

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

November 4, 2009

The Penn Township Municipal Authority (Authority) met on Wednesday, November 4, 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
Sam Auxt, Field Representative
Ben Shull, Wm. F. Hill, Associates, Engineer

Visitors present:

Michelle Dunn, Pfautz Rentals
Jason Melham, Melham Associates
Franklin Reidlinger, Perdix Fire Company
Sherri Price
Jennifer Hoke
Max Shradley
Vince Bernhard

Minutes

Upon a Holman/Novinger motion, the Authority voted to approve the October 7 and October 20, 2009 minutes as presented.

Visitors

Michelle Dunn, Pfautz Rentals

Ms. Dunn was invited to the meeting to discuss the Pfautz Rentals request for water service to the apartment complex on Creek Road. Ms. Dunn stated that Pfautz Rentals was looking at five options and wanted to know if the Authority was willing to supply water, and at what cost. She provided information on the current wells and their output to the Engineer. Upon questioning, she responded that Pfautz Rentals has not received a letter from DEP ordering them to correct any arsenic problems but was taking a pro-active approach. She informed the Authority that Pfautz Rentals needed to make a decision on what option to take by July 31, 2010.

Elmer informed Ms. Dunn that the Authority does not currently have enough storage capacity in its water system. He asked if Pfautz Rentals would be willing to sell land to erect a storage tank. Lee asked if Pfautz Rentals would turn over ownership of the wells. Ms. Dunn replied that those issues could be part of the Authority's proposal.

Chairman Auxt informed Ms. Dunn that the Authority would review the issue and either prepare a proposal or inform Pfautz Rentals that it was not able to supply water to the apartment complex.

Jason Melham, Melham Associates

Mr. Melham was present to discuss three issues concerning the land development plan submitted by Morrison, Inc. for its corporate headquarters. He reviewed a letter to Penn Township's engineer, Max Shradley, asking Mr. Shradley for clarification on whether the Sewer Planning Module needs to be approved by DEP before a building permit is issued and construction can begin.

Mr. Melham then reviewed a letter to the Engineer that listed the sanitary sewer facilities to be dedicated to the Authority and the specifications of the pump station design. The Engineer and Authority will review the specifications for changes.

Mr. Melham then presented the Sewer Planning Module for signature by the Authority and Township secretary. He requested that the Module be returned to him after signatures are provided.

Franklin Reidlinger, Perdix Fire Company (PFC)

Chairman Auxt asked Mr. Reidlinger for a time line as to when the water meter provided to PFC for the firehouse would be installed. Mr. Reidlinger informed the Authority of the unique problems associated with the water supply to the firehouse and its effect on installation of the meter. He offered that installation of the meter would be a lot of work for his estimated flow of five gallons per month.

Chairman Auxt explained that the Authority bases its monthly sewer charge for commercial customers on water usage, and that PFC is considered to be a commercial customer. He stated that possibly the Authority would reconsider the water meter requirement since PFC is a public service and not a business.

Mr. Reidlinger explained his usage estimate, stating that the firehouse is used for monthly business meetings only, and has not been used as a social hall for over two years. He added that there is a kitchen, but it has no dishwasher and is not used.

Henry stated that PFC has the capability of using the firehouse as a social hall and those social activities could increase at any time. He noted the Authority's concern to monitor water usage. He then offered to volunteer his time, materials and tools to install the water meter at no cost to PFC. Mr. Reidlinger will take the offer back to PFC officers for a response, and will then contact Henry and/or Chairman Auxt.

Sherri Price and Jennifer Hoke

Ms. Price explained that their father passed away in July 2008 and their mother passed away in September 2009. She noted that the house is empty and the sewer service is not being used. She asked if there was something that could be done so that they did not need to pay the monthly sewer charge. She noted that there was a lock on the grinder pump and asked if the pump could be turned off and if the sewer could be capped. Elmer stated that Ms. Price had contacted him earlier that day and he had suggested the possibility of pulling the electric meter. Chairman Auxt stated that was a possibility, and that a disconnection fee could be charged. However, according to the Authority's rules and regulations, when the service was restored, a \$3,500.00 tapping fee would be required. He noted that there are no provisions in the rules and regulations to "turn the sewer on and off."

Ms. Price offered her opinion that it is unfair to pay for a service that is not being used. She asked what would happen if the bill was not paid. Chairman Auxt explained the procedure for processing delinquent accounts.

Henry asked if the electric would remain on, noting that the sewer could be used if electricity was available. When Ms. Price asked what would happen if the electricity was turned off, she was told that the house would need to be winterized to keep the pipes from freezing. Ms. Price re-iterated that she felt it was unfair to pay for services that are not being used, but would continue paying the charges.

Engineer's Report

The Engineer had been invited to the meeting to discuss his firm's water feasibility study proposal for the Sunshine Hill system. Elmer noted that the water storage capacity needs to be increased, pipes need to be replaced, the water treatment building needs to be enlarged, and future hookups need to be considered. He asked what the best way to accomplish these needs was. He also asked if it was true that authorities have better odds of obtaining grants than private water supplies. The Engineer responded that it was generally true. Henry offered that, with the request from

Pfautz Rentals, water storage capacity is even more important. Chairman Auxt informed the Engineer that the Authority was looking for the Engineer's recommendation for the current facilities and what would be necessary to upgrade them.

Chairman Auxt noted that he and Lee attended a meeting earlier in the day with the developer of the Warden property in which water storage capacity was discussed. He reported that the Warden Property developers were asked what triggered the change from one well and storage tank to 150 individual wells. He and Lee were told that it was triggered by the costs associated with the upgrades added by the Authority to the original proposal. These upgrades included the requirement to use ductile iron instead of PVC in the piping, additional fire protection requirements, and an increase in the size of a storage tank. He offered his opinion that the Authority might want to reconsider its requirements, in an effort to reach agreement with the developer.

Henry asked the Engineer to include in the study a cost breakdown for each additional 50,000 gallons of capacity in the storage tank. He cautioned the Authority about downgrading requirements that might lead to future problems, such as not requiring ductile iron piping. The Engineer stated that HDPE pipe is being used more frequently because of ease in tie-ins and repair, and durability.

Lee asked if the water study would provide a shovel-ready proposal for improvement. The Engineer replied that the study did not include design work, but would enable him to get familiar with the system. The design work would come later.

After discussion, and upon a Wright/Knaub motion, the Authority voted unanimously to accept the proposal for a water feasibility study from Wm. F. Hill Associates.

Plant Operator's Report See written report.

In the absence of the Operator, Chairman Auxt presented the report. He reviewed the work that had been done at the Cove and Kinkora wastewater treatment plants (WWTP). He noted the problems with the generators during the recent electrical "black-out" and said that he is in the process of finding someone to work on the generators to repair those problems. Henry asked if the generators would be able to be moved to a central location for repair, in an attempt to lower labor cost, and was told that they could be moved.

DMRs (See written Discharge Monitoring Reports dated September 2009.) The DMRs were reviewed with the comment that DEP has changed the format of the reports. Members were asked to contact the Operator at any time with questions about the DMRs.

Field Representative Report See written report for October.

Wilson Property, Schoolhouse Road – The Field Representative reported that he met with Mr. Wilson, the Operator, and CeCe to discuss an I&I inspection. He reported that the downspouts on the rental property have been disconnected from the grinder pump. The outside floor drain still needs to be disconnected from the grinder pump.

1825 State Road – The Field Representative reported on a call made to 1825 State Road concerning a complaint of "slow" house drains. He stated that he found that not all of the house drains are connected to the grinder pump. The owner has been sent a letter and informed that the remaining drains need to be connected to the grinder pump and must be pressure tested. The owner has not responded to the letter.

Master Meter Reports – The Master Meter reports were reviewed without comment.

Penn Township Supervisor (PTS) Report

CeCe stated that she had taken the Authority's concerns about the Warden plan and its suggestions for ordinances back to the PTS for consideration. The PTS forwarded the suggestions to the Township's planning commission.

Solicitor's Report – There was no written report.

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

- Glenn Hockenberry, Hill Top Road. On September 2, the realtor for Mr. Hockenberry was given ninety days to sell the property or sheriff sale proceedings will be initiated.

- 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 property will be offered for Sheriff's sale in January 2010.
- Kirk Vanier, 100 Schoolhouse Road. The Solicitor reported that the lawyer for the foreclosure sale is in the process of having the purchaser (Fannie Mae) contact the Authority.
- Elizabeth Mitchell Gilbert, 1414 State Road. The Solicitor reported that Ms. Mitchell has listed her property for sale with Jack Gaughen Realtors. It was the consensus to not file for violation of the connection ordinance at this time.
- 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 and reservation of capacity has not been purchased for 1032 State Road. The property at 1223 State Road will be offered for Sheriff's sale in January 2010.
- Troy Hendricks, 1325 State Road. The property will be offered for Sheriff's sale in January 2010.

Sminkey Hearing – The Solicitor and Executive Secretary will attend the hearing for William Sminkey to be held at the office of the District Judge on November 19th.

Donna Dawson Property, State Road – The Solicitor reported that the Dawson property was sold at sheriff's sale. The liens were filed for the second tapping fee and delinquent charges and the Authority should soon be receiving payment.

Wisman Delinquent Account – Susan reported that Mr. and Mrs. Wisman paid their monthly sewer and water charge, plus 10% of the delinquent balance. She stated that, in an oversight, they were not given a payment agreement to sign. She said that an agreement would be mailed to them for their signature.

Sharar Property, State Road – Upon a Holman/Wright motion, the Authority voted unanimously to authorize the Solicitor to contact Mr. and Mrs. Sharar and inform them they have fifteen days to make their account current or the property will be offered for sheriff's sale.

McDade/Smith Property, Firehouse Road - Upon a Wright/Novinger motion, the Authority voted unanimously to authorize the Solicitor to contact Mrs. Smith and inform her she has fifteen days to make her account current or the property will be offered for sheriff's sale.

DeCoven Property – The Solicitor reported that he has had no response from his letter to DEP concerning the DeCoven property and the Township's Act 537 Plan.

Billing Clerk's Report

Delinquent Accounts – The list of accounts delinquent as of October 31, 2009 was reviewed. Susan noted that the total of the sewer delinquencies is \$45,841.24 and the total of the water delinquencies is \$4,553.31. The procedure for filings with the District Judge and the Prothonotary's Office will continue to be followed by the Executive Secretary.

Susan stated that she and the Executive Secretary will send letters to all customers with a delinquent balance, notifying them of the need to bring their account current or sign an agreement stating that they will pay the \$65.00 monthly charge plus 10% of the delinquent balance each month. If neither of these is done, their accounts will be turned over to the District Judge for collection.

Treasurer's Report

Invoices and Expenditures – After discussion, there was a Wright/Novinger motion to approve payment of the October 2009 invoices totaling \$55,210.21. Motion passed by unanimous vote of the Authority.

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

noted that the balance of all accounts was \$772,898.09. However, \$27,712.86 is earmarked for escrows and repair of the Market Street line. An additional \$337,465.29 has been set aside for capital projects – unexpected major expenses for equipment failures and replacement of infrastructure.

Lee asked if there was still a CD with Members 1st and was told there was, and that it would expire on December 9th. Susan stated that 1st National Bank of Marysville was still paying 1.98% on the checking account and she would transfer some of the money from PLGIT into the Marysville account.

Executive Secretary Report See written report

The Executive Secretary report was reviewed without additional comment.

JOAC Report

The next JOAC meeting is scheduled for Tuesday, November 10th. The Authority has no new items for discussion. Susan will email the Duncannon Borough and Sewer Authority members to see if they feel a meeting is necessary. She will also find out the new contact for the Borough's utility committee. Lee will write a letter to the utility committee to start discussions concerning Pfautz Rentals request for water service to the Creek Road apartments.

Dedication of Metering Chambers – At the October 13th JOAC meeting, the subject of ownership of the metering chambers and meters at Clark/High Street and Ann Street had been discussed and the Authority had been requested to dedicate the chambers to Duncannon Borough. These chambers were constructed at Authority expense, but are located within the boundaries of Duncannon Borough. Upon a Wright/Holman motion, the Authority voted unanimously to authorize the Solicitor to draft a deed of dedication for these two metering chambers and meters to turn ownership over to Duncannon Borough. Chairman Auxt reported that, since the Borough is responsible for maintenance and calibration of the meters, he turned over the charts and pens for the meters to the Borough.

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

There was no old business for discussion

New Business

2010 Budget – A workshop to discuss the 2010 budget was set for November 17th at 6:00 p.m. at Lee's house.

Reappointment of Sam Auxt – It was noted that Sam Auxt's term on the Authority will expire on December 31, 2009. Stating that Chairman Auxt was the only one able to get an income survey completed and validated, Lee moved to recommend to the PTS that Sam Auxt be re-appointed to the Authority for another term. Henry seconded the motion. Motion passed, with Chairman Auxt abstaining from the vote.

Additional Invoices – Susan reported that an invoice had been received from Microbac after tonight's reports had been finalized. Additionally, the District Judge called today and stated that \$55.00 would be needed for hand delivery of a citation to Robert Armstrong. It was the consensus to approve payment of the invoices, which will appear on the December 2nd financial reports.

Adjournment

With all business completed, a Wright/Novinger motion for adjournment was made at 9:01 p.m. Motion passed by unanimous vote.

Susan Long

Recording Secretary