

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

February 4, 2009

The Penn Township Municipal Authority (Authority) met on Wednesday, February 4, 2009 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
Sam Auxt

Professional staff present:
Dennis Shatto, Esq., Cleckner and Fearen (CF), Solicitor

Authority staff present:
Sam Auxt, Field Representative
Ed Chism, Plant Operator
Susan Long, Billing Clerk, Treasurer, Recording Secretary

Visitors present:
Thomas Fromm
John and Kris Fach

Minutes

Upon a Wright/Knaub motion, the Authority voted to approve the January 7, 2009 minutes as presented.

Visitors

Thomas Fromm, 1121 State Road

Sam stated that he had invited Mr. Fromm to the meeting to discuss an application for a PennDOT highway occupancy permit. This permit is necessary in order to connect Mr. Fromm's property at 1121 State Road to the low-pressure sewer line. Sam explained that he has spoken with Gary Walak and has been in email communication with Doug Brown. He has been unable to get any information about right-of-way (ROW) distance from either PennDOT employee.

Sam stated that, according to the sewer construction drawings, the distance from the center of SR 11/15 to the low-pressure line is approximately fifteen feet. He said that he will make a site visit and measure the exact distance. He reported that, according to Mr. Walak, an occupancy permit will only be needed if the connection point is in the PennDOT's ROW. Sam suggested that, if the connection point is in PennDOT's ROW, the Authority should hire the contractor, since the Authority would ultimately be responsible for back-filling the shoulder, with the contractor's cost being passed on to Mr. Fromm.

Mr. Fromm relayed his discussion with PennDOT, which told him that application for the occupancy permit must be made by the Authority. Chairman Holman explained to Mr. Fromm that the Authority would take responsibility to make the connection to the first valve, with Mr. Fromm being back-charged for all costs.

Sam asked if he should contact Authority Engineer, William Hill, if he needed assistance in obtaining the occupancy permit from PennDOT. Chairman Holman replied that he did not feel it was necessary to contact the

Engineer, unless the Authority gets no response from PennDOT. Sam stated that he would talk to a local retired PennDOT employee to see if he could obtain assistance in filling out the application.

Chairman Holman stated that the Authority had no problem with Mr. Fromm's contractor doing the excavation work for the connection work. The Authority would then hire L/B Waters to tap into the low-pressure line, with that cost being charged back to Mr. Fromm.

John and Kris Fach, 114 Railroad Street

Mr. Fach explained that he had not been able to make payment on his delinquent sewer account as promised at the January 7th meeting, as he was laid-off from his job shortly after that. He stated that he is working again, can make a payment on February 6th, another payment two weeks later, and assured the Authority that the account would be made current by March 6th.

The Solicitor then stated that there is no official record in Perry County Courthouse that the Fach's are the owners of the property. Mr. and Mrs. Fach explained that they were purchasing the property on a sales agreement, had made a down payment to the owner, and had connected the house to the sewer line. However, the owner passed away before any paperwork could be completed. The Solicitor noted that Mr. and Mrs. Fach had signed an agreement with the Authority for installment payments of the tapping fee. The standard procedure is for a lien to be placed against the property until the final installment payment is made. The Solicitor stated that, since Mr. and Mrs. Fach are not the owners of record, he will now file the lien against the estate of the deceased owner.

Chairman Holman thanked Mr. and Mrs. Fach for their good intentions in trying to bring their delinquent account current. He stated that the Authority was willing to work with them until March. He asked them to contact the Authority immediately if they have any more financial hardships.

Plant Operator's Report There was no written report.

DMRs (See written Discharge Monitoring Reports dated December 2008.) The DMRs were reviewed with the note that the average influent BOD at the Cove Wastewater Treatment Plant (WWTP) was 211 mg/l, below the Authority's design limit of 240 mg/l. Members were asked to contact the Operator at any time with questions about the DMRs.

Cove and Kinkora WWTP – The Operator reported that the flowmeters for both the Cove and Kinkora WWTPs are failing, based on the readings that are being generated. He noted that the Cove flowmeter was purchased in 1992 and the Kinkora meter was purchased in 1993. He added that Tri-Star has determined that the Cove meter can not be repaired. After discussion, and upon a Knaub/Auxt motion, the Authority voted unanimously to purchase two Siemens Hydromanager 200 Ultrasonic Flowmeters at a cost of \$2,435.50 plus installation for each. The Operator informed the Authority that he will have the Kinkora meter checked by Tri-Star before he purchases a new one.

The Operator then reported that two of the four chemical feed pumps installed in 2005 at Cove WWTP need to be replaced. After discussion, and upon a Wright/Knaub motion, the Authority voted unanimously to purchase two chemical feed pumps at a cost of \$231.72 each.

Field Representative Report See written report for January 2008.

Taschek Property, 204 Firehouse Road – The Field Representative reported that the cost of a simplex control panel is \$286.00, a duplex control panel is \$737.00, and 50-foot cable assembly is \$155.00. He explained that these prices were obtained because of the damage done to the control panel on the Taschek property when the contractor was connecting the property to the sewer main. He added that Ms. Taschek had been sent a letter informing her that she was responsible for the cost to replace the simplex control panel and the cable assembly.

The Field Representative stated that the Operator and he would install the new control panel and cable assembly. After the new panel is installed, Susan will bill Ms. Taschek for the parts and one hour's labor each for the Operator and Field Representative.

The Field Representative reported that there is no evidence that Ms. Taschek's contractor has done any further work to connect the property to the sanitary sewer. The Solicitor will write to Ms. Taschek and inform her that it is imperative that she connect to the sanitary sewer by March 4th.

Sewer Line Flushing – The Field Representative reported that he had received a quote from Kline's Septic for flushing of four wet wells and 4,000 feet of 8" line in the amount of \$3,300. After discussion, it was the consensus that the Field Representative should authorize Kline's Septic to perform the flushing. It was also the consensus that it would not be necessary to video the lines.

Parts Inventory – The Field Representative reported that he had compiled a suggested list of spare parts to be kept on hand for emergency repairs. He stated that the total of the list was \$1,062.80 and asked for a motion to purchase the parts. Chairman Holman asked him to revise the list to include only those parts necessary for repair to the low-pressure sewer line. He explained that parts for emergency repairs to water and gravity sewer lines are readily available.

Linsensbach Property, State Road – The Field Representative reported that the electric meter has been removed at the Linsensbach property along State Road.

Beemer Property, 1432 State Road – The Field Representative reported that he turned off the electric power to, and locked the control panel of, the duplex grinder pump at 1432 State Road. Susan stated that this had been done in response to Mr. Beemer's request to waive the sewer fees for the property, since the buildings were gutted and sewer was not being used. It was noted that there are two buildings on the property, one of which has Reservation of Capacity (ROC) purchased for it. Susan was requested to send Mr. Beemer a letter explaining that since there are two buildings, and therefore two EDUs, connected to a duplex grinder pump, he will need to purchase ROC for the second building, or pay the monthly sewer fee for it.

Master Meter Reports – The Master Meter reports were reviewed with the note that there were no unusual readings. Discussion was held on who has responsibility for maintenance of the flowmeters since the new Intermunicipal Agreement was signed with Duncannon Borough. The Solicitor was requested to review the Agreement to see if the maintenance costs are now going to be shared on existing flowmeters, or just new meters.

Petersburg Commons Water Curb Boxes – The Field Representative reported that he sent a letter to the president of the Petersburg Commons Homeowners' Association regarding the Homeowners' Association's responsibility for repair of the water curb boxes damaged when residents were removing snow from their driveways.

JOAC Meeting - Chairman Holman announced that a JOAC meeting would be held on Tuesday, February 10th at 7:00 p.m. in the municipal building. Susan was asked to contact the Borough office to see if the Borough had advertised the meeting and if the Authority was included in the advertisement. If not, Susan will advertise the joint meeting. Additionally, since the meetings are expected to be held the second Tuesday of every month, Susan will place an ad in the Duncannon Record, advertising them as a whole.

Penn Township Supervisor (PTS) Report

There was no PTS report.

Solicitor's Report – See written report dated February 2, 2009.

Sheriff's Sale Updates – The Solicitor reported that the Michelle McNaughton property was sold at the January 23rd sheriff's sale and that all delinquencies should be paid as a result of the sale. The Solicitor will contact the sheriff and find out the name of the new owner, who will then be notified that the property must be connected to the sanitary sewer.

The Solicitor reported that the Grover Kisner property was postponed until the April sheriff's sale. Because of the possibility of continued postponements on the part of Mr. Kisner, the Solicitor will proceed with having the Authority file against the property for the April sheriff's sale.

Connection Ordinance 101 – Discussion was held on the Perdix properties remaining to be connected to the sanitary sewer.

- Dusan Bratic, 1019 State Road. The Bratic property has now been connected.
- Randall Buckley, Hill Top Road. Mr. Buckley has obtained his building permit and has started the excavation for connection.
- Donald Galer, 3 Maple Avenue. Mr. Galer recently purchased this property from a bank and has paid the connection fee. He was previously given until March 4th to connect.
- Rodney Fry, 1039 State Road – Mr. Fry was previously given until March 4th to connect.
- Scholl Estate, 1032 State Road. The Solicitor talked to the lawyer for the Scholl estate and informed him of the necessity to connect the property. It appears that the house will probably be demolished. The Solicitor is waiting to hear the final outcome from the estate lawyer. If the house is to be demolished, the estate will be notified of the need to prevent damage to the wet well.
- Troy Hendricks, 1325 State Road. The Solicitor will start the proceedings for the April sheriff's sale of the property.
- Glenn Hockenberry, Hill Top Road. The Solicitor will start the proceedings for the April sheriff's sale of the property.
- William Sminkey, 1223 State Road. The Solicitor will start the proceedings for the April sheriff's sale of the property.
- Michael Schamber, 1029 State Road. The Solicitor reported that no paperwork could be found that Mr. Schamber was ever notified by the Authority concerning the requirement to connect the property to the sanitary sewer. He is going to write to Mr. Schamber and inform him that he needs to immediately connect. The Authority reiterated that a grinder pump will be supplied for this property.
- Kirk Vanier, 100 Schoolhouse Road. The Solicitor reported that this property is in mortgage foreclosure and he expects that the bank will put the property up for sheriff's sale.
- Elizabeth Mitchell, 1414 State Road. Ms. Mitchell had been told to contact the Authority by February 4th to discuss connection of the property to the sanitary sewer or the purchase of ROC. Since there was no response, the Solicitor will start the proceedings for the April sheriff's sale of the property.
- Lester Sharar, 1422 State Road. Mr. Sharar had connected his State Road property, but without any of the necessary permits or inspections. He has since obtained his permits but the inspection report has not yet been received. The Solicitor will check with the Township office to see if the inspections have been done. It was noted that Mr. Sharar owes \$1,529.50 in delinquent sewer fees. The Solicitor will pursue the matter.
- Karen Taschek, 204 Firehouse Road. The Solicitor had given her until February 4th to connect. Because of installation problems, she will be given until March 4th to connect.

The Field Representative offered his concern that the Buckley and Taschek grinder pumps are being exposed to the weather and might suffer damage as a result.

Brian Parrish – The Solicitor was requested to send a letter to Brian Parrish, and request that he bring his delinquent sewer bill current.

Billing Clerk's Report

Delinquent Accounts – The list of accounts delinquent as of January 31, 2009 was reviewed. Susan stated that she did not file against any delinquent accounts in January, because she is trying to find out the status of previous filings for these accounts.

Robert Wisman, Petersburg Commons – The Solicitor noted that Mr. Wisman had earlier stated that he would pay \$634.19 immediately on his water account – to make it current, and would pay \$300 each month to pay off his sewer balance. Since no payments have been received this month, and because the total delinquent amount is above \$2,500.00, the Solicitor will start the proceedings for Sheriff's sale of the property.

Treasurer's Report

Invoices and Expenditures – Susan reported that there were three checks to the Perry County Sheriff and two checks to the Perry County Prothonotary in the folder to be signed. She explained that these checks were needed for the sheriff's sale proceedings and will appear on next month's report. There was an Auxt/Knaub motion to approve payment of the January 2009 invoices totaling \$50,115.25. Check #2401 and check #2407 will be held for payment, contingent upon Lee's approval after reviewing the proposed billing software specifications. Motion passed by unanimous vote of the Authority.

Financial Report – After review, there was a Wright/Holman motion to approve the Financial Report for the period January 1 through January 31, 2009, subject to audit. Motion passed by unanimous vote of the Authority.

Gladys Martinez Judgment – Susan reported that Ms. Martinez had received a judgment in the amount of \$1,000.00 from the District Judge. She explained that the judgment was for violation of the connection ordinance. However, Ms. Martinez has since connected. It was discussed that the purpose of the judgment was to effect connection to the sanitary sewer, not necessarily to impose financial penalty. After discussion, it was the consensus that Susan should inform the District Judge that the judgment has been satisfied.

Incoming Correspondence

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

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

Rules and Regulations (R&R) Update – Upon an Auxt/Holman motion, the R&R were unanimously approved as presented. Susan will make office copies of the R&R for presentation to developers as well as Authority members. Susan will check with the Township's webmaster for the cost of uploading the R&R onto the Authority's page of the Township website.

Revisions to Developer's Specifications – Upon an Auxt/Wright motion, the Authority voted unanimously to approve the engineer's revisions to the Developer's Specifications. The Engineer will be asked to provide the revised specifications in CD format for copying purposes.

Grinder Pump Resolution – After discussion, and upon an Auxt/Holman motion, the Authority voted unanimously to adopt Resolution 2009-01, establishing a policy of ownership and maintenance of future grinder pumps.

Lockbox Service – Since all members were not present, it was the consensus that a vote would not be taken until a complete complement of the Authority is present.

Executive Secretary Position – After discussion, and upon a Wright/Knaub motion, the Authority voted unanimously to extend an offer of employment to Karen Rhinehart for the position of Executive Secretary, at a rate of \$9.50 per hour, for a six-month probationary period, with the maximum number of hours per week set at fifteen. Sam will contact Ms. Rhinehart and extend the offer of employment.

JOAC Meeting - Chairman Holman reiterated that JOAC meetings would be held the second Tuesday of every month. All members are urged to attend and the meetings will be advertised, which will allow for action to be taken at the meetings. It was decided that, since the meetings are advertised, it will be necessary to have official minutes. Susan will attend the first meeting and take the minutes.

New Business

Length of Time to Keep Paid Invoices – Susan reported that PA law requires that accounts payable files and ledgers must be retained for at least seven years. She asked that the Authority set a policy for retention of these records. After discussion, and upon a Wright/Auxt motion, the Authority voted unanimously to retain accounts payable files and ledgers for seven years, after which they can be destroyed.

Scholl Grinder Pump Agreement for Three Lots on Hill Top Road – Susan reported that James Scholl had paid three tapping fees and had signed a grinder pump agreement for three vacant lots on Hill Top Road. However, since there were no laterals or grinder pumps installed on the properties, Susan asked if the tap fee should be returned. The Solicitor asked that a copy of the agreement be sent to him. He will review it and make a recommendation at the March 4th meeting.

H. A. Thomson Insurance Review – Susan stated that H. A. Thomson would like to attend the March 4th meeting to review the Authority's insurance package. It was the consensus to schedule the review for 6:30 p.m. Susan will contact H. A. Thomson, and advertise a 6:30 p.m. start for the March 4th meeting.

Homer Bornman Plan Submission – Plans for the Homer Bornman subdivision have been received and an escrow account has been established. Sam will contact the Engineer and ask him to review the plan.

Motion to Extend Meeting – At 10:00 p.m., there was an Auxt/Holman motion to extend the meeting until the completion of business. Motion passed by unanimous vote of the Authority.

Reorganization

Legal and Engineering Firms –There was an Auxt/Wright motion to retain Cleckner & Fearen to provide the Authority's legal service, and to retain William A. Hill & Associates to provide the Authority's engineering service on an as-needed basis. Motion passed by unanimous vote of the Authority.

Financial Depositories – There was an Auxt/Wright motion to retain PLGIT and The First National Bank of Marysville as its financial depositories. Motion passed by unanimous vote of the Authority.

The following officers and staff were elected for 2009:

There was a Wright/Holman motion to nominate Sam Auxt for Chairman, Elmer Knaub for Vice-Chairman, Henry Holman III for Secretary, Lee Wright for Assistant Secretary/Assistant Treasurer, and Susan Long for Treasurer. Motion passed by unanimous vote of the Authority.

Check Signatories – It was the consensus to authorize the Chairman, Vice-Chairman, and Secretary to be check signers for 2009, with the Chairman and Secretary being the primary signers, and the Vice-Chairman the back-up signer. Susan will prepare the necessary documents for signature.

New Business Continued

Letters to R. A. Barrick and Sheetz Car Wash – After review of the draft letters, it was the consensus to authorize Susan to send letters to Mr. Barrick and Sheetz Car Wash, informing them that there is no more capacity available in their sewer lines, and any improvements necessary to increase the size of the line would be their financial responsibility.

Tap Fee Delinquency Letters – Susan reported that the spreadsheets detailing installment payments being made on tapping fees are finished and are up-to-date. Susan will draft a letter to be sent to every property owner who is delinquent on their tap fee installment payments, informing them that their accounts must be brought up to date within thirty days. Susan will also explain the tap fee installment program to the new Executive Secretary.

Sewer Rate Reduction – Lee reported that he has finished his review of the 2008 budget status. He offered his opinion that, after \$5,000 of excess 2008 revenue is transferred into the capital project fund, sewer rates could be reduced by \$7.63 per month. After discussion, Sam moved that, due to the outgoing chairman's management efforts, the Authority reduce the sewer rates by \$5.00 per EDU per month, to \$65.00 per month. Lee seconded the motion. Motion passed by unanimous vote of the Authority. The reduced rate will start with the March 1st billing. As a cost-saving move to eliminate a letter being sent to each customer, Susan will have a note put on the bottom of each billing card. An attempt will be made to have an article included in the Duncannon Record about the rate reduction.

Adjournment

With all business completed, an Auxt/Knaub motion for adjournment was made at 10:40 p.m. Motion passed by unanimous vote.

Submitted by Susan Long

Recording Secretary