

**PENN TOWNSHIP MUNICIPAL AUTHORITY  
PERRY COUNTY**

102 Municipal Building Road  
Duncannon, PA 17020

April 3, 2013

The Penn Township Municipal Authority (Authority) met on Wednesday, April 3, 2013 in the Penn Township Municipal Building. Chairman Elmer Knaub called the meeting to order at 6:30 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:

Elmer Knaub, Chairman  
Sam Auxt, Vice Chairman  
Henry Holman, III, Asst. Secretary/Asst. Treasurer  
CeCe Novinger

Professional staff present:

Dennis Shatto, Esq. of Cleckner and Fearen, Solicitor  
Ben Shull, P.E., of Wm. F. Hill Associates

Authority staff present:

Susan Long, Treasurer, Recording Secretary

Visitors present:

Henry Holman, Jr.	
B. J. Giangulio, H.A. Thomson	Jodi Rissinger
Molly Heckard	Rock Morrison
Louis Beemer	John Melham
Mike Ward	Bob Johnson

**Minutes**

Upon a Novinger/Holman motion, the Authority voted unanimously to approve the March 6 and March 11, 2013 minutes as corrected.

**Visitors**

Henry Holman, Jr., Penn Township Board of Supervisors (PTS)

Mr. Holman was present to discuss the Act 537 Plan Update (Plan) and its implications for the connection of the former DeCoven property to the sanitary sewer. He presented the history of the Plan which was submitted in September 2000 and approved by DEP in June 2001. He noted the Plan's recommendation that "...the DeCoven wastewater treatment plant (WWTP) be taken off line and the properties it serves be connected to the Cove WWTP by a pump station and low pressure sewer..."

Mr. Holman expressed concerns over the letters that the PTS has lately received from DEP. A January 16, 2013 letter requested the PTS to submit, within sixty days, an implementation schedule for the connection of the DeCoven property to the sanitary sewer, as per the Plan. On March 21, 2013 he received another letter referring to the January 16<sup>th</sup> letter, and requesting the PTS to submit the implementation schedule within ten days of receipt of the letter.

Mr. Holman stated that he is tired of the pressure being put on the PTS. He noted that the Authority's engineering firm at that time (HRG) had created the Plan and requested that the Authority get this issue resolved. It was then noted that the PTS was receiving the letters from DEP because the PTS is ultimately responsible for sewage issues, and because it signed the PennVest loan as a guarantor in case the Authority defaulted on the loan.

Mr. Holman was informed that the Authority's Solicitor, Dennis Shatto, has sent a letter to DEP informing it of the communications that have been held with the current property owner, Mike Ward. Additionally, Chairman Elmer Knaub and Field Representative Sam Auxt met with Mr. Ward and DEP on January 11, 2013. The Authority will continue to update DEP on the status of the connection.

#### B. J. Giangulio, H. A. Thomson Insurance

Mr. Giangulio was present for the annual insurance policy review. The policy renews on July 5, 2013. After reviewing the current facilities covered by the policy, he added two new structures for coverage – the odor control building at the intersection of Burley Road and Schoolhouse Road, and the water meter vault on Jefferson Street. During the course of the review, he noted that the Boiler and Machinery coverage policy would apply to mechanical failure (not ordinary wear and tear) of the grinder pumps. He also noted that the worker's compensation package cost would probably increase by \$177.00.

#### Molly Heckard

Mrs. Heckard stated that the balance on her sewer account was \$2,323.92, of which \$816.31 was late fees. She noted that she also owed \$148.19 in filing/lien fees. She told the Authority that she had brought along a check for \$1,700.00 to pay the sewer charges and filing/lien fees, and asked if the Authority would waive the late fees. After discussion that the late fees were not a cost to the Authority, there was an Auxt/Holman motion to accept the payment of \$1,700.00 and waive the \$816.31 in late fees. Motion passed by unanimous vote. Regarding the \$1,700.00 payment, \$1,507.61 would be used to bring the account current, \$148.19 would be used to pay off the filing/lien fees, and the remaining \$44.20 would be applied to the April 1, 2013 bill.

#### Louis Beemer

Mr. Beemer was present to discuss several recent issues at his apartments located at 1433-1437 State Road. The Authority had discovered that Mr. Beemer had created a fourth apartment (1433-B State Road) but had not obtained a connection permit for this apartment. He was sent an invoice in the amount of \$3,500.00 for the tapping fee. Mr. Beemer asked how tapping fees were generated and was told that every EDU is considered a tap. When he created a new apartment, he created a new EDU and a \$3,500.00 tapping fee.

Mr. Beemer then discussed the repair/replacement of the duplex grinder pump (DGP) servicing the apartments. On January 8, 2013 he had been sent a letter notifying him of repairs made to the DGP due to a significant grease buildup. He was also notified that any future repairs for this infraction would result in him being billed for all costs associated with the repair. Mr. Beemer then quoted from the Township newsletter that first-time offenses were free and that offenses after that would be the financial responsibility of the property owner.

Mr. Beemer then noted that he had received a letter dated February 13, 2013 in the amount of \$7,553.35 for the repair. (At its February meeting, the Authority had decided that, since this was the costliest grinder pump repair it had experienced, and because it was due to the negligence of one of the residents, the repair bills would be forwarded to Mr. Beemer.)

Mr. Beemer asked for a waiver of the \$7,753.35 repair charge. Chairman Knaub stated that the Authority would take the invoice under advisement and get back to him.

Mike Ward, DeCoven Property

Mr. Ward was present to discuss the connection of the DeCoven property to the sanitary sewer. At its January meeting the Authority had asked him how many EDUs he would be connecting. This evening he informed the Authority that it would be between nine and eleven. The Authority had also expressed its concern about inflow and infiltration (I&I) and had stated that it would not take over ownership of the DeCoven facilities until they met with the Authority's regulations. Mr. Ward stated that he was in the process of hiring a company to televise and repair accessible lines for I&I.

Mr. Ward reiterated his past comments that he does not feel it is his responsibility to connect to the sanitary sewer. He bought the property in 2008 and previous owners should have paid the tapping fees. He also reiterated that in 2008 he had been told by someone, from either the Township or the Authority, that there was not enough capacity for him to connect, even if he had wanted to. When he found out in January that he now has to connect the property, he felt that he was done a huge disservice.

Mr. Ward was asked to have his engineer contact the Authority's Engineer, Ben Shull, so that the design of the new facilities can be started. Mr. Ward stated that he did not feel it was his company's financial responsibility to install any of the facilities on his property.

It was noted that DEP needs to receive by June 1, 2013 a written agreement between the two parties and a time schedule for the connection of the facilities.

Jodi Rissinger

Ms. Rissinger was present to further discuss the order to connect Perdix Fire Company's property along State Road where Eagle's Nest Car Sales had been located. She asked if the Authority's Solicitor had made any contact with the Township's solicitor to discuss the Porta-Potty issue at the property. Mr. Shatto told her that, when the Authority learned there was a new renter on the property who was requesting a zoning change of usage, the Authority told him not to do any further work on the issue.

Ms. Rissinger stated that the Township had issued a temporary Porta-Potty permit, pending the Authority's decision on whether the new business should connect to the sanitary sewer. She stated that the new owner will continue to use the same trailer as the former tenant for an office building and there is no bathroom in the trailer.

Sam noted that when Lower Duncannon was sewerred in ~~1996~~, 1991 those residents with outhouses were required to build a bathroom in their house. In 2006, when Perdix was sewerred, those residences that still used outhouses were required to build a bathroom in their house. Now, it's 2013, and he feels the business should build a bathroom and remove the Porta-Potty.

Authority members then expressed their concerns that Porta-Potties should only be used for temporary events and they are not to be considered bathrooms. If a Porta-Potty is used every day, it shows that a bathroom is necessary.

After discussion, and upon a Holman/Auxt motion, the Authority voted unanimously to require the property owner to install a grinder pump on the property. The location of the grinder pump would be at the discretion of the owner.

Mr. Shatto will contact the Township's solicitor, but feels that a change in zoning use should trigger a requirement to install a bathroom.

John Melham, Engineer, Melham Associates

Mr. Melham is the engineer for Rock Morrison, who is building a new company headquarters off of SR 11/15. He stated that the Land Development plan for the headquarters was recorded on March 28, 2013. He received a letter from the Authority reminding him that he had six months from the date of the approval of the DEP sewer module to finish the construction of the sewer facilities. He asked what the penalty was if construction was not completed by that date. He was informed of the Authority's

regulation that says it can levy a Ready-To-Serve Charge each month in the amount of the current sewer rental charge.

Mr. Melham noted that Mr. Morrison had purchased one EDU, and May 22, 2012 had purchased reservation of capacity (ROC) for an additional ten EDUs. Since Mr. Morrison was denied a change of zoning by the PTS for his original headquarters parcel, Mr. Melham stated that Mr. Morrison would like to transfer some of the ROC to a tract that he recently purchased to develop into twenty to thirty lots. He noted that minutes of one of the past Authority meetings indicated that there was still capacity remaining in the Kinkora WWTP. Mr. Melham noted that Mr. Morrison now only needs one EDU for his headquarters. He would like to renew the ROC for ten EDUs in May and purchase ROC for an additional fifteen EDUs. He will formalize his requests in a letter to the Authority in the near future.

Both Henry and Sam offered that the Authority is concerned about the adjacent Kinkora Estates. The development is twenty five years old, and if the septic systems start malfunctioning, DEP will require the Authority to provide sanitary sewer for the development, since the lots in this development are small and were not required to provide space for an alternative system. They both felt that the Authority should keep the extra EDUs for its own use. Further discussion will be held after Mr. Morrison's written request is received.

## **Engineer Report**

### Flow Analysis Reports

Ben reviewed the Flow Analysis Report containing the Authority's flow into the Duncannon WWTP, Susquenita School District's flow into the Cove WWTP, and Kinkora Home's flow into the Kinkora WWTP.

According to the analysis, the flow per EDU into the Duncannon WWTP is 125 gpd. The Authority's share of the anticipated costs for the Duncannon WWTP, adjusted to the 2012 flows, is 14.89%. Based on this the Authority's share of the WWTP operation costs is \$56,632.99.

Based on the three-month peak flow for Susquenita (March-May), Ben recommended that Susquenita's user fee be based on a daily usage of 77 EDUs. This is an increase of 10 EDUs, or \$600.00 per month. He noted that a 10% reduction from the actual water flows was used to account for an existing water leak.

Based on the three-month peak flow for Kinkora (March – May), Ben recommended that Kinkora's user fee be based on a daily usage of 66 EDUs. This is an increase of 6 EDUs, or \$360.00 per month. He estimates that there are 23 EDUs of capacity remaining in the Kinkora system.

### DeCoven Property

Ben noted that the number of EDUs that can be serviced with a 2-inch diameter line is based on the number of pumps on the line. The Authority currently has four pumps that would be connected to any future line to the DeCoven property. He feels that a 2-inch diameter line will work up to the manhole on the DeCoven property. He did not feel that a three-inch diameter line was feasible because the owner is only expecting to use nine to eleven EDUs. He also noted that E-one's smallest duplex grinder pump can handle 12 EDUs. Sam asked about the problems of using a three-inch line with fewer EDUs and was told the line might need to be flushed more and, because of the hydrogen sulfite, the manhole should be lined.

Elmer noted his strong opposition to the Authority doing anything more than running the sewer line to the edge of the Decoven property. He and the other members have always agreed that it is the Authority's responsibility to run the sewer line to the property boundary; it is the owner's responsibility to run the line on his property to that point and make the connection.

Discussion was held on whether the Authority could set up a separate tapping fee for this connection. The Solicitor thought that it could be done but would have to further research the issue. He

will send a letter to DEP, informing DEP that the Authority will install an extension from its existing line to the DeCoven property line and will provide 11 EDUs of capacity. The line will be installed contingent upon a commitment and signed agreement with the property owner.

#### Sunshine Hill Water System Upgrade

Ben informed the Authority that the survey work on Sunshine Hill is complete. In order to size out the treatment facilities, he needs to finish the well samples. The first phase of the upgrade will be the installation of the storage tank and booster pumps, the treatment building, and the line from the water lot to Butchershop Road. This phase will also tie in with the funding awarded by the Perry County Commissioners for the installation of fire hydrants on Sunshine Hill.

Ben provided the members with copies of a feasibility study about connecting the Pfautz properties to the Sunshine Hill water system. Members were asked to review the study and provide comments at the May 1<sup>st</sup> meeting.

#### Motion to Extend Meeting

There was an Auxt/Novinger motion to extend the meeting to 10:20 p.m. Motion passed unanimously.

#### Plant Operator Report

The Discharge Monitoring Reports for February 2013 were circulated for members' review. Members were asked to contact Ed at any time with questions about the reports or operation of the WWTPs and water system.

#### Field Representative Report See written report for March.

The Field Representative report was reviewed with the following comments.

#### Sewer Line Flushing

Upon a Holman/Novinger motion, the Authority accepted a bid from Kline's Septic to flush 4,764 feet of 8-inch diameter sewer main and clean four wet wells for a price of \$3,300.00. There will be an additional \$400.00 charge if the Authority can not provide water for the flushing. Motion passed unanimously. Discussion was held on trying to find a pump to transfer water from the Cove WWTP into the tanker truck, to save the \$400.00 charge.

#### 1134 State Road

Field Representative Sam Auxt reported that he had spoken to a representative of Roto-Rooter, Mr. Donadee's contractor that is helping the owner solve his I&I problem. The contractor informed Sam that the floor drains and down spouts have been disconnected from the sanitary sewer. Everything has been done to reduce I&I short of replacing piping under the basement floor to circumvent the terracotta tile house drain. Roto-Rooter's report was available for the members' review.

#### Cove Centre

Sam reported that he has been assisting at Cove Centre to resolve their grinder pump issues. Since responsibility for the repairs falls on the property owner, he clarified that he is assisting on his own and is not charging the Authority for his time.

#### Odor Control Building

Work is almost completed on the odor control building located at the intersection of Burley Road and Schoolhouse Road. The chemical injection site should be up and running by the May 1<sup>st</sup> meeting.

## **Master Meter Report**

The Master Meter report was circulated among the members with no comments.

## **Penn Township Supervisor (PTS) Report**

CeCe reported that the PTS has approved the advertising of a proposed ordinance that would prohibit parking between the entrance to Petersburg Commons and the first light standard. This ordinance had been requested by the Authority to keep the area at the water meter vault free from vehicles.

## **Solicitor Report** There was no written report.

### Federal "Lead Free" Requirement

The Solicitor was provided a copy of the federal guidelines regarding lead amounts that will come effective on January 1, 2014. At that time it will be "illegal to install into any potable water system, a brass product containing more than .025% lead." This issue had been discussed at the March meeting as to whether the requirements should be incorporated into the Authority's *Rates, Rules and Regulations* (R&Rs). The Solicitor had suggested that the Authority obtain a copy of the law and then discuss it further. It was noted that manufacturers would be required to follow the new restrictions and no further discussion would be needed.

### Delinquent Accounts

The Solicitor reported that he had filed municipal liens and sent letters as directed by the Authority. If there is no response to his letters by the May 1<sup>st</sup> meeting, he will enter them into the July sheriff's sale. He stated that he has paperwork completed for one property and would need a check to the Perry County Sheriff in the amount of \$750.00. He asked that the check and paperwork be delivered to the Prothonotary's office the next day.

Sam offered his opinion that, in order to stop a sheriff's sale, the account must be paid in full. He cited examples where customers pay a minimum amount and sign a payment agreement but never make another payment. The Solicitor stated he can only execute on one lien when he offers a property up for sale; he is prohibited by the sheriff from lumping all the liens together. If the customer pays the one lien off, the Solicitor must legally stop the sale.

Sam asked about the levy process suggested by the Magisterial Judge. The Solicitor explained that the Authority could levy, or seize, the assets of customers – i.e., cars, bank accounts, televisions. The disadvantage to this system is that the cars might have an encumbrance on them, and it might be difficult to find their bank accounts. However, if the Authority wants to take this route, it can be done.

## **Billing Clerk Report**

### Delinquent Accounts

The list of accounts delinquent as of March 31, 2013 was reviewed. The Authority will continue to follow its procedure for filings with the District Judge and the Perry County Prothonotary. Water delinquencies total \$9,425.74. Sewer delinquencies total \$67,753.93. The Authority will continue to take a hard line against those customers.

## **Treasurer Report**

### Invoices and Expenditures

There was an Auxt/Novinger motion to approve payment of the March 2013 invoices totaling \$56,708.71, along with an additional payment to the Perry County Sheriff in the amount of \$750.00. Motion passed by unanimous vote of the Authority.

## Financial Report

After review, there was an Auxt/Novinger motion to approve the Financial Reports for March 31, 2013, subject to audit. Motion passed by unanimous vote of the Authority. The March 31<sup>st</sup> balance of all accounts was \$626,496.02. However, \$234,649.81 is earmarked for escrows and future projects. An additional \$287,729.10 has been set aside for capital projects – major expenses for equipment failures and replacement of infrastructure. The remaining \$104,117.11 is available for operating expenses.

## 2012 Audit

Treasurer Susan Long reported that the fieldwork for the 2012 financial audit has been completed. She will forward draft copies of the final audit as soon as they are available.

## Executive Secretary Report

The tapping fee installment payment report was reviewed. Members were asked to contact Karen if they ever have questions about office procedures or the reports.

Upon an Auxt/Novinger motion, the Authority unanimously voted to execute a document from the State Employees Retirement System attesting that we do not have a pension plan for Karen.

## Grinder Pump Quotes

Karen had been requested to obtain prices of grinder pumps from Co-Stars. This issue was tabled until the May 1<sup>st</sup> meeting.

## JOAC Report

Members were reminded that the JOAC meeting will be held on Monday, April 8, 2013 at 6:30 p.m. in the Duncannon Borough office. Neither CeCe nor Sam can attend this 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

Old business not discussed earlier in the meeting includes the following.

### Railroad Street Lateral

This issue was tabled until the May 1<sup>st</sup> meeting.

### Community Development Block Grant (CDBG)

It was reported that the applications for CDBG funding for 2013 have not yet been sent out by the Perry County Commissioners.

### 1433 – 1437 State Road

Mr. Beemer had earlier asked for relief from the \$7,553.25 invoice for repair and replacement of his DGP at his apartment units. Upon an Auxt/Holman motion, the Authority voted unanimously to adjust the bill for the cost of two repaired pumps instead of the cost of two new pumps. Sam will gather information from Lenker's Excavating and a new invoice will be sent to Mr. Beemer.

### 1623 State Road

It was reported that the owner of 1623 has complied with the Authority's requirement that the wet well on this property be cleaned of debris. The owner has sent the Authority a copy of the pumping report.

**Bulk Water Rate and Water Rate Increase**

This item will be placed on the May 1<sup>st</sup> agenda for further consideration and discussion.

**Long Range Project Work Sheet**

This issue was tabled until the May 1<sup>st</sup> meeting.

**Dedicated Trenching**

This issue was tabled until the May 1<sup>st</sup> meeting.

**Approval of the Revised R&Rs**

This issue was tabled until the May 1<sup>st</sup> meeting.

**Water Connection of the Pfautz Properties**

This issue was tabled until the May 1<sup>st</sup> meeting.

**New Business**

New business not discussed earlier in the meeting includes the following.

**Resignation of Stan Crumlich**

Upon a Novinger/Auxt motion, the Authority unanimously approved the resignation of Stan Crumlich as an Authority member, with regrets,

**Adjournment**

With all business completed, an Auxt/Novinger motion for adjournment was made at 10:20 p.m. Motion passed by unanimous vote.

Susan E. Long  
Recording Secretary