

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

May 6, 2009

The Penn Township Municipal Authority (Authority) met on Wednesday, May 6, 2009 in the Penn Township Municipal Building. Chairman Sam Auxt, 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:

Sam Auxt, Chairman
Elmer Knaub, Vice-Chairman
Lee Wright, Asst. Secretary/Asst. Treasurer

Professional staff present:

Dennis Shatto, Esq., Cleckner and Fearen (CF), Solicitor

Authority staff present:

Sam Auxt, Field Representative
Susan Long, Treasurer, Recording Secretary
Edward Chism, Plant Operator

Visitors present:

Karen Taschek

Minutes

Upon a Wright/Knaub motion, the Authority voted to approve the April 1, 2009 minutes as presented. The April 14, 2009 JOAC minutes will be voted upon at the May 12, 2009 JOAC meeting.

Visitors

Karen Taschek, 204 Firehouse Road

Ms. Taschek had been requested to attend the meeting and discuss her timeframe for connection of the property at 204 Firehouse Road to the sanitary sewer. She explained that the physical connection has been made, but that she has been having a difficult time sealing the joints in preparation for the air test. She stated that she has had trouble with the threaded pipe and was told that the only threaded pipe used was at the top. All other pipe should be connected with slip joints. She also stated that she had lost the test ball in the wet well. Chairman Auxt and the Operator will extricate it sometime this week.

Chairman Auxt expressed his concern over the numerous delays in connecting the property to the sanitary sewer. After discussion, it was the consensus to give Ms. Taschek ten additional days to connect, and that no more extensions would be granted.

Concerning Ms. Taschek's delinquent tapping fee and sewer accounts, she stated that she could start paying \$100.00 per month toward those accounts. Chairman Auxt asked her to call him if she has any trouble with finishing the connection. She was also requested to contact the office or attend the next meeting if she has any trouble making the monthly payments.

Plant Operator's Report There was no written Operator's Report.

DMRs (See written Discharge Monitoring Reports dated March 2009.) The DMRs were reviewed with the note that the average influent BOD at the Cove WWTP was 338 mg/l, above the Authority's design limit of 240 mg/l. It was

the consensus to wait for next month's readings to decide if high-strength waste sampling should be conducted. Members were asked to contact the Operator at any time with questions about the DMRs.

Cove WWTP – The Operator suggested that the Authority determine the amount of EDUs that have been sold , as well as the amount that have been reserved for the Cove WWTP. He stated that he is concerned over the amount of capacity that might be in reserve, because it has to be made available when needed. He explained that, while the hydraulic capacity of the WWTP is 100,000 gpd, in his opinion the optimal maximum flow should only be 85,000 gpd. He informed the members that they might want to ask the Engineer for his opinion of the optimal maximum flow. The Operator noted that currently the WWTP was running at 89,000 gpd due to the I&I entering the system through the old connection tie-ins in Perdix.

Chairman Auxt reported that the Authority will need to determine the amount of EDUs allocated to Susquenita School District, to be discussed under "New Business". The Operator stated that he thought 71 EDUs had been allotted to the District. Susan stated that she had pulled the District's folder and will fax information to the Solicitor for his review and calculation.

Lee reported that he had been asked by a resident if the valves in the system were being operated from time to time. The Operator responded that no arrangements had been made to exercise the valves. He offered his opinion that the valves on the access lines cannot be shut even for a short period of time, because of the hydraulics involved. He did agree that it might be a good idea to partially exercise them. The drawback is that these valves are in pits that are accessible only to people of small stature and the Authority would have to hire someone to exercise them annually. He continued that he did not feel that it would be worthwhile to hire someone to exercise every clean-out and flushing valve.

Kinkora WWTP – The Operator briefly noted that the average daily flow at the Kinkora WWTP is up from 5,000 gpd to 7,000 – 8,000 gpd. He also suggested that the Authority determine the amount of EDUs that had been sold to the Kinkora Pythian Home.

Field Representative Report See written report for April 2009

The following items were discussed.

Myers Grinder Pumps – The Field Representative reported that a new Myers grinder pump will be purchased from Hajoca Corporation on Friday. Susan noted that a check for the new pump was included with the checks to be signed, and would appear on next month's financial report.

Master Meter Reports – The Master Meter reports were reviewed with the note that there were no unusual readings, and that the readings from earlier in the day were not included. The Field Representative reported that Duncannon Borough Authority engineer, Kevin Jacobs, is going to review the Intermunicipal Agreement to see how the issue of meter calibration is addressed and whose responsibility it is to calibrate the flow meters.

Penn Township Supervisor (PTS) Report

There was no report.

Solicitor's Report – See written report dated May 6, 2009.

Harvath Property, Butchershop Road, Stormwater Issues

At an earlier meeting it had been reported that the owner of 100 Butchershop Road was experiencing stormwater runoff into her house after a heavy rainfall. It was explained that an Authority water line crosses a land bridge behind the property. The concrete drainage pipes under the bridge have shifted and now act like a dam, causing the water to go over the top and divert onto the Harvath property.

The Solicitor reported that he has researched the deeds for the Eichelberger and Harvath properties back to the 1940's and can find no record of a right-of-way being granted to the Authority. He stated that acquisition documents for the Sunshine Hill water system contain streets and maps, which he will fax to Chairman Auxt. He stated his opinion that responsibility for maintenance of the drainage pipe falls to the property owner and not to the Authority. The Executive Secretary will be requested to write a letter to the Harvaths, informing them of the Solicitor's opinion.

Homer Bornman Property, Schoolhouse Road

The Solicitor reported that he had drafted an agreement for maintenance of the proposed sewer line extension that will connect the Bornman property to the sanitary sewer. He stated that the owner has signed the agreement. After discussion, and upon a Wright/Knaub motion, the Authority voted unanimously to approve the maintenance agreement with the estate of Homer Bornman, execute the agreement by the appropriate officials, and have the Solicitor record it in the Perry County Courthouse.

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

- Donald Galer, 3 Maple Avenue. Mr. Galer has had unforeseen problems and the escrow company is in the process of finding a new plumber to make the connection. Mr. Galer will be given another month to connect. The Solicitor will keep in contact with the escrow company.
- Troy Hendricks, 1325 State Road. The Solicitor reported that Mr. Hendrick's bank paid the judgment to remove the property from the April 23rd Sheriff's sale. Since no contact has ever been received from Mr. Hendricks, it is possible that the property is unfit for permanent habitation. The Solicitor will ask the bank to contact Mr. Hendricks and advise him of the availability of reservation of capacity for the property.
- Glenn Hockenberry, Hill Top Road. Mr. Hockenberry paid the judgment and stopped the April 23rd Sheriff's sale. The Solicitor will write a letter to Mr. Hockenberry and reiterate the requirements given to him at the December 2008 meeting – purchase reservation of capacity and demolish the septic tank. If this is not done within ten days the Authority will again start proceedings for a Sheriff's sale. Discussion on forgiveness of any ready-to-serve charges will not be held until the above requirements are met.
- Richard Vogelsong, 1 Woodland Drive – Mr. Vogelsong purchased this property from the bank holding the mortgage and was informed by Susan of the connection procedure. The Solicitor will send him a letter as a follow-up contact, stressing the urgency for connection.
- Elizabeth Mitchell, 1414 State Road. The Solicitor stated that a check made payable to the Perry County Sheriff in the amount of \$750.00 would be needed to enter this property into the July Sheriff's sale. The check will be written, signed, and presented to the Solicitor after the meeting, and will be reported on next month's financial report.
- Rodney Frey, 1039 State Road – The paperwork has been completed to turn Mr. Frey in to the District Judge for violation of the connection ordinance.
- Michael Schamber, 1029 State Road. The paperwork has been completed to turn Mr. Schamber in to the District Judge for violation of the connection ordinance.
- William Sminkey, 1032 and 1223 State Road. The Solicitor reported that he informed Mr. Sminkey of the requirements set at the April 1st meeting regarding these two properties and has received no response. A citation for each property will be filed with the District Judge for violation of the connection ordinance.
- Karen Taschek, 204 Firehouse Road. Earlier in tonight's meeting, Ms. Taschek was given ten days to complete her connection and start payments on her delinquent tapping fee and sewer accounts. If not connected within ten days, a citation will be filed with the District Judge for violation of the connection ordinance.
- Kirk Vanier, 100 Schoolhouse Road. The Solicitor reported that this property is in mortgage foreclosure and is now listed for the July 24th Sheriff's sale. The Solicitor suggested the Authority wait for the outcome of the sale.

Billing Clerk's Report

Delinquent Accounts – The list of accounts delinquent as of April 30, 2009 was reviewed. The procedure for filings with the District Judge and the Prothonotary's Office will continue to be followed by the Executive Secretary.

Tapping Fee Installment Payments – Susan presented a spreadsheet of all customers who are delinquent with their tapping fee installment payments. The Solicitor will contact the customers who have not made any payments since signing the installment payment agreement. He explained that the agreement states that, if a payment is missed, the account is considered to be in default and the property can be turned in for Sheriff's sale. He will inform the customers that they must make their accounts current by the June 3rd meeting, or he will proceed with Sheriff's sale as directed by the Authority.

Treasurer's Report

Invoices and Expenditures – After discussion, there was a Wright/Knaub motion to approve payment of the March 2009 invoices totaling \$303,435.98. \$250,000.00 was for a Certificate of Deposit with Members 1st Credit Union. Motion passed by unanimous vote of the Authority.

Financial Report – After review, there was a Wright/Knaub motion to approve the Financial Report for the period April 1 through April 30, 2009, subject to audit. Motion passed by unanimous vote of the Authority. It was noted that the balance of all accounts was \$743,431.48. However, \$27,848.82 is earmarked for escrows and repair of the Market Street line. An additional \$306,088.03 has been set aside for capital projects – unexpected major expenses for equipment failures and replacement of infrastructure.

Susan reported that Members 1st Credit Union was offering 2.2% for a 7-month CD with no penalty for early withdrawal. It will be necessary for Penn Township to join Members 1st, paperwork for which has already been started. Additionally, it will be necessary for Authority officials to sign paperwork authorizing Susan or Lee to transact business with Members 1st. This will be done at the end of the meeting.

Executive Secretary Report See written report

The Executive Secretary report was reviewed without comment.

JOAC Report

The next JOAC meeting will be held on Tuesday, May 12th. Chairman Auxt noted that one topic of discussion will be calibration of the flow meters

Correspondence

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

Old Business

Fax Machine – Lee reported that he did not have a chance to contact Tri-County Telephone Services about the incompatibility of the fax machine with the Township's PBX phone system. He will contact them as soon as possible.

New Business

Annual PLGIT Shareholders Meeting – PLGIT is requesting that the Authority submit a proxy if it is not going to attend the annual shareholders' meeting to be held on May 22, 2009. It was the consensus to forward the proxy to PLGIT.

Susquenita School District EDUs – Chairman Auxt reported that Susquenita School District has requested two EDUs for a new concession stand on the visitors' side of the field that would be connected to the low-pressure line. He stated that he was unaware of the EDUs allocated to the District when it put the treatment plant in, but if it has enough EDUs already, it was his opinion it was just a matter of moving two EDUs from the gravity side to the low-pressure side, and with no money to change hands.

Lee stated that there was something the Authority was missing and asked what it was. Elmer asked if the right-of-way issue was resolved. Chairman Auxt stated that the Authority needs to keep in mind the limitations of capacity in the two-inch diameter line. He explained that from Dale Ward's house north there were three EDUs available, while to the south there were five additional EDUs. He stated that to move those two EDUs would not tax that line any.

Lee stated that what the move would do is reduce the Act 537 requirement for what the Authority has to pick up at Dersham's. He said he thought the original Act 537 plan as it was laid out required the Authority to pick up seventeen EDUs from the high school drive north. Putting two EDUs on the low-pressure line on the upper side of the drive reduces the requirement by two EDUs of what the Authority would have to provide to Dersham's. Chairman Auxt said that the Authority would not get seventeen EDUs on the line to Dersham's anyway. He said that another line would have to be run all the way back, as seventeen EDUs are not available on the current line.

The Solicitor stated his understanding that the Authority resolved all the other issues with the District. He stated that there was an agreement with the District from when it went online, but he did not recall the number of EDUs or flow purchased. Susan stated that she would fax the relevant pages of the agreement to the Solicitor, and thought that it stated the starting amount of EDUs to be used for billing purposes.

Chairman Auxt asked if, based on the District's water conservation program, there are additional EDUs left, would the members have a problem with allowing the District to move two additional EDUs without a tapping fee. He relayed that the District was informed it would be responsible for the cost of tapping into the line, but that he did not mention any other costs. Susan questioned if the District would be charged for any additional EDUs since it had helped build the system. However, it was noted that Mutzabaugh's Market has been charged for additional EDUs.

Lee asked about a right-of-way (ROW). Chairman Auxt responded that a ROW would be needed for a grinder pump. Lee stated that he remembered previous talk about asking for a ROW across District property, with Chairman Auxt responding that the Authority could again ask for one. Lee stated that he thought that would be a fair trade-off. He stated that he remembered a discussion in the past about going for a ROW. Chairman Auxt explained that it would run from the corner of the baseball field up to Schoolhouse Road so that the Authority could access an existing manhole for future connections. He stated that the Authority has ROWs from Dersham's to Dale Ward's but cannot get from Dale Ward's to Schoolhouse Road. Susan asked if the ROW would allow more customers to connect and was told that it would provide access for any developer from Dersham's north. The Solicitor offered his opinion that the District might now have a reason to grant the ROW. Chairman Auxt offered that if the District wants to move the two EDUs, it will not cost them anything to give the Authority a ROW. Lee stated that he thought the Authority should entertain a discussion with the District about a trade of EDUs for a ROW. Chairman Auxt noted that the Authority has been trying to obtain that ROW for several years. It was the consensus that Chairman Auxt would contact Bob Finnen and make the proposal.

Lee stated that he was sorry he could not remember the details of a discussion held several years previous concerning the results of a Chapter 94 report in regards to the District's water usage being down. At that meeting, it was mentioned that the reduction in water usage did not matter. However, no one now could remember why. Lee stated that the Operator might remember the discussion. Susan stated that past member Robert Shaffer might be able to refresh everyone's memory. Susan stated that the 2008 Flow Analysis Report contains information on the District's 2008 water usage, along with the Engineer's recommendation for EDU billing. She stated that she thinks that the recommendation calls for an increase in the billing amount and will provide a copy of the information to the members.

Penn Tech Properties – After a review of the plan for Penn Tech Properties to construct a business in Business Campus One, it was the consensus that no sewer review would be needed. The Executive Secretary will be asked to so notify the Township secretary. Chairman Auxt noted that the Authority will need to know the number of EDUs the business is projecting it will use.

Copier Problems – Susan reported that both the Executive Secretary's and the Field Representative's computer have stopped printing to the copier. Additionally, the Treasurer's computer needs to be networked to the copier. It was the consensus to contact Imagistics to have the three office computers networked, with the ability to print to the copier.

H. A. Thomson – The representative from H. A. Thomson will attend the June 3rd meeting to review the changes made to the Authority's insurance package as a result of the discussion at the April 1st meeting.

Adjournment

With all business completed, a Wright/Knaub motion for adjournment was made at 9:30 p.m. Motion passed by unanimous vote.

Susan Long

Recording Secretary