

Cecil Township Municipal Authority  
Monthly Meeting  
June 16, 2009

The Cecil Township Municipal Authority held its' regular monthly meeting on Tuesday, June 16, 2009 at the Cecil Township Municipal Building. Chairman Donald Gennuso called the meeting to order at 6:00 PM with Stephanie Lucchino and Blane Volovich present. Absent were Kenneth Heirendt and Brian Altland. Also present was Sean Garin, Gaitens, Tucceri and Nicholas; Eric Tissue, KLH Engineers; Walter O'Shinski P.E. and Dennis Bell, Administrator.

MINUTES OF MAY 19, 2009

The Board on unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich approved the minutes of the meeting of May 19, 2009.

ENGINEER REPORT

LAWRENCE ACT 537 DRAFT PLAN

Michael Malak, Senate Engineering provided for the Board review an alternative analysis report. The report reflects the impact on the user rates using 30 and 40 year bond money with and without grant funds. Donald Gennuso stated a committee meeting should be scheduled with the township to discuss the report. Dennis Bell will coordinate a meeting with the township manager.

UPDATE ON LOCAL SHARE GRANT PROJECT

Walter O'Shinski advised the Board that bids will be opened on Friday, June 19, 2009 for the Mc Connell Road sewer line extension project. He further stated that Widmer Engineering will have a draft plan for the Elm Drive Grinder Pump project ready for review in the near future.

UPDATE ON MILLERS RUN PROJECT

Eric Tissue presented his report to the board. He stated there has been no activity on the treatment plant mechanical contract. Eric Tissue suggested Walter O'Shinski and he review the punch list items for final resolution. The paving was scheduled for completion the week of June 1 but to date no work completed. Eric Tissue stated that Kranick Environmental provided to KLH Engineers the MBE/WBE information and the information has been forwarded to Gateway Engineers and ultimately to EPA. He stated Kranick Environment suggested the project be closed and monies held until the paving item is resolved. No pay estimate was received for the month.

Eric Tissue stated Lone Pine contacted the current owner of the property adjacent to the main pump station to obtain a right of way for the outfall pipe. There is nothing further to report on the issue.

#### EMERGENCY REPAIRS TO CHERRYBROOK STP

Walter O'Shinski advised the Board on an emergency at the Cherrybrook STP. He stated one clarifier was dewatered and in the process the hopper in the tank floated. Mack Industries were notified of the problem and completed the necessary repairs, which included installing anchoring pins on the tanks. Mack Industries completed the work in a timely manner.

The Board on unanimous vote on motion by Blane Volovich and second by Stephanie Lucchino ratified the emergency work order for repairs to the tanks and a repair costs provided by Mack Industries not to exceed \$6000.00. The amount was modified to \$6,100.00 as stated below.

#### COMMENTS FROM THE FLOOR

Allan Korey addressed the Board regarding a fence on his property removed by Sitarik Contracting that needs to be replaced. Sean Garin stated the Authority is awaiting a response from the surety for completing the restoration issues.

Allan Korey inquired on what the Authority's plan is for property owners who do not tap into the system. Sean Garin stated a memorandum and resolution has been provided to the Board for their review.

Joan Laing, 4 Moore Lane addressed the Board regarding the electrical issue. She stated the issue was reported to the Board previously. She indicated the property has been sold and the closing is scheduled for July 17, 2009. Ms. Laing stated she spoke with Sitarik's insurance agent and provided them with three estimates for the electrical work. She also stated she met with an insurance adjuster and he stated he would call the three companies. Donald Gennuso stated no action will be taken by the Board at this time as the issue is a liability claim with Sitarik's insurance company.

Christopher Vermilya and George Loutsion addressed the Board on property at 3234 Millers Run Road, Cecil PA. They stated the property was acquired by them on May 15, 2009. They further stated our letter of May 27, 2009 notified them that the property had to be tapped in by July 11, 2009. They requested an extension on the tap-in due to the short timeline for getting the work completed. In addition, the property owners inquired on a refund of the tap-in fees paid at closing. He stated two tap-in fees were paid – one for an apartment and one for a commercial establishment. Dennis Bell advised the Board that liens were filed for the two tap-in fees based on previous use of the building. Donald Gennuso stated no decision could be made on the refunding of a tap-in fee until the property owners determined how the building will be used.

The Board on unanimous vote on motion by Blane Volovich and second by Stephanie Lucchino authorized the property owners to tap into the system by September 1, 2009 provided that the property at 3234 Millers Run Road remains vacant during this period.

#### SOLICITOR'S REPORT

Sean Garin stated a memorandum on the tap-in enforcement was provided for the Board's review. He stated the committee met and discussed the various options available and their recommendations along with a resolution are stated in the memorandum.

Sean Garin stated the Mc Connell Road sewer line extension and the Fleeher issues will be discussed in executive session.

Following the report, Donald Gennuso asks if Ron Fleeher wanted to address the Board. Ron Fleeher stated the construction drawings show an encroachment into his parent's property. He stated the proposed manhole is on the Fleeher property. Walter O'Shinski stated that the Widmer Engineering and the Washington County Redevelopment Authority have been notified not to deviate beyond the easements acquired. He stated the manhole is recessed back from the property line and during the pre-construction meeting, the contractor will be put on notice not enter the Fleeher property.

Ron Fleeher inquired as to why issues related to the Fleeher treatment facility are discussed in executive session. Sean Garin stated the discussion is held in executive session due to potential litigation and property acquisition. Ron Fleeher stated his mother would like to negotiate with the Authority. Sean Garin stated the Fleeher attorney has not responded to several letters sent by Gaitens, Tucceri and Nicholas.

#### BUSINESS MANAGERS REPORT

##### RESOLUTION 3 OF 2009 ADOPTING IDENTITY THEFT POLICY

Dennis Bell stated the identity theft policy was circulated previously to the Board for their review. He requested the Board adopt the policy as stated in resolution 3 of 2009. The Board on unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich authorized adopting Resolution 3 of 2009 Identity Theft Policy.

##### RESOLUTION 4 OF 2009 RATIFYING STAFF SALARIES FOR 2009

Dennis Bell requested the Board ratify by resolution 4 of 2009 the staff salaries approved in January 2009 in the budget. The Board on unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich ratified by Resolution 4 of 2009 the

staff salaries for 2009.

#### ADVISE BOARD ON FIELD STAFF HIRE

Dennis Bell advised the Board on the hiring of Phillip D'Antonio as a field laborer effective June 8, 2009. The hourly salary was set at \$12.00. The hire was budgeted. The position has a 90-day probationary period.

#### AUTHORIZE RELEASE OF FUNDS TO T & R PROPERTIES; GALLENSTEIN COMPANY AND CBL & ASSOCIATES

Dennis Bell requested the Board authorize release from developer escrow the amount of \$1,940.43 to close the account in the above company names. He stated the funds were deposited for the Southpointe Study and there has been no activity since 2004. He stated each company would receive \$646.81. The Board on unanimous vote on motion by Blane Volovich and second by Stephanie Lucchino authorized the payments from the developer escrow.

#### DISCUSS APRIL 2009 FINANCIAL REPORT

Dennis Bell discussed the financials for April 2009.

#### MODIFICATION TO PAYMENT TO MACK INDUSTRIES

The Board previously approved a payment to Mack Industries for the Cherrybrook STP tank repairs at \$6,000.00. The board modified the amount not to exceed \$6,100.00.

#### CORRESPONDENCE

The correspondence was reviewed for filing.

#### PAYING OF EXPENSES/TRANSFER OF FUNDS ETC.

A unanimous vote on motion by Blane Volovich and second by Stephanie Lucchino the Board authorized payment of expenses and transfers as follows.

Brush Run Expense/Transfer MM to Checking  
Teodori Expenses/Transfer MM to Checking  
Southpointe Expenses/Transfer MM to Checking  
CherryBrook Expenses/Transfer MM to Checking  
Millers Run Expenses/Transfer MM to Checking  
Gilmore Expenses/ACH Debit and PNC Requisition  
Employee Time Reports/Payroll; 941 Employee Tax Deposit

Payment of Invoices  
Discharge Monitoring Reports were approved for submission to the PA DEP

EXECUTIVE SESSION

The Board on motion by Blane Volovich and second by Stephanie Lucchino entered into executive session at 6:55 PM to discuss issues related to the Mc Connell Road sewer line extension and property acquisition.

The Board ended the executive session at 7:35 PM and returned to the general session.

ADJOURNMENT

There being no other business by unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich the meeting was adjourned at 7:38 PM. The next regular meeting is scheduled for Tuesday, July 21, 2009 at 6:00 PM.

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Secretary