

PENN TOWNSHIP MUNICIPAL AUTHORITY
PERRY COUNTY
102 Municipal Building Road
Duncannon, PA 17020

November 7, 2007

The Penn Township Municipal Authority (Authority) met on Wednesday, November 7, 2007 in the Penn Township Municipal Building. Chairman Henry Holman, III, called the meeting to order at 7:00 p.m. He then led the group in the recitation of the *Pledge of Allegiance* and a moment of silence and announced that the meeting was being recorded to aid in the preparation of the minutes.

Authority members present:
Henry Holman, III, Chairman
Lee Wright, Vice-Chairman
Elmer Knaub, Secretary
Henry Holman, Jr.

Professional staff present:
Dennis Shatto, Cleckner & Fearen, Solicitor

Authority staff present:
Sam Auxt, Inspector
Edward Chism, Plant Operator
Susan Long, Billing Clerk, Treasurer, and Recording Secretary

Visitors present: None

Minutes

Lee stated that he felt a change should be made to the draft October 3, 2007 minutes. He suggested that the motion to approve the Solicitor's invoice for his work on Water Street should reflect the Solicitor's discount of \$1,084. After discussion, and upon a Wright/Knaub motion, the Authority voted unanimously to approve the October 3, 2007 minutes as revised.

Plant Operator's Report See written report for November.

DMRs (See written Discharge Monitoring Reports dated September.) The DMRs were reviewed with the note that the average influent BOD level for the Cove Wastewater Treatment Plant (WWTP) was 274.5 mg/l, above the design threshold of 240 mg/l. The Operator stated that he and the Inspector will try to conduct BOD sampling of Susquenita, Rohrer Bus, Cove Centre, Sheetz, and Barrick's Day Care at the end of the month. He then alerted the Authority that next month's report will show a one-day flow of 92,000 gallons, a result of heavy rain and possible I&I.

The Operator noted that the fecal coliforms average for the Kinkora WWTP was 315/100ml, above the permitted level of 200/100ml. He reported that his remedy was to increase the chlorine and to slow the forward flow to allow for more chlorine contact time. He stated that he felt a faulty air valve, which has since been corrected, caused the problem. The Operator extended an invitation that Authority members contact him at any time with questions about the DMRs.

The Operator reported that he had been notified that a grinder pump alarm on Schoolhouse Road had been activated during the heavy rain, but the alarm had cleared within the ten minutes it took him to arrive. He noted that this was the same residence that had been connected earlier in the year without the grinder pump being turned on. At that time he questioned why it took several months for the alarm to be triggered for a sewage backup and where was the sewage was going in the meantime. A discussion was now held on the possibility that downspouts and floor

drains may be connected to the sewer line at many of the Perdix residences. The Operator suggested that the Authority consider implementing a policy to address any such infiltration.

Sunshine Hill Water System – The Operator reported that DEP is requesting water companies to issue a drought watch, and that he will initiate a mailing from the office asking the customers to conserve water. He recommended that the Authority should still continue with its line-flushing schedule, because of its importance, and because the well is at a satisfactory level. He and the Inspector will set up the flushing time and it will be included with the water conservation request.

Cove WWTP – The Operator reported that the Authority did not have a spare Myers pump available for a service call to 218 Schoolhouse Road and that, after polling several members, he purchased one for that residence. He stated that the old Myers pump has been sent to Himes Electric for repair. He noted that the Authority has a number of spare E-One pumps and presented a price quote of parts and labor from Site Specific in the amount of \$629.44 to retrofit the E-One pumps into Myers pumps. It was unknown at this time whether the retrofitted pump would fit on the Myers slide rail. It was also unknown if the changeover would be cost-efficient. The Operator will continue to research the cost of a retrofit compared with the cost of a replacement.

Cove WWTP Odor Problem – The Operator reported that he has found a company that is willing to provide an injection pump and catalyst at no charge on a trial basis, to see if it helps reduce the odor problem at the Cove WWTP. He stated that the Authority would have to provide chemical tanks and hydrogen peroxide, at an approximate cost of \$300. He reported that he is investigating locations along Schoolhouse Road to be used for the injection of the catalyst. After discussion, there was a Wright/Holman motion to authorize the expenditure needed for this trial catalytic procedure to reduce the odor problem at Cove WWTP. Motion passed by unanimous vote of the Authority.

Cove WWTP Chemical Costs – The Operator alerted the Authority that, since it is now operating two Cove plants to handle the increased flow from Perdix, the PH requirements have increased, resulting in the usage of more chemicals.

Kinkora WWTP – The Operator requested that Chairman Holman schedule a time to visit the Kinkora WWTP to look at the deterioration of the grating. He stated that the alternator on the generator needs to be replaced, with the consensus being that he should purchase and install a new alternator.

Inspector's Report See Inspector's Report for October 2007.

Master Meter Reports – The Master Meter reports were reviewed with the note that no readings appeared to be out of the ordinary.

7 Hill Top Road – The Inspector reported that he had provided the contractor for the Nguyen home with a grinder pump. He also informed the contractor that the inspection of the line from the house to the grinder pump will be done by the UCC inspector, while he will inspect from the grinder pump to the main.

Emergency Repairs – The Inspector reported that he has requested Morrison, Inc. to provide a proposal for emergency excavating and pipe repairs during non-business hours. He will forward the proposal to the Authority when it is received.

Penn Township Supervisor (PTS) Report

Henry reported that the PTS had approved payment of 75% of a do-not exceed cost of \$7,500 for Klingler & Associates to perform agreed-upon procedures for line of credit, PennVest, and tapping fee transactions, and to review current billing procedures. Henry stated that he is suggesting the procedures be done because of his concern over a previously-made comment that it was uncertain if an owner had paid a tapping fee, along with his concern over where the funds came from to make final payment on the Marysville Bank line of credit. He stated that these procedures should answer those concerns. It was stressed that there is no concern over misappropriation of funds. After a review and discussion of the scope of services to be conducted, there was a Wright/Knaub motion to accept

the offer of the PTS to pay for 75% of the cost of the agreed-upon procedures to be performed by Klingler & Associates, as specified in the draft agreement, with 25% of the cost to be paid by the Authority. Motion passed. Henry abstained, explaining that he had already voted in favor of the motion as a Supervisor.

Solicitor's Report See written report dated November 6, 2007

Phase Two Non-Connected Properties – The Solicitor reported that he has received no response to his demand notices for connection to the sanitary sewer issued to the remaining phase two property owners and recommended that it is now time to file against these owners for violation of the connection ordinance. Susan was requested to notify Irene to take the necessary action to file against these owners.

Phase Three Non-Connected Properties – The Solicitor was requested to send demand notices for connection to the sanitary sewer to the remaining phase three property owners.

Intermunicipal Agreement – The Solicitor reported that he had met with Duncannon Borough (Borough) Authority solicitor, Linus Fenicle, to review the proposed intermunicipal agreement. The Solicitor will draft the new agreement and Mr. Fenicle will review it. He said that he felt the agreement should be ready by November 30, 2007. Chairman Holman suggested that a meeting with the Borough's Authority could be held during the first week of December, with the final draft then being forwarded to Borough Council and the PTS for approval. The Solicitor was requested to provide a copy of the agreement to the PTS as soon as he completes his draft of the new agreement.

Susquenita School District (District) – Discussion was held on the District's calculation of the interest due to it from the Authority in accordance with the developer's refund agreement. The Solicitor offered his interpretation that interest in the amount of 8% would start to accrue on the date each residence was connected. After further discussion, there was a Wright/Knaub motion to pay the \$23,000 balance of the principal due on the developer's refund. Motion passed by unanimous vote of the Authority. The Solicitor will calculate the amount of interest that he felt is owed to the District, and Lee and the Inspector will present it to Dr. Sheats when they deliver the check for the principal balance. He suggested that the Authority obtain a release from the District when the final payment is made.

Billing Clerk's Report

Delinquent Accounts – Susan presented a list of accounts delinquent as of October 31, 2007 along with notations on who is making payments on their account. The list of delinquent accounts was then reviewed on a case-by-case basis. The request from Kris Fach to delay payment until November 12 was denied, on the basis that she had previously asked for a delay until October 19 but never made payment. Irene will be requested to file a lien against the Fach property. She will also be requested to turn in for collection any customer whose balance is over \$250 as of October 31.

Chairman Holman asked how payments were divided out when a customer made a single payment for delinquent sewer and water accounts. Susan responded that, if not specified by the customer, the payment is usually applied to either the sewer or the water account in an attempt to pay it off. Chairman Holman requested that, in the future, the payment be divided between the sewer and water accounts.

Linsenbach Connection Notice – The Inspector asked if the Township office had been informed to send a connection notice for the Linsenbaugh property on State Road. Susan stated that the Township was notified, but she did not think it had been sent and will check on it.

Smith and Vanier Ordinance Violation – The Inspector noted that Sam Smith and Kirk Vanier were part of phase one, and asked if they had been turned in for violation of the connection ordinance. Susan responded that Mr. Smith has recently obtained a connection permit but that Mr. Vanier had not. She noted that Irene was to have filed the violations in September but has not yet done so. Susan was requested to ask Irene to make the filing against Mr. Vanier a priority action.

Sewage Enforcement Officer (SEO) Letter – Lee referred to a copy of a letter from the SEO to the owner of property on Firehouse Road which informed the owner that his illegal sewage discharge must be immediately stopped, and

listed penalties for failure to correct the sewage problem. Lee noted that the owner has not yet connected his property to the sanitary sewer, and that this letter should be an effective tool to spur this owner, and others like him, to connect.

Remaining Sewer Connections – Susan presented a spreadsheet listing the properties that remain to be connected in phases one, two or three. Of the three remaining properties in phase one, one has filed for bankruptcy, one has obtained a connection permit, and one will be turned in for violation of the connection ordinance. A review was held on phase two properties and direction will be given to Irene as to which properties to turn in for violation of the connection ordinance. For phase three properties, the Solicitor will send them demand notices to connect to the sanitary sewer.

Chairman Holman noted a letter from Ralph Mineo asking if he can defer his ready-to-serve (RTS) charges until March or April 2008. Irene will be requested to send Mr. Mineo a letter, informing him that the RTS charges can not be deferred and that, additionally, his property needs to be connected as soon as possible.

Treasurer's Report

Invoices and Expenditures – After discussion, there was a Wright/Holman motion to approve payment of the October 31, 2007 invoices totaling \$41,243.31. Motion passed by unanimous vote of the Authority.

Financial Report – After review, there was a Wright/Holman motion to approve the financial report covering the period October 1 through October 31, 2007, subject to audit. Motion passed by unanimous vote of the Authority.

Motion to Extend Meeting

At 10:00 p.m. there was a Wright/Holman motion to extend the meeting until the conclusion of business. Motion passed by unanimous vote of the Authority.

Incoming Correspondence

A list of all correspondence can be found on the November 7, 2007 agenda. The following correspondence was discussed.

DEP Letter dated October 31, 2007 – Discussion was held on a letter from DEP concerning the requirement for an operating permit for the Petersburg Commons water meter vault. Elmer was requested to contact DEP to find out what needs to be done to obtain this operating permit.

Cleckner and Fearen Letter dated October 5, 2007 – Discussion was held on a letter from the Solicitor to Irene providing the names of the new owners of the Jack Roberts property. Irene will be asked if she had contacted them concerning their timeframe for connection.

Letter from Wm. F. Hill & Associates dated October 12, 2007 – Discussion was held on a proposal from William Hill for preparation of two Chapter 94 reports at a cost of \$1,200 each, and general engineering services on an as-needed basis at an average rate of \$54/hour. After discussion, there was a Wright/Holman motion to accept the proposal from William Hill at the above-mentioned rates. Motion passed by unanimous vote of the Authority.

Letter from George Posmoga dated October 24, 2007 – Discussion was held on a letter from George Posmoga requesting that the Authority consider refinancing the PennVest loan in an effort to reduce sewer rates. It was noted that the interest rate was 1% and the length of the loan was 30 years and the Authority was unsure of how they could be improved. Elmer was requested to contact Vicki Johnson at PennVest and discuss possible re-financing. Irene will be requested to contact Mr. Posmoga, thank him for his letter, and inform him that the Authority is investigating the possibility of refinancing the PennVest loan.

Growing Greener Grant Program – Discussion was held on a DEP program providing grants to fund improvements to existing sewage and drinking water facilities using new or innovative technologies. Lee suggested the possibility of using the grant for reduction of energy consumption at the Cove WWTP and offered to obtain further information.

Penn 13 LLC Rate Challenge – The Solicitor noted that the Authority had received an invoice for \$1,500 from EMC Insurance Company. He explained that Penn 13 LLC had filed a rate challenge and the lawyer hired by the insurance company to defend the Authority was paid in excess of \$3,000. Since the Authority has a \$1,500 deductible clause, it was being invoiced for the deductible amount. He stated that the \$1,500 should be paid to EMC Insurance and should be charged to legal services.

Lee asked if the Authority could charge back the expense to Penn 13 LLC. The Solicitor stated that the Authority could charge Penn LLC 13 for a frivolous claim, but offered his opinion that the company would not pay and would force the Authority into a lawsuit. Henry offered his opinion that the reimbursement should have been requested as part of the judicial decision.

Outgoing Correspondence

Outgoing correspondence was circulated among the members. Members were directed to request a copy of the correspondence if they so desired.

Old Business

Termination of Water Service – The Solicitor was asked to provide a draft format to be used when terminating water service for delinquent sewer customers. Henry offered his opinion that this procedure should only be used as a last resort.

Cove and Kinkora WWTP Annual Inspection – After discussion, it was the consensus to not have William Hill perform an inspection of Cove and Kinkora WWTPs this year. It was noted that the Cove WWTP is new and that Chairman Holman and the Operator will be meeting to see what needs to be done at the Kinkora WWTP.

New Business

Larry Miller Rental Property Railroad Street – Discussion was held on a letter from Mr. Miller requesting abatement of sewer charges for a rental property on Railroad Street, on the basis of the property was vacant. Irene will be requested to inform Mr. Miller of the procedure detailed in the Rules & Regulations that must be completed in order for sewer charges to be abated.

Kisner Sewer Account – A memo from Irene concerning the Kisner sewer account was reviewed. The memo stated that Mr. Kisner was upset that he was turned into the DJ for collection of his overdue account, and that he would not pay the DJ charges. It was discussed that Mr. Kisner was sent a letter and was turned in for collection, after which he paid on his delinquent account. Irene will be requested to send Mr. Kisner a letter, listing the sequence of events, stating that he was given notice before he was turned in, and explaining the Authority's policy to turn in any account with a balance above \$250.

Adjournment

With all business completed, a Holman Jr./Knaub motion for adjournment was made at 10:50 p.m. Motion passed by unanimous vote.

Submitted by Susan E. Long
Recording Secretary