank. Jack O'Rourke seconded the motion. The motion carried 4-0.

### **Solicitor**

Regarding FNCB, Mr. Deetz stated the Authority needed to get the right of access to the pump station. Richard Deetz stated he was ready to move forth with the declaration of taking regarding this situation. Mickey Roth stated F. X. Browne and Doug Olmstead will continue working on this project and a report from F. X. Browne would be forthcoming.

Richard Deetz then stated he had received a letter from Jeff Snyder's attorney regarding Mr. Snyder's lien. The attorney, James V. Fareri, stated Jeff Snyder was willing to pay to the Authority the sum of \$5,827.14. Mr. Deetz recommended the Authority accept the offer from Mr. Snyder in order to finalize the Snyder situation.

Jack O'Rourke moved the Authority accept Jeff Snyder's offer of \$5,827.14. Oscar Woerlein seconded the motion. Motion passed 4-0.

Mr. Deetz stated he would notify Mr. Snyder's attorney of the Authority's decision to accept his proposal and instruct the attorney to mail the check directly to Sandra Black. Upon receipt of the check, Sandra Black is to contact Richard Deetz.

Mickey Roth questioned Richard Deetz as to whether resolving this problem also resolved the problem with the easement on the Snyder property. Mr. Deetz stated he is still pursuing this problem and had sent a letter to the condo association regarding it.

Regarding the Bushkill Group, Mr. Deetz requested an executive session on it.

Also Mr. Deetz had researched the possibility of refunds for the Winona Lakes standby customers. The Authority is only obligated, legally, to refund two years to the paid standby customers. Mr. Deetz made reference to a statement Robyn Pugh had made at the January 21, 2009 Authority meeting regarding refunds for the Winona standby customers.

Mr. Deetz suggested to the Authority to lessen the burden on them regarding refunds, to inform the Winona standby customers that their fees would be used as credit towards either their standby fees or connection fees. If the lots are sold by the Winona standby customers, the current owners would only receive two years' refund if applicable.

Due to the fact Robyn Pugh was not in attendance, the refund of Winona fees discussion was tabled contingent upon her arrival to the meeting.

## **Engineering:**

Doug Olmstead stated he would be submitting written reports for future meetings to be distributed to the Authority's members for their review prior to the actual meeting.

Doug Olmstead stated upon his research regarding the inspection of laterals that they needed to be performed by a building code certified individual. The Township's building code inspector enforcement officer is able to do it but the Authority would have to ascertain what the cost would be. The sewage enforcement officer is not certified to perform this task.

Doug stated he is working with Dave Scholtz on the required Chapter 94 reports which are related to the sewage treatment plants. The draft for the Fernwood plant has been completed but there is need of additional information before the Board's review of it. The Chapter 94 reports have to be submitted before March 31, 2009.

Doug Olmstead is also working with Robyn Pugh on tapping fees. Has also received additional information from F. X. Browne regarding tapping fees based on the original tapping fees survey. Information provided by F. X. Browne was extremely helpful.

Met with the two contractors of the Winona plant and received a new schedule regarding the connection of the plant. Doug Olmstead stated he would be meeting with the contractors every week leading up to the start-up of the plant. The contractors expect to divert waste water to the plant by the week of February 23<sup>rd</sup>.

Regarding the savings of not cementing the floor of the treatment plant, Doug Olmstead's personal opinion is the concrete floor is necessary.

Oscar Woerlein stated it was not a requirement for the concrete floor to be nine inches thick. Doug Olmstead stated the floor would be needed if you dragged heavy equipment into the plant but six inches would be appropriate.

Mr. Olmstead suggested a chain link fence, six footer, be used as opposed to the stockade fencing for security measures.

Jack O'Rourke suggested the usage of the chain link fencing be checked with the Association before proceeding since they may have objections to it.

Oscar Woerlein questioned Doug regarding the barbed wiring which is placed on the top of a chain link fence – would this fence have it. Doug stated he would have to check into it.

Mickey Roth questioned Doug regarding the F. X. Browne list. Doug stated he wanted to have a meeting to discuss the different items on the F. X. Browne list with both Dave Scholtz and as many as the members of the Authority Board as possible in order to generate a time schedule regarding the list.

Scott Schaller stated a letter had been received from Penn Dot regarding the park and ride. Doug Olmstead stated he had also received the letter and it would be worthwhile for him to look into it.

Doug Olmstead was trying to setup meetings to work on the priority list and Sandy Black will coordinate them.

**Plant Operator:**

Dave Scholtz stated Big Ridge, W. G. Mullin, requested to take a look at the pipe underneath the bridge in order to install a temporary flow meter. Some of the insulation would have to be cut from the pipe and the sensor would be on the outside of the pipe. If this method works, they would then submit a proposal for a permanent installation. They are proceeding with this method first in order to save the Authority money.

Oscar Woerlein moved W. G. Mullin proceed with the installation of the flow meter on the pipe underneath the bridge in Big Ridge. Gary Summers seconded the motion.

Mickey Roth questioned Dave Scholtz as to cost. Dave Scholtz stated Mullin had not mentioned any cost to the Authority but he would verify it with Mullin before letting them proceed with the installation.

Motion carried 4-0.

Dave Scholtz questioned whether Pump Station 3 is on a list for rehabilitation due to the severe corrosion problem. Doug Olmstead stated he had contacted Fred Courtright for assistance regarding setting up plans for the rehabilitation of Pump Station 3.

Dave Scholtz stated he was also helping Doug Olmstead with the data for the Chapter 94 filing which is due March 31, 2009.

Regarding Winona, the generator, the ultra violet disinfection system and the sand filters have all been started up. All three systems are ready to go.

Dave Scholtz stated he had spoken both to the contractor and Paul McNemar of F. X. Browne, Inc. regarding the sequence of events, the transition between the old plant to the new plant. Paul McNemar stated the transition would probably start on a Monday.

Doug Olmstead stated it would probably take two to three days for the tanks to be filled up. Doug also suggested Dave Scholtz commence purchasing the chemicals needed for the plant.

Dave Scholtz stated a manhole has to be installed in order to make the connection to the plant and it would take about two days to do this.

**Accountant:**

Richard Deetz stated again he had researched the refunding of monies if requested by the customers of Winona Lakes. Mr. Deetz stated the Authority is only obligated to refund two years of the fees paid by Winona Lakes customers.

Mr. Deetz's suggestion to the Authority is to inform the customers that the monies in their accounts would be used towards future credit towards their connection and sewer fees.

Robyn Pugh also recommended the Winona Lakes customers should be credited for future connection and sewer fees.

Gary Summers after a lengthy discussion regarding the refund of the standby, tapping, and connection fees moved that the Authority will credit current, in good standing, standby fee customers for future connection fees.

Jack O'Rourke seconded the motion. Motion carried 4-0.

Robyn Pugh stated she is working with Doug Olmstead on tapping fees and Fred Courtright has also been contacted regarding them. A report will be prepared and given to the Board at the next meeting.

Robyn Pugh then stated she had attempted to change the PLIGIT statements address to reflect the Municipal Authority's address and was unable to do so. The PLIGIT statements are currently mailed to the attention of John Riley of Riley and Company in Mount Pocono.

Oscar Woerlein moved Sandra Black, Municipal Authority's Secretary make both the address change for the PLIGIT statements and file the new signature cards on behalf of the Authority Board officers for the account. Jack O'Rourke seconded the motion. Motion passed 4-0.

**Old Business:**

Richard Deetz questioned the Authority Board whether or not there was a signed agreement between the Municipal Authority and Penn Dot regarding the sewer relocation work at Fernwood.

Gary Summers recommended Sandra Black researched the Municipal Authority's Minutes from the past regarding the decision on the sewer relocation at Fernwood.

Richard Deetz stated he would work with Sandra Black to send a letter to Penn Dot requesting legal justification for the sewer relocation work at Fernwood.

Oscar Woerlein moved Sandra Black with the guidance of Richard Deetz write a letter requesting legal justification of the invoice from Penn Dot regarding the sewer relocation at Fernwood. Jack O'Rourke seconded the motion. Motion carried 4-0.

Jack O'Rourke moved to table the invoice request for payment of the sewer relocation at Fernwood pending the receipt of the legal justification for it. Oscar Woerlein seconded the motion. Motion carried 4-0.

It was also suggested by Oscar Woerlein for Sandra Black to contact Fred Courtright regarding the decision on the sewer relocation at Fernwood.

Mickey Roth requested comments on the "Rules and Regulations of the Wind Gap Authority". The item was tabled in order to give the Authority Board officers more time to review it.

Sandra Black reported she had collected \$28,480.20 in delinquent sewer fees leaving a balance of \$506,794.89 to be recovered. One account which Mr. Deetz had placed a lien against had been paid up and two other accounts which also have liens against had made partial payments.

Gary Summers then pointed out that on Mr. Deetz's lien list there were seven accounts which were carrying a balance of over \$9,000. Mr. Summers questioned Mr. Deetz if there was something more which could be done to receive payment on the accounts.

Mr. Deetz proceeded to explain the different steps in pursuing the debtors. He stated it was quite expensive and it still may not achieve 100% recovery of the money. He also stated most of the accounts could end up in bankruptcy and there would be no payment forthcoming.

Gary Summers moved the first five accounts listed on the lien list be further pursued in order to obtain payment for the Authority. Oscar Woerlein seconded the motion. Motion carried 4-0.

Mickey Roth thanked Jack O'Rourke and Dave Scholtz regarding their greasetrap inspection which was conducted in January, 2009.

Dave Scholtz stated he had turned over his inspection reports to Sandra Black and was going to work with her on drafting letters to the places which were inspected. The letter would state their findings and what needed to be done before the next inspection.

Mickey Roth stated in the future the greasetrap inspections will be conducted by Damian DeGeorge at a rate of \$45.00 per hour.

Oscar Woerlein moved the Authority hire Damian DeGeorge at a rate of \$45.00 per hour to be the Authority's greasetrap inspector. Jack O'Rourke seconded the motion. Motion carried 4-0.

Mickey Roth stated Fred Courtright will file the first round of applications with regard to the H20 grant application.

Mickey Roth requested Scott Miller of Riley and Company give the Authority a report on his budget projection which was submitted to the Authority at their previous meeting.

Scott Miller stated the budget projection had basically been arrived at after a review of the historical financial statements of the Authority. Scott Miller proceeded to explain in length the budget projection in regards to the figures listed.

There were several questions presented to Scott Miller by Gary Summers and Robyn Pugh. After a rather lengthy question and answer session, Gary Summers agreed to be the liaison between Scott Miller and Robyn Pugh on the subject of the budget for the Municipal Authority.

**Citizens Comments:**

Middle Smithfield Township Supervisor, Scott Schaller, suggested the Authority be paid at least \$100.00 per meeting. Mr. Schaller suggested a motion should be made in order for the Authority to receive compensation per meeting.

Jack O'Rourke moved the Municipal Authority be compensated \$100.00 per meeting as long as the Board was operating in the "black". If the Board is not operating in the "black", there will be no compensation. Compensation would also be paid upon attendance of meetings and pending legal review by Richard Deetz. Oscar Woerlein seconded the motion. Motion carried 4-0.

Oscar Woerlein made the motion to enter into Executive Session at 8:00 P. M. Motion seconded by Jack O'Rourke. Motion carried 4-0.

Motion made by Jack O'Rourke to reconvene the meeting at 8:20 P. M. Motion seconded by Gary Summers. Motion carried 4-0.

Oscar Woerlein moved for Mickey Roth, Chairman of the Municipal Authority and Gary Summers to sign off on the H20 Grant Application. Motion seconded by Jack O'Rourke. Motion carried 4-0.

There being no further business, the meeting adjourned at 8:30 P. M.

Respectfully submitted:

Sandra Black, Recording Secretary  
Middle Smithfield Township Municipal Authority

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

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

Fred May \_\_\_\_\_

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

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