

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

August 5, 2009

The Penn Township Municipal Authority (Authority) met on Wednesday, August 5, 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
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
Sam Auxt, Field Representative

Visitors present:

None

Minutes

Upon a Wright/Novinger motion, the Authority voted to approve the July 1, 2009 minutes as presented. The July 14, 2009 JOAC minutes will be voted upon at the August 11, 2009 JOAC meeting.

Visitors

Don Bucher, State Road

Mr. Bucher was not in attendance. Chairman Auxt stated that Mr. Bucher had called to report that his property line pin had been removed during the sewer line installation and was never replaced. The Solicitor noted that, at the end of the sewer installation project, the Authority provided the property owners with the procedures for submitting claims and damages. Additionally, the project was completed three years ago. Mr. Bucher will be sent a letter informing him that the time has elapsed for submittal of claims and damages and providing him the name and address of the contractor for the project.

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

DMRs (See written Discharge Monitoring Reports dated June 2009.) The DMRs were reviewed with the note that the average influent BOD at the Cove Wastewater Treatment Plant (WWTP) was 245 mg/l, above the Authority's design limit of 240 mg/l. Members were asked to contact the Operator at any time with questions about the DMRs.

Kinkora WWTP – The Operator reported that there continues to be a fluctuation of daily flows at Kinkora WWTP, which presents operational problems; however, the Authority should not be concerned at this time.

Cove WWTP Odor Control – The Operator reported that normal operational procedure is to let the sludge settle, decant the clear liquid, and haul the sludge away. However, this also increases odor so this procedure is not being followed for the summer.

Sunshine Hill Water System – The Operator thanked Elmer and his wife, and Chairman Auxt for delivery of the "Boil Water" notices during the period when the water pump was replaced. The Operator reported that he and Chairman Auxt met with Tim Beitzel about the electrical connection for the emergency generator for the water system. Mr. Auxt reported that Mr. Beitzel's quote to make the connection was \$1,034.53. Upon a Knaub/Wright motion, the Authority voted unanimously to accept Mr. Beitzel's quote. Chairman Auxt will notify Mr. Beitzel.

The Operator informed the Authority that DEP has split Petersburg Commons and Sunshine Hill into two separate water systems, with a separate public supply number for Petersburg Commons. Additional testing requirements for Petersburg Commons will be minimal, as will increased costs for both systems. What will significantly increase is the amount of paperwork that will be required of the Operator.

Grinder Pump Repairs – The Operator stated that he will be stopping his involvement with grinder pump repairs in the near future, and asked the Authority to consider hiring outside services for the repairs. As a follow-up to last month's meeting, he stated that he had called Lenker Excavating for two repairs in July. He offered his opinion that the jobs were completed in a satisfactory manner, but that no invoices have yet been received. He also asked the Authority to consider hiring Brad DiPaolo for grinder pump repairs, noting that Mr. DiPaolo is local and has connected many properties to the sewer system. After discussion, Chairman Auxt stated that he would contact Mr. DiPaolo to see if he was interested in being "on-call" for grinder pump repairs. Chairman Auxt noted that Rich Kuser had also connected several of the properties and stated that he would contact Mr. Kuser to see if he would be interested in line repairs.

The Operator and Chairman Auxt will develop a protocol to be followed during repair of grinder pumps, to include the procedure for shutting off valves and other grinder pumps in problem areas, and notifications. The Operator offered that the Authority should develop a list of names, addresses, and phone numbers for the Perdix sewer connections. Elmer reported that there is an automatic dialing system that can be used for emergency notifications. The Operator stated that he has seen literature on notification systems and will try to locate it. He added that DEP will allow phone notification for some emergencies, but requires written notification for others.

Upon questioning, the Operator recommended that the Authority wait for invoices from Lenker Excavating before sending out for repair the broken pumps currently in storage.

The Operator reported that, for annual budget preparations, he will request two grinder pumps be purchased each year. He noted that the pumps from the original system are now seventeen years old.

Commercial Grinder Pump Maintenance – The Operator suggested that the Authority consider "backing out" of its agreements to maintain commercial grinder pumps. He noted that Sheetz has already taken over the maintenance responsibility of the pumps on its property. Henry asked if that would eliminate all of the Myers pumps. The Operator responded that there would still be several on the system, citing the Kuddly Bear and Bowman properties. Lee asked what the Authority's original commitment was to the business owners. The Operator replied that his understanding was that the businesses bought and installed the pumps, and then turned them back over to the Authority for ownership and maintenance. The Solicitor will research the developer and dedication agreements and how they deal with grinder pump maintenance for the following businesses – Citgo, RBS, Cove Centre, Big Bee Boats, Dollar General, and R.A. Barrick.

Rohrer Bus Service (RBS) – The Operator reported that the E-One pump at RBS failed and was replaced by Lenker Excavating.

Cove Pump Station – The Operator reported that Envirep, Inc. performed the annual maintenance on the Cove pump station and determined that \$800.00 in parts were needed. The Operator explained that this pump station is critical, because it prevents sewage from backing up into Susquenita schools. Chairman Auxt reported that, during recent line flushing, approximately one wheelbarrow load of 1-B stone was found in the line and, possibly originating from the Susquenita Hills area. He stated that the stones were removed, but there may be other stones remaining in the

unflushed lines. However, it will be necessary for ground conditions to be very dry or frozen before the truck can gain access to the area to vacuum the stones.

Grinder Pump Repair Tracking – Henry suggested that the Authority develop a spreadsheet to track grinder pumps, their repair costs, and whether they are repairable or not. Chairman Auxt stated that the spreadsheet has already been created.

NPDES Permits – The Operator reported that the NPDES permits for the Cove and Kinkora WWTPs have been approved by DEP. He added that new DEP testing regulations do not lower the chorine level threshold for the Kinkora WWTP, but will increase the threshold for the Cove WWTP. This will require additional testing by the Operator.

Field Representative Report

See written report for July. The following items were discussed.

Flowmeter Calibration – The Field Representative reported that the flow meters in the #2 and #3 metering chambers were calibrated on July 8th.

Grinder Pump Alarm – 1 Schoolhouse Road – The Field Representative reported that he was notified by a neighbor of 1 Schoolhouse Road that its grinder pump alarm was ringing. When he arrived, the pump was running and the alarm was off. The pump shut off after he arrived. He noted that this grinder pump has had prior alarm issues and there has been concern that water is entering the grinder pump through several floor drains. He reported that the owner has been sent a letter notifying him that the floor drains need to be sealed, as per the Authority's *Rules and Regulations*.

Low-Pressure Line Repairs – The Field Representative reported that a low-pressure line on Hill Top Road was damaged by the Penn Township highway crew when installing a road shoulder culvert. The line was marked according to the location on the as-built drawings. However, the drawings were incorrect and the line was in a different location. The Field Representative assisted the highway crew in making the repair.

The Field Representative reported that the excavator who was assisting in the installation of a new house damaged the curb-valve at 102 Firehouse Road. The repairs were made by the contractor – S&A homes. The Field Representative reported that the isolation valves were shut off at both ends of the problem area, and grinder pumps in the area were shut down. However, these actions did not stop the flow. He offered that one of the isolation valves is probably defective.

Repaving of Hill Top and Firehouse Roads – The Field Representative reported that fifteen three-inch riser rings are needed for manholes on Hill Top and Firehouse Roads during Penn Township's road paving project. After a discussion of costs, there was a Wright/Novinger motion to purchase fifteen riser rings from JarDon Welding, at a cost of \$80.00 each. Motion passed by unanimous vote of the Authority.

The Operator and Field Representative will paint and flag the curb boxes in the paving area, as a precautionary measure. Henry recommended that the Authority have any necessary repair parts on hand, just in case.

Insurance Claims for Submersible Pumps - Chairman Auxt reported that a letter has been received from its insurance company denying the Authority's claim for two submersible pumps, on the basis that not enough information was supplied. He stated that the Operator contacted Edwin Heim, Inc. and found out that the motor failed due to seal failure, which is not covered in the policy. He offered his opinion that any claims to H. A. Thomson would be met with resistance.

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 July 31, 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.

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 was connected earlier this week. The Authority had filed against Mr. Galer for non-connection, with the result that the District Judge levied a fine against Mr. Galer. Rich Kuser, Mr. Galer's contractor, contacted the Solicitor, and sent a letter to the Authority, to report that it was his fault that the connection had not been made, and to ask if the judgment fine could be waived. During discussion it was noted that the Authority's intent was to force the connection, not to receive fine money as revenue. Upon a Wright/Holman motion, the Authority unanimously authorized the Solicitor to contact the District Judge and inform him that the Authority would like to waive the fine.
- Troy Hendricks, 1325 State Road. The Solicitor reported that Mr. Hendricks' banker has not been able to contact Mr. Hendricks. Susan reported that the Authority filed against Mr. Hendricks for violation of the connection ordinance and was told by the District Judge's office that Mr. Hendricks was served the notice at the institution in which he is incarcerated. The Solicitor will notify the Authority if there are any new developments before the September 2nd meeting.
- Glenn Hockenberry, Hill Top Road. Mr. Hockenberry has purchased reservation of capacity and needs to demolish his 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 could file again for violation of the connection ordinance, or whether it was a Township issue about an illegal septic system. After discussion, the Solicitor recommended that the Authority ask the Penn Township Supervisors (PTS) to take whatever action it can to resolve the issue. The Solicitor will write the letter.
- Richard Vogelsong, 1 Woodland Drive – Mr. Vogelsong is a recent purchaser of the property at 1 Woodland Drive. The Solicitor contacted Mr. Vogelsong and asked for his connection schedule.
- Elizabeth Mitchell, 1414 State Road. The Solicitor reported that the property was entered into the July 24th Sheriff's sale, with the result that Ms. Mitchell paid the judgement, the legal fees, the sheriff's costs – and is still not connected. He stated that he wrote back to her and informed her that the Authority will not go away and the property must be connected. After discussion, the Solicitor was requested to write Ms. Mitchell another letter and again explain the option and requirements to purchase reservation of capacity.
- Michael Schamber, 1029 State Road. The Solicitor reported that a violation of the connection ordinance was filed with the District Judge against Mr. Schamber. The Solicitor will contact the District Judge for the status of the violation.
- William Sminkey, 1032 and 1223 State Road. Susan reported that a violation of the connection ordinance was filed with the District Judge against Mr. Sminkey for 1223 State Road. The septic system at 1032 State Road has not been abandoned.
- Kirk Vanier, 100 Schoolhouse Road. The Solicitor reported that this property was sold at the July 24th Sheriff's sale and that he has contacted the new owner of the need to connect.

Lee asked whether the fees are being recouped when the property was sold at Sheriff's sale. Susan replied that the amount of the proceeds earmarked as legal fees is added back against the expense incurred.

Casales Property, State Road – It was noted that Ms. Casales purchased reservation of capacity in lieu of connecting to the sanitary sewer. However, the Authority has just realized that she was never required to abandon her septic

system. The Solicitor will contact Ms. Casales and inform her of the procedure to abandon her septic system according to the Authority's *Rules and Regulations*.

Susan will research other customers who are purchasing reservation of capacity, to see if they were requested to abandon their septic systems.

Advisory Opinion – The Solicitor reported that he had forwarded an advisory opinion concerning audio tapes used for the preparation of meeting minutes and the position of the Right to Know Law. The ruling appears to be that audio tapes are considered to be "open records" until the minutes are approved. The Authority has a motion on record that audio tapes will be held for one year after the meeting, at which time they will be destroyed.

Billing Clerk's Report

Delinquent Accounts – The list of accounts delinquent as of July 31, 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. Susan reported that the total amount of all delinquent sewer accounts was \$50,154.00.

Sunshine Hill Water Usage – Susan presented a spreadsheet detailing the amount of water usage of each customer for the period of March – June 2009. Of 131 properties, 21 are using more than one EDU, which is defined as 150 gallons per day. For a three-month period, one EDU is equivalent to 13,650 gallons, and usage ranged from 1,000 gallons to 30,000 gallons. It was the consensus to write a letter to those customers using more than one EDU, alerting them to the fact that their usage is higher than the norm, and is possibly related to leaks in lines, faucets, and toilets. They will also be made aware that lowering their usage will result in reductions in their water bills.

It has been brought to the Authority's attention that one of its customers is operating a pet supply business in his home and used 26,000 gallons for the past quarter. This customer is being billed for sewer at a residential rate instead of a commercial rate. Commercial customers are billed for sewer on the basis of the water usage. Additionally, when sewer tap fees are paid, businesses pay according to the capacity needed in the WWTP.

Upon a Wright/Novinger motion, the Authority voted unanimously to send a letter to Brian Adams informing him that he is now considered to be a commercial customer and will be billed for sewage accordingly. He also will be sent an invoice in the amount of \$3,500.00 for an additional EDU of capacity in the Duncannon Borough (Borough) WWTP. A copy of the pertinent section of the *Rules and Regulations* will be included with the letter.

Robert Wisman, Petersburg Lane – The Solicitor reported that Mr. Wisman has been notified that he must make his delinquent sewer and water accounts current by August 15th. If that is not done, the Solicitor will offer Mr. Wisman's property into the next Sheriff's sale, as authorized at the July 1st meeting.

Treasurer's Report

Invoices and Expenditures – Susan reported that three invoices had come in since the reports were finalized – Cleckner & Fearen, Envirep, and Sam Auxt. She asked for payment of those invoices and noted that they would appear on September's report. After discussion, there was a Wright/Knaub motion to approve payment of the July 2009 invoices totaling \$63,242.74. 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 July 1 through July 31, 2009, subject to audit. Motion passed by unanimous vote of the Authority. It was noted that the balance of all accounts was \$749,276.80. However, \$25,454.14 is earmarked for escrows and repair of the Market Street line. An additional \$312,829.29 has been set aside for capital projects – unexpected major expenses for equipment failures and replacement of infrastructure. Susan reported that she had forgotten to transfer \$5,000.00 into the capital projects fund from the 2008 budget surplus. The transfer will be shown on the September report.

Tapping Fee Installment Payments – The Solicitor reported that he contacted four customers that have not made any payments on their tapping fee installment plans. If they have not brought their accounts current by the August deadline, he will file against them.

Executive Secretary Report See written report

The Executive Secretary report was reviewed. Susan noted that, if a customer refuses to accept the certified mail delivery from the District Judge, the Authority must pay a fee of \$55.00 for hand-delivery of the citation. Since time is of the essence in these cases, the hand-delivery fee will be taken out of petty cash.

JOAC Report

The next JOAC meeting is scheduled for Tuesday, August 11th. Chairman Auxt sent emails to all JOAC members to see if a meeting is needed, since the grant funding for the Market Street line replacement project has not yet been received. He will update the members after he receives replies to his email.

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

Depreciation of Authority Infrastructure – Susan reminded the members that the Auditor had suggested a summer meeting to review the depreciation schedule of the Authority's infrastructure. A decision on a date will be made at a future meeting.

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. After discussion, there was a Holman/Knaub motion to set the threshold for Sheriff sale proceedings at \$800.00 for customers being billed for one EDU. Accounts billed for more than one EDU will be decided on a case-by-case basis. Motion passed by unanimous vote of the Authority. The \$800.00 threshold was chosen because a 12-month delinquency would be \$780.00.

The Solicitor will notify all customers above the \$800.00 threshold that they have thirty days to make their accounts current. After that time, counsel fees will be imposed and Sheriff's sale proceedings will be initiated.

New Business

Borough Fire/Water Task Force – The Borough has scheduled a meeting on August 20, 2009 at 6:00 p.m. to discuss issues concerning fire hydrants and water sources for fire suppression. Susan will contact Mike Fedor and inform him that Elmer will represent the Authority. Lee suggested that a topic of discussion could be a grant for a fire hydrant on Butchershop Road.

Warden Property Water Supply – Elmer noted that a water connection ordinance only applies to public water supplies currently in place. The Authority was unsure whether the Township can adopt an ordinance requiring a developer to provide a public water supply.

Elmer's comments in response to the July 17, 2009 letter from Forrest Troutman concerning the Warden Plan were reviewed. He noted that he was concerned that the proposed plan calls for one-hundred wells, that there is no fire protection for the development, and that initial well drilling has shown high arsenic levels in the groundwater.

Discussion was held on the fact that the revised plan for the Warden property contained a lot of changes. While some talks were held between the developer and the Authority, the talks never went past the preliminary negotiation stage and the Authority is at a loss to explain the lack of communications. Henry suggested that the water standpipe was a stumbling block, along with right-of-way issues with adjacent property owners.

It was the consensus to forward Elmer's comments to the PTS and the Penn Township Planning Commission, with the addition of a paragraph stating that the Authority does not understand where the lines of communication failed and that it is willing to enter into further dialogue with the developer.

Elmer noted that the developer of the Warden property is not going to improve the Sunshine Hill water system and asked if the Authority should consider having the Engineer do a water study for the water system. Chairman Auxt will invite the Engineer to the September meeting.

Fall Newsletter – The deadline for article submission for the fall Township newsletter is August 17, 2009. Lee will write an article about the emergency generator hookup for the water system and about the grant received jointly with the Borough for the replacement of the Market Street sewer line.

Adjournment

With all business completed, a Novinger/Knaub motion for adjournment was made at 9:15 p.m. Motion passed by unanimous vote.

Susan Long

Recording Secretary