

Cecil Township Municipal Authority
Special Meeting
May 25, 2006

The Cecil Township Municipal Authority held a special meeting on Thursday, May 25, 2006 at the Cecil Township Municipal Building. Chairman Donald Gennuso called the meeting to order at 6:35 PM with Stephanie Lucchino, George Elish and Kenneth Heirendt present. Absent was Donald Teyssier. Also present was Andy Blenko and Dan Deiseroth, Gateway Engineers; Christine Seymour and Romel Nicholas, Solicitor – Gaitens, Tucceri and Nicholas P.C.; Walter O’Shinski P.E. and Dennis Bell, Administrator.

DISCUSS FINANCIALS ON MILLERS RUN PROJECT

Mr. Bjorn Reisel with Public Financial Management Inc., financial advisor to the Authority presented reports on the financing alternatives for doing the complete project and/or eliminating the interceptor from Cowden Road to the intermediate school.

The focus of the analysis kept the initial monthly user fees at between \$49 and \$53 with incremental annual increases. The tap-in fee, as previously discussed, was \$7,000 discounted to \$6,000 for the initial customers. The Authority contribution totaled \$1.5M (\$1.0M in cash and \$500, 000 to fund the Rate Stabilization and Improvement Fund RSIF.)

Kenneth Heirendt requested the township provide a letter to the Authority providing specific detail for the paving work.

Walter O’Shinski discussed with the Board the letter prepared and mailed to the school administration regarding the estimated tap-in fee and components making up the fee. He stated a discussion with the school administration to get their input is needed to help determine whether to sewer the intermediate at this time.

Dan Deiseroth reported on a meeting with the solicitor and Authority staff regarding outstanding easement right of way. He stated approximately eighty (80) easements are needed. He indicated to keep the project on the proposed timeline the last day to receive the rights of way is June 2, 2006. Those not received will be filed with the Washington County Prothonatary office for eminent domain proceedings. Christine Seymour stated the condemnations will be served during a period from June 6 through 14, 2006 giving a thirty (30) day period for preliminary objections to be filed. She further stated after the thirty (30) day period the Authority obtains possession. The goal is to begin construction on or about August 1, 2006.

Andy Blenko discussed with the Board the cost estimate prepared by PA-American Water Company to extend a public waterline along Creedmore Road to service the treatment plant. The estimated cost would be approximately \$124,602. The Authority cost after rebates to build the waterline would be approximately \$30,260.

The Board on unanimous vote on motion by George Elish and Kenneth Heirendt authorized contacting the PA-American Water Company to initiate a project for the extension of the public waterline.

DISCUSS LEGAL ASPECTS ON MILLERS RUN PROJECT

Romel Nicholas recommended to the Board the notice of condemnation be served by personal service as opposed to certified mail. He stressed the cost may be higher but with a timeline for project start the certified mail would not be suitable. Romel Nicholas suggested the Board consider using the firm of FCSI formerly Ferguson Claim Services Inc. at a cost of \$5,000 or less. Stephanie Lucchino suggested employing the service of Ray Kinneman, a retired Pennsylvania state constable at a cost of \$30.00 per service.

The Board on unanimous vote on motion by Stephanie Lucchino and second by Kenneth Heirendt to employ Ray Kinneman as process server for the amount of \$30.00 per service, not to exceed the sum of \$2100.00.

The Board on unanimous vote on motion by Kenneth Heirendt and second by George Elish authorized the Solicitor to prepare and file condemnations beginning on June 5, 2006.

A discussion regarding the preparation of a township ordinance for guaranteeing the 2006 bond issue was held. Mike Debbis stated the scope of the project and the costs should be known and incorporated into the ordinance. Tom Lynch, bond counsel stated a legal advertisement on the ordinance is required. He stated his office would prepare the notice for the township guarantee.

The Board on unanimous vote on motion by George Elish and second by Stephanie Lucchino authorized retaining Lynch & Lynch as bond counsel at a fee not to exceed \$12,000.

Romel Nicholas requested the Board authorize a meeting with Ron Sabatino, his attorney and Walter O'Shinski, Authority Engineer_ to discuss the Morganza Road proposed pump station and capacity in the facility in reference to litigation pending with Lynn Foltz, as filed in Common Pleas Court in Washington County, PA. Stephanie Lucchino objected to any meeting with Sabatino and/or his attorney primarily because litigation is pending and the Authority should remain impartial. Romel Nicholas suggested the discussion continue in Executive Session.

DISCUSS DECK ENCROACHMENT – WINDSOR WOODS SUBDIVISION

Walter O’Shinski discussed with the Board a request for a three (3) foot deck encroachment on Lot 208, Windsor Woods subdivision. He stated the easement agreement for the twenty-five (25) foot right of way is between the Authority and the developer Joseph Perri. He said any approval would be with the developer and property owner.

Romel Nicholas indicated no encroachments should be permitted in the easement. He indicated the Authority is setting a precedent. Walter O’Shinski stated other such agreements exist in other subdivisions. The Board suggested the legal ramifications be worked out with the Solicitor.

AUTHORIZE SIGNING SEWAGE SERVICE AND CONSTRUCTION AGREEMENT FOR SOUTHPOINTE II WITH WASHINGTON COUNTY AUTHORITY

The Board on unanimous vote on motion by Stephanie Lucchino and second by George Elish authorized signing a Sewage Service and Construction agreement with the Washington County Authority for Phase 1 of the Southpointe II development.

EXECUTIVE SESSION

The Board by unanimous vote on motion by Stephanie Lucchino and second by Kenneth Heirendt entered into Executive Session at 9:00 PM to discuss issues related to a proposed meeting with a developer. The Board returned to the general meeting at 9:08 PM.

ADJOURNMENT

There being no other business on unanimous vote on motion by George Elish and second by Kenneth Heirendt the meeting was adjourned at 9:10 PM.

Secretary

