

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

July 1, 2009

The Penn Township Municipal Authority (Authority) met on Wednesday, July 1, 2009 in the Penn Township Municipal Building. Secretary 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, Secretary
Lee Wright, Asst. Sec./Asst. Treasurer
CeCe Novinger

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

Authority staff present:
Susan Long, Treasurer, Recording Secretary
Edward Chism, Plant Operator

Visitors present:
Brian Soyko, Sheetz Car Wash

Minutes

Upon a Holman/Wright motion, the Authority voted to approve the June 3, 2009 minutes as presented The June 15, 2009 JOAC minutes will be voted upon at the July 14, 2009 JOAC meeting.

Visitors

Brian Soyka, Sheetz Car Wash

Mr. Soyka was in attendance to discuss the water usage of Sheetz Car Wash and its impact on line capacity. He stated that he has reviewed the car wash usage and it appears to be in line with the EDUs purchased for the facility. Susan stated that a quarterly audit of the Authority's metered customers is in the packets and the four-quarter lookback period shows that Mr. Soyka is correct. She explained that over a year ago the car wash went through several months of extremely high usage. When reviewing just the past twelve months, the car wash used less EDUs than purchased. She added however, that June's usage was 92,000 gallons, and if usage continues at that level, the car wash will once again be in excess of the EDUs purchased.

Henry informed Mr. Soyka that the line servicing the car wash is at capacity and that there are no more EDUs available for purchase on that line. He stated that, if more capacity is needed, it will be necessary for Sheetz to either construct a new line to tie into a line at Burley Road, or enlarge the existing line up to the Cove wastewater treatment plant (WWTP). Henry emphasized the Authority's concern – that there is no more capacity in the existing line and that the car wash can not continue to increase its water usage. Purchasing additional EDUs is no longer an option.

Henry added that continued increase on the part of the car wash could impact Sheetz's fueling station and convenience store, as well as other businesses on that line, to the point that businesses could be shut down. Plant Operator Ed Chism stated that the car wash's usage has eliminated the remaining business customers' ability to increase their usage, as well as limiting any new business from connecting to the system.

Mr. Soyka stated that he will discuss the situation with his colleagues. Susan told him that she would monitor the car wash usage on a monthly basis and keep him informed.

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

DMRs (See written Discharge Monitoring Reports dated May 2009.) The DMRs were reviewed with the note that the average influent BOD at the Cove WWTP was 265 mg/l, above the Authority's design limit of 240 mg/l. Additionally, fecals at the Kinkora WWTP averaged 600/100ml, above the permitted level of 200/100ml. The Operator increased the chlorine residual to lower the fecals. He stated that from October through April, the permitted level is 45,000/100ml. The permitted level drops from May through September because of summer river water activities. The Operator had no explanation for the increase in fecals, although the erratic flow into the WWTP because of malfunctioning equipment probably contributed to the problem. He stated that, if the high levels continue, he might ask the Authority to consider the purchase of equipment that injects chlorine dosing based on flow, but did not feel it was necessary at this time. Members were asked to contact the Operator at any time with questions about the DMRs.

NPDES Permits – The Operator reported that the NPDES permits for the Cove and Kinkora WWTPs have been tentatively approved by DEP. He added that new DEP testing regulations do not lower the chlorine level threshold for the Kinkora WWTP, but will increase the threshold for the Cove WWTP. He added that he is trying to meet the new requirements on an experimental basis, so that when they come into effect he is prepared.

Grinder Pump Repairs – The Operator stated that other individuals are needed to help with grinder pump repair.. He explained that, when the Field Representative is out of town, he is the only one able to repair the pumps, and that additional help is needed. He noted that the grinder pump manufacturer has recommended an individual from Enola, and that he would like to bring the individual on-board on a trial basis. The Operator stated that he was unsure of the individual's current rate, but it had been \$55.00/hour for weekends, \$65.00/hour for holidays, and \$45.00/hour for weekdays.

After discussion, and upon a Wright/Novinger motion, the Authority voted unanimously to approve the hiring of a grinder pump repairman on an as-needed basis, with the stipulation that the individual has insurance coverage/bonding.

Professional Insurance – The Operator reported that he has purchased his own professional insurance coverage and that he is notifying the Authority in case it wants to drop any coverage it maintains on him. He noted that, when he was first hired, the Authority paid for his insurance coverage as a signing bonus. Lee suggested that any drop in premium costs should be used to reimburse the Operator for his personal expense, with the Operator stating that would not be necessary. Susan will contact the insurance company to see what coverage is maintained on the Operator.

Consumer Confidence Reports – The Operator reported that the annual Consumer Confidence Report was provided to the water customers. He explained that this report details the quality of the drinking water and is required by DEP to be in the hands of the customers by July 1st.

Cove WWTP Odor – Henry asked about the status of the odor control methods for Cove WWTP. The Operator reported that the nearest neighbor says that it is "pretty good." The Operator stated that he has been dosing according to outside temperature. He is cautious in his application because the increase in chemicals results in an increase in the need to waste sludge.

Field Representative Report

The written report for May was reviewed without comment.

Master Meter Reports – The Master Meter reports were reviewed with the note that the readings appear to be satisfactory.

Penn Township Supervisor (PTS) Report

There was no PTS report.

Solicitor's Report – See written report dated June 29, 2009.

Fulkroad Bankruptcy – The Solicitor reported that the Fulkroad personal reorganization plan continues until May 2010 and that the Fulkroads are protected until that time. He stated that Mrs. Fulkroad has indicated she will start to make monthly \$200.00 payments.

Magisterial District Judgments – Susan noted that there were judgments pronounced by the District Judge for violation of the connection ordinance. While the properties have since connected, there is nothing on the judgment stating what it is for. Additionally, some of those properties have delinquent sewer balances. Susan asked if the judgment could be used for collection of delinquent sewer or water balances. It was the consensus of the Authority that the purpose of those judgments was to force connection, and not for collection of delinquent balances. After further discussion, and upon a Wright/Holman motion, the Authority voted unanimously to notify the District Judge when judgments are satisfied after properties are connected to the sanitary sewer. Susan stated that she is tracking the judgment costs and is deducting them from sewer/water payments, so that those expenses are recouped.

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 had been given until July 1st to connect and has not done so. The Authority will file for violation of the connection ordinance. Susan reported that Mr. Galer pays the monthly sewer rental.
- Troy Hendricks, 1325 State Road. The Solicitor reported that Mr. Hendricks will be out of jail on July 15th. He stated that Mr. Hendrick's bank will talk to Mr. Hendrick on July 20th. It was the consensus to table further action until the August meeting.
- Glenn Hockenberry, Hill Top Road. Mr. Hockenberry has purchased reservation of capacity and needs to demolish the septic tank. Discussion on forgiveness of any ready-to-serve charges will not be held until the above requirements are met. It was noted that Mr. Hockenberry's property has already been put up for sheriff's sale, with the result that he paid off the judgments and the sale was lifted. The Solicitor was not sure whether the Authority should file again for violation of the connection ordinance, or whether it was a Township issue about an illegal septic system. Further discussion was tabled until the August meeting to allow the Solicitor to decide what the best course of action should be.
- Richard Vogelsong, 1 Woodland Drive – Mr. Vogelsong is a fairly recent purchaser of the property at 1 Woodland Drive. Since there has been little written contact from the Authority to date, the Solicitor will contact him and ask for his connection schedule.
- Elizabeth Mitchell, 1414 State Road. The Solicitor reported that the property has been entered into the July 24th Sheriff's sale. The Solicitor suggested the Authority wait for the outcome of the sale.
- Michael Schamber, 1029 State Road. Susan reported that the paperwork has been completed to turn Mr. Schamber in to the District Judge for violation of the connection ordinance. The Authority is awaiting notice of judgment.
- William Sminkey, 1032 and 1223 State Road. It was noted that Mr. Sminkey has not paid for reservation of capacity, nor has he abandoned his septic tanks. His property has already been put up for sheriff's sale, with the result that he paid off the judgments and the sale was lifted. He will be turned in for violation of the connection ordinance.
- Kirk Vanier, 100 Schoolhouse Road. The Solicitor reported that this property is in mortgage foreclosure and is listed for the July 24th Sheriff's sale. The Solicitor suggested the Authority wait for the outcome of the sale.

Rodney Frey Violation of Connection Ordinance – Susan reported that a violation of the connection ordinance had been filed against Mr. Frey, after he had connected. She stated that she was having a hard time getting the violation lifted from the District Judge and had asked for the assistance of the Solicitor. The Solicitor reported that he had sent a letter on June 16th to the District Judge stating that the Authority was withdrawing the claim and asking that he be contacted if there was a problem with the request. He stated that he has not received any response to-date.

Travis Wagner, Petersburg Lane – Susan reported that water and sewer bills sent to Mr. Wagner are being returned by the post office with the note that there is no forwarding address on file. She stated that she has asked the Penn Township Police Chief to see if he can locate Mr. Wagner.

Billing Clerk's Report

Delinquent Accounts – The list of accounts delinquent as of June 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.

Robert Wisman, Petersburg Lane – Mr. Wisman had previously stated that he would make installment payments on his delinquent sewer and water accounts, which now total \$4,000.00. Since no payments have been made, his accounts were turned over to the District Judge for collection. Additionally, a lien against the property has been filed with the Prothonotary. After discussion, and upon a Holman/Wright motion, the Authority voted unanimously to offer Mr. Wisman's property into the next sheriff's sale. The Solicitor will so notify Mr. Wisman.

Karen Taschek, 204 Firehouse Road. Ms. Taschek has connected, but has not abandoned the septic tank on the property, nor made any payments against her delinquent sewer or tapping fee installment payments. Susan had sent her a letter telling her that the septic tank must be abandoned and that she must follow through with her commitment and begin making payments. Since payment has not been received by the July 1, 2009 meeting, her account will be turned over to the District Judge for collection. Susan will include the \$488.00 owed by Ms. Taschek for replacement of the control panel along with the delinquent sewer balance when filing.

Metered Sewer Customer Audit – Susan presented the quarterly audit of non-residential customers, comparing their water usage with EDUs purchased. She reported that, for the past twelve months, Roger Barrick used 26,250 gallons more than purchased, Tubby's used 44,250 gallons more than purchased, and the Duncannon Family Medical Center used 40,050 gallons more than purchased.

Regarding the Barrick usage, further discussion was tabled until the August 5th meeting, to allow time for Susan to research what letters have previously been sent to Mr. Barrick. Regarding Tubby's, Susan has already sent the owner a letter, informing him of the gallons purchased and the gallons used, and informing the owner that if the excessive usage continues, the owner will need to purchase another EDU. She will now send an invoice for an additional EDU. Regarding the Duncannon Family Medical Center, the Authority will take a 'wait and see' attitude.

Treasurer's Report

Invoices and Expenditures – After discussion, there was a Wright/Novinger motion to approve payment of the June 2009 invoices totaling \$64,804.28. Motion passed by unanimous vote of the Authority.

Financial Report – After review, there was a Novinger/Wright motion to approve the Financial Report for the period June 1 through June 30, 2009, subject to audit. Motion passed by unanimous vote of the Authority. It was noted that the balance of all accounts was \$741,091.45. However, \$25,454.14 is earmarked for escrows and repair of the Market Street line. An additional \$316,254.43 has been set aside for capital projects – unexpected major expenses for equipment failures and replacement of infrastructure.

Sewer Rates – Lee noted that the June expenses were higher than usual, but approximately equaled the June revenue. He suggested that the Authority should investigate a further reduction of rates. He and Susan will meet in the near future for further review.

Water Customers and Billing – Lee asked what the rate schedule was for commercial water customers and was told there were no such customers. Susan noted that there was a resident with a barbershop in his home who has used more water than the average customer, but who was billed on the same tiered schedule as any other water customer. Lee stated that the resident probably had a larger sewer outflow than a normal resident. He and Henry offered their concern that Duncannon Borough is told that the flow into unmetered Borough lines is based on EDUs, with each residence equaling one EDU. However, there is a possibility that the water usage of some residents is more than one EDU, thus causing a larger flow than is being reported. Susan was asked to audit the usage of the water customers, to

determine how many of them are using more than one EDU. She will report back to the Authority at the August 5th meeting.

Tapping Fee Installment Payments – The Solicitor reported that he contacted four customers that have not made any payments on their tapping fee installment plans. Upon a Wright/Novinger motion, the Authority voted unanimously to authorize the Solicitor to inform the customers that they have until July 17th to bring their accounts current or their properties will be offered for sheriff's sale.

Executive Secretary Report See written report

The Executive Secretary report was reviewed without comment. Lee asked if the Executive Secretary was opening the mail and making the daily deposits, to ensure that there was a separation of duties between her and the Billing Clerk. Susan replied in the affirmative.

JOAC Report

The next JOAC meeting will be held on Monday, July 14th. Susan will email all JOAC members to notify them of the meeting.

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

Susquenita School District (District) EDUs – The Solicitor stated that he has reviewed his documents pertaining to any EDUs purchased by the District. He provided a copy of the documents for the Authority to review. The Executive Secretary will be asked to make copies and provide them to each member. Members are asked to review the documents for further discussion at the August 5th meeting.

New Business

Sheriff's Sale Proceedings – The Authority had previously voted to initiate Sheriff's sale proceedings when a delinquent account reached \$2,500.00. Members have now been asked to reconsider that threshold and decide if it is too high, in that it would take over three years for a customer to reach that amount. It was discussed to possibly lower the threshold to \$1,800.00 per EDU. This would ensure that owners of a large number of rental units would not reach the threshold after only two or three months. Further discussion will be tabled to the August 5th meeting.

Market Street Escrow – There had been a discussion at a previous meeting to possibly rename the Market Street Escrow. Lee reported that might be a moot point. He explained that there is a possibility that the Market Street sewer line replacement project might come in at \$60,000.00 to \$80,000.00, while the grant is for \$101,000.00. If so, the options would be to return the extra grant funds, or ask for a change order to increase the length of the line being replaced. If the Authority and the Borough agree to a change order, the Authority could use the Market Street Escrow money towards the additional scope of the project.

Emergency Generator Connection, Sunshine Hill Water System – By consensus of the Authority, the Field Representative and the Operator are to obtain three prices for a generator hookup and labor costs and report back to the Authority.

Duncan Oil Plan Review – Duncan Oil is proposing to construct a refueling kiosk at Mutzabaugh's Market. Since this involves no water supply or discharge of sewage, it was the consensus that an Authority review of the plan is not necessary. Susan will so notify the Township secretary.

Philip Neufeld Plan Review – Mr. Neufeld is proposing a lot addition to his parcel in Perdix. Since this involves no water supply or discharge of sewage, it was the consensus that an Authority review of the plan is not necessary. Susan will so notify the Township secretary.

Adjournment

With all business completed, a Wright/Novinger motion for adjournment was made at 9:28 p.m. Motion passed by unanimous vote.

Susan Long

Recording Secretary