

**PENN TOWNSHIP MUNICIPAL AUTHORITY**  
**PERRY COUNTY**

102 Municipal Building Road  
Duncannon, PA 17020

November 6, 2013

The Penn Township Municipal Authority (Authority) met on Wednesday, November 6, 2013 in the Penn Township Municipal Building. Chairman Elmer Knaub called the meeting to order at 7:00 p.m. He 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  
Henry Holman, Secretary/Asst. Treasurer  
CeCe Novinger

Professional staff present:

Randy Bailey, P.E., Wm. F. Hill Associates

Authority staff present:

Susan Long, Treasurer, Recording Secretary

Visitors present:

Louis Beemer  
Bob Shaffer  
Bob Johnson  
Lynne Harvath

### **Minutes**

Upon a Holman/Knaub motion, the Authority voted to approve the October 2<sup>nd</sup> Public Hearing, October 2<sup>nd</sup> Regular Meeting, and October 14<sup>th</sup> Scheduled Meeting minutes as presented. CeCe abstained since she was not present at the October 2<sup>nd</sup> meetings.

### **Visitors**

Louis Beemer, 1433, 1435, 1437 State Road

Mr. Beemer was present to discuss a \$3,837.75 invoice he received for repair and replacement of the grinder pumps due to a grease-like buildup at his apartment complex on or about October 8, 2013. This was his second case of damage due to negligence. The first case happened in April and resulted in a \$7,753.35 invoice, which was subsequently lowered to \$4,263.19.

Mr. Beemer repeatedly stated that he felt the grease was not sufficiently cleaned out in April, because there could not have been that much grease accumulating in only six months. He felt that the company hired by the Authority to clean the pumps failed to do its job completely. Because of this, he asked the Authority to waive his latest invoices.

Henry said that the Authority had an inspector at the site on both occasions and would not have allowed the pumps to be put back in use if there was still an accumulation of grease in the wet well.

Mr. Beemer asked if the Authority does an annual inspection of all the grinder pumps and was told that the Authority does not.

Mr. Beemer expressed willingness in taking ownership of the grinder pumps. Chairman Knaub responded that the Authority would be willing to turn ownership of the grinder pumps at all his properties over to Mr. Beemer. Visitor Bob Shaffer asked if the Authority can give away the grinder pumps, since they were part of the PENNVEST loan. The Solicitor offered that he could see no problem, but would research the question.

Regarding Mr. Beemer's request to waive his latest bill, Henry offered that he was given a big break on his April invoice and did not feel this waiver was warranted. This was also the consensus of the other members.

The Solicitor will research whether the Authority can turn ownership of the Perdix grinder pumps over to the owners and Mr. Beemer will be informed of the Authority's decision.

Lynne Harvath

Ms. Harvath was in attendance on behalf of her son, Dave Harvath, who lives on Butchershop Road. She stated that there is a some kind of a pipe behind his house and that on several occasions his basement was flooded after heavy rains.

Susan recalled that this issue has been researched in the past but could not remember what had been decided. She will make copies of the letters sent to Mr. Harvath and forward them to his mother.

### **Engineer Report**

#### **Duncannon Borough Market Street Bridge Replacement**

The Engineer reported that PennDOT is requiring the Authority to sign the project plan. Chairman Knaub and Secretary Holman signed the document at this time. The Engineer will forward it to PennDOT.

#### **Northern Low-Pressure Sewer Extension**

The Engineer reported that bids were opened on October 7, 2013 and DeTraglia Excavating, Inc. was the lowest bidder at \$39,334.00. The contractor is still finalizing his certificates of insurance. There was a Novinger/Holman motion to approve and authorize the appropriate officials to execute the Construction Contract with DeTraglia Excavating, Inc, in the amount of \$39,334.00. Motion passed unanimously. Upon submission of all contract documents, the Notice of Award and Notice to Proceed will be issued to the contractor. Once the contract is awarded the bid bonds will be returned to the other bidders.

The contractor still must submit his revised shop drawings and then a pre-construction meeting will be scheduled. The Engineer estimates a start date within the next two weeks.

The two-inch pressure sewer extension along SR 11/15 will be constructed first, so that a Notice to Connect can be sent to the Mike Ward, owner of the former DeCoven property. After that line is installed the construction of the three-inch force main through the Ellenberger right-of-way (ROW) to Schoolhouse Road will begin.

#### **Sunshine Hill Water System Upgrade**

The Engineer reported that he will schedule a site visit to the water system at a time suitable for Field Representative, Sam Auxt, and Plant Operator, Ed Chism.

#### **Stone Mill Estates Sewer System Plan**

The Engineer noted the problems the Authority had with Stone Mill's latest plan – the depth of the line and its location on steep slopes would make it impossible to access the line for maintenance and repair. He stated that the developer's engineer, Todd Wilson, had contacted him. Stone Mill is now working on a plan that would incorporate a pumping station to replace the gravity system and should

have the revised plan ready before the December Authority meeting. The new plan would bring the line through the Krick property to Eisenhower Boulevard and then down to the Authority's manholes on Lincoln Street. Mr. Wilson is discussing line capacity issues with Duncannon Borough. The Engineer stated that the developer is looking at "flow equalization", where the sewage pumps at a lower flow rate for a longer period of time.

#### Morrison Sewer Extension

The Engineer reported that Mr. Morrison is requesting a modification to eliminate a sewer clean out from the two-inch sanitary force main (STA 4+09). The Authority has no problem with this request.

The Engineer reported that the plan needs to incorporate a clean out on the upstream side of Manhole #6, and that he has not received that revision from Mr. Morrison

When questioned about when the shop drawings were received, the Engineer replied that the first wave was received October 18<sup>th</sup> and the second wave was received two weeks later.

The Engineer stated that he received the letter of concern from the Kinkora Pythian Home that work has not been completed at their entrance. The Engineer sent Mr. Morrison a letter on October 10<sup>th</sup>, regarding the need to expedite the completion of the construction across Kinkora's driveway. He also noted that non-typical boring was used under the driveway and that the pipe was not encased in a sleeve. He informed Mr. Morrison that the pipe had to be grouted and had to maintain alignment and grade, or it would not be accepted.

The Engineer was told to keep documentation on all issues and was requested to research the Authority's regulations since this type of boring was not normal protocol.

The Engineer was told that top priority for the project was to install the manholes on both sides of Kinkora's driveway as soon as they are received.

#### Developer's Specifications

The Engineer reported that his is finalizing the revisions to the Specifications to include the new manhole frame and cover that was approved at a prior meeting.

#### NPDES Permit

The Engineer reported that he had started work on the renewal of the NPDES permits for the Cove and Kinkora wastewater treatment plants, as the application needs to be submitted in January. He was asked to hold off on any further work until the Authority decides if they are going to do it in-house.

#### **Plant Operator Report**

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

#### **Field Representative Report**

The Field Representative report was reviewed in his absence.

#### Myers Pumps

The Authority was considering modifying its Myers grinder pumps into E-ONE pumps. Sam had received a proposal from Lenker's Excavating for the purchase of four E-ONE retro-fit pumps and control panels for a cost of \$9,515.00, not including labor.

Sam relayed his thought that, rather than retro-fit the Myers pumps, it might be better to remove them and replace them with E-ONE units that are left over from the Perdix project. There are currently twelve complete E-ONE units stored at the Cove wastewater treatment plant. He will be requested to get the cost of replacement for the Myers pumps in the system.

## **Master Meter Report**

The Master Meter report was circulated among the members.

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

CeCe brought up the following issues discussed at the PTS meeting held on October 30, 2013.

### **Water Connection Ordinance**

The PTS has received the Authority's draft language for a water connection ordinance and is currently reviewing it.

### **PA Community Development Block Grant (CDBG)**

The County Commissioners have agreed to file an application with the Department of Community and Economic Development on the Authority's behalf, requesting a \$500,000.00 grant for an upgrade to the Sunshine Hill water system. CeCe reported that the PTS has sent a letter of support to the County Commissioners for the Authority.

### **Stone Mill Estates**

CeCe reported that the developer of Stone Mill Estates had requested a ninety-day time extension for the plan, but was granted only a thirty-day extension.

### **Morrison Letter of Credit**

CeCe reported that the PTS tabled a request by Mr. Morrison for return of his \$10,000.00 Letter of Credit. Henry asked if the Authority received a Bond for Construction from Mr. Morrison; the Solicitor will research this issue. Depending on the Solicitor's findings, the Authority will send a letter to the PTS suggesting whether or not to release the Letter of Credit.

### **Taschek Property, Firehouse Road**

CeCe reported on the status of the demolition permit for the Taschek property, which was destroyed by a fire last year. The permit has expired and the PTS has filed against the owner. The issue is now being reviewed by the Perry County Court system.

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

### **Sheriff's Sales**

The Solicitor reported that the owner of a property to be offered up for sheriff's sale has proposed an \$80.00/month payment. Since \$60.00 would go for the current monthly charge, only \$20.00 would be applied each month toward the delinquency of \$4,263.00. This would result in a 200-month payment plan, which was unacceptable to the Authority. The Solicitor was directed to offer up the property at the next Sheriff's sale.

Additionally, he will file against two other properties that have a \$1,082.00 and \$1,755.00 delinquency.

### **Termination of Water/Sewer for Non-Payment**

The Solicitor addressed questions that had been raised at the October 2<sup>nd</sup> meeting regarding trailer parks. He stated that, according to the Landlord/Tenant Act, it is true that a tenant can pay the landlord's delinquent amount and deduct it from his rent.

Regarding whether the Authority can inform an owner he will no longer be permitted to connect additional units until the outstanding balance has been satisfied is unclear. The Solicitor thinks it could be done, but he could find no research to back it up.

Is it possible to shut off the water service until the outstanding balance has been satisfied, once the landlord and tenants have been notified? The Solicitor stated that this could be done, but it would be cumbersome. The tenants would have to get together to pay the bill.

The Solicitor will draft some wording for inclusion in the *Rates, Rules, and Regulations* (R&Rs) concerning water termination.

### **Billing Clerk Report**

#### Delinquent Accounts

The list of accounts delinquent as of October 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 \$12,305.96. Sewer delinquencies total \$74,644.54. The Authority will continue to take a hard line against those customers.

### **Treasurer Report**

#### Invoices and Expenditures

There was a Novinger/Holman motion to approve payment of the October 2013 invoices totaling \$62,908.70. Motion passed by unanimous vote of the Authority.

#### Financial Report

After review, there was a Novinger/Holman motion to approve the Financial Reports for October 2013, subject to audit. Motion passed by unanimous vote of the Authority. The October 31<sup>st</sup> balance of all accounts was \$586,191.89. However, \$214,490.95 is earmarked for escrows and future projects. An additional \$304,733.66 has been set aside for capital projects – major expenses for equipment failures and replacement of infrastructure. The remaining \$66,967.28 is available for operating expenses.

### **Executive Secretary Report** See written report

The tapping fee installment payment report was reviewed, along with the written report. In her report Karen provided a tentative list of engineers to receive a Request for Proposal (RFP) for the 2014 fiscal year. Members will review the list and discuss it further at the December 4<sup>th</sup> meeting.

### **JOAC Report**

The November JOAC meeting has been cancelled due to lack of an agenda.

### **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 December 4<sup>th</sup> meeting.

#### Morrison Headquarters Sewer Connection

Chairman Knaub felt that the Authority should not take action until the two absent members voice their opinions. Henry felt that action should be taken this evening. He drives past the Kinkora entrance every day and feels that there has been no substantial progress made on the connection. The ROW has been dug up but not completed. CeCe stated that his 180 days for completion have long since passed.

The Solicitor offered two solutions. The Authority can file a Failure to Connect complaint, based on Ordinance 101, with the District Judge, or it can complete the construction in its ROW and then put a lien on the property.

Henry noted the letter from Kinkora Pythian Home, which is unhappy that its entrance has been torn up for weeks. He stated that, if it does nothing, the Authority is not supporting a good rate payer.

According to a report sent in by Mr. Morrison, the manholes are to be delivered the week of November 18<sup>th</sup>. There was a Holman/Novinger motion to authorize the Solicitor to send a letter to Mr. Morrison's counsel, Bill Bunt. The letter will give Mr. Morrison until November 21<sup>st</sup> to start installation of the lines and manholes in the Authority's ROW across the Kinkora property. Failure to do so will result in the Solicitor filing a Failure to Connect complaint with the District judge. Motion passed unanimously. The Solicitor was requested to send a copy of the letter to Mitch Himmelberger at Kinkora Home.

It was noted that Mr. Morrison was sent a letter on Monday to replenish his escrow account. As a result of this month's bills, his escrow account has dropped to \$187.50. The Solicitor will include this in the letter to Mr. Bunt, informing him of the importance of replenishing the escrow account ASAP. Mr. Morrison can not proceed without the Authority's inspector on-site, and the inspector will be told not to do any more work until notified that the escrow has been replenished.

### **New Business**

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

#### Revision of R&Rs

Upon the satisfaction of the Solicitor and a Novinger/Holman motion, the Authority voted unanimously to adopt Section 8.30 "GP malfunction due to negligence or abuse of equipment" and Section 8.40 "Sewer facilities transfer due to negligence or abuse of equipment." These will be added to the R&Rs.

#### Re-appointment of Henry Holman, III

The Authority received a letter from the PTS stating that Henry's term on the Authority will expire on December 31<sup>st</sup>. Upon Henry's agreeing, there was a Knaub/Novinger motion to send a letter to the PTS, recommending re-appointment of Henry Holman, III, to another five-year term expiring on December 31, 2018.

### **Adjournment**

With all business completed, a Holman/Novinger motion for adjournment was made at 9:17 p.m. Motion passed by unanimous vote.

Susan E. Long  
Recording Secretary