

Cecil Township Municipal Authority
Monthly Meeting
August 18, 2009

The Cecil Township Municipal Authority held their regular monthly meeting on Tuesday, August 18, 2009 at the Cecil Township Municipal Building. Chairman Donald Gennuso called the meeting to order at 6:05 PM with Kenneth Heirendt, Blane Volovich and Brian Altland present. Absent was Stephanie Lucchino. Also present was Romel Nicholas, Gaitens, Tucceri and Nicholas; Michael Sherrieb, KLH Engineers; Walter O'Shinski P.E. and Dennis Bell, Administrator.

MINUTES OF JULY 21, 2009

The Board on 2 to 1 vote on motion by Kenneth Heirendt and second by Brian Altland approved the minutes of the meeting of July 21, 2009. Blane Volovich was not present during the vote and Donald Gennuso abstained.

ENGINEER REPORT

UPDATE ON LOCAL SHARE GRANT PROJECT

Walter O'Shinski advised the Board that Washington County Redevelopment Authority will issue a notice to proceed letter to Bella Enterprises on August 19, 2009 and the contractor will have 15 days to commence work. He stated the Authority will have full-time inspection during the construction of the sanitary line. A contract with Widmer Engineering for a cost not to exceed \$5,000 was signed and returned to Widmer Engineering.

Walter O'Shinski stated he reviewed the construction plan for the Elm Drive force main and grinder pump project. He stated a draft easement agreement has been prepared by the solicitor and information specific to each property owner will be provided to be incorporated into the document. Upon receipt of the easement documents, a meeting will be scheduled with each property owner. He stated that prior to bidding the project the agreements must be signed and recorded.

Walter O'Shinski stated he spoke with Norma English with PA DEP to arrange a meeting with Pennvest, RUS and the PA DEP to discuss funding options for a Lawrence project. He stated during the meeting the Board would have the ability to ask questions of the agencies on funding and an income survey. Walter O'Shinski stated he would advise the Board on a meeting date.

MAPLE RIDGE CONDITIONAL ACCEPTANCE OF SEWERS - MH 2-1 TO 2-2 TO 2-3

Walter O'Shinski requested the Board give conditional acceptance of the sanitary sewers in the Maple Ridge subdivision subject to the developer providing an 18-month maintenance bond. He stated the lines have passed testing. The Board on unanimous vote on motion by Kenneth Heirendt and second by Brian Altland authorized acceptance of the sanitary lines on the condition stated above.

HORIZON DRIVE CONDITIONAL ACCEPTANCE OF SEWERS

Walter O'Shinski requested the Board give conditional acceptance of the sanitary sewer on the Horizon Drive in Southpointe II. He stated the lines passed testing and requested conditional acceptance based on the Authority receiving an as-built plan and an 18-month maintenance bond. The Board on unanimous vote on motion by Brian Altland and second by Blane Volovich authorized acceptance of the sanitary lines on the conditions stated above.

UPDATE ON MILLERS RUN PROJECT

Michael Sherrieb presented his report to the Board. He stated Kranick Environmental agreed to settle the completion of the pavement work by providing a credit to the Authority for \$1,500 in addition to the \$8,000 credit for additional inspection. He stated the Authority will correct the drainage issue associated with the pavement grade along the driveway. Kranick Environmental will complete the asphalt repair to the driveway in the area of last years force main break. The contract will then be closed.

Michael Sherrieb requested the Board authorize a final Change Order Number 5 in the amount of a \$9,500 credit to the Authority. The Board on unanimous vote on motion by Kenneth Heirendt and second by Brian Altland authorized approving Change Order Number 5 for the \$9,500 credit.

Michael Sherrieb requested approval of the final Pay Estimate Number 25 to Kranick Environmental in the amount of \$2,000. The amount includes \$1,500 for repair of the asphalt and \$500 start-up of the ventilation system. The Board on unanimous vote on motion by Kenneth Heirendt and second by Blane Volovich approved Pay Estimate Number 25 subject to the completion of the asphalt paving work and inspection.

Michael Sherrieb requested the Board approve the final EPA Grant Payment application as the Kranick Environmental contract has been closed. The Board on unanimous vote on motion by Brian Altland and second by Blane Volovich authorized the submission of the application.

Michael Sherrieb reported that the final inspection of the Millers Run WWTP was conducted by PA DEP with no issues presented to KLH Engineers or Walter O'Shinski.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

SOLICITOR'S REPORT

Romel Nicholas stated all of his issues need to be discussed in executive session.

BUSINESS MANAGERS REPORT

AUTHORIZE SIGNING H2O PA GRANT COMMITMENT LETTER

Dennis Bell stated a commitment letter from Commonwealth Financing Authority was received for the H2O PA Grant. He stated the letter needed to be signed and returned to the agency within 60-days. He further stated that a W-9 Form (Request for Taxpayer Identification Number and Certification) and a Pennsylvania Electronic Payment Program Enrollment Form was completed and forwarded to Pennsylvania Central Vendor Management office.

The Board on unanimous vote on motion by Blane Volovich and second by Brian Altland authorized signing the commitment letter.

AUTHORIZE INVESTMENT IN NEW CERTIFICATE OF DEPOSIT

Dennis Bell discussed with the Board funds held at National City Bank in the Millers Run tap-in account and suggested the funds be invested in a certificate of deposit with Slovenian Savings. He stated the interest rate for a one-year term is 2.92% with an APR of 3.00%.

The Board on unanimous vote on motion by Brian Altland and second by Kenneth Heirendt authorized investing \$350,000 for one-year with no penalty for early withdrawal.

DISCUSS NEXT STEPS FOR LATERAL CONNECTIONS

Dennis Bell deferred the issue to the solicitor and he requested the issue be discussed in executive session as it will involve court filings.

DISCUSS RESOLUTION 3 OF 2008 SEWER CHARGES MILLERS RUN PROJECT

Dennis Bell requested the item be tabled until the September 15, 2009 meeting as additional research is needed.

REQUEST FOR WASTEWATER CREDIT

Dennis Bell addressed the Board on a letter received from Peter Coppola, 105 Mawhinney Road for water used on a new lawn and a mailbox and post removed during the Millers Run project. The Board on unanimous vote on motion by Kenneth Heirendt and second by Blane Volovich authorized a credit for 4,400 gallons of water. Donald Gennuso stated the credit was a one-time adjustment and that a deduction meter should be installed for future outside watering. Dennis Bell stated he would provide Mr. Coppola with the deduction meter information.

DISCUSS JUNE 2009 FINANCIAL REPORT

Dennis Bell discussed the financials for June 2009.

CORRESPONDENCE

The correspondence was reviewed for filing. Kenneth Heirendt inquired if an application should be submitted for H2O funds for Lawrence. In addition, he stated the Local Share funds would be another source for which to find funding. Walter O'Shinski stated the next step in the process would be a commitment to finalize the 537 Plan and proceed to the design stage. He further stated that a 537 Plan submitted to PA DEP will not be approved if it is based on unknown grant funding. Donald Gennuso stated that the process puts the Authority at a disadvantage due the fact that if a 537 Plan receives approvals from PA DEP the plan would need to be implemented. Walter O'Shinski stated the issue could be raised at the planned meeting with PA DEP, Pennvest and RUS regarding a Lawrence project.

PAYING OF EXPENSES/TRANSFER OF FUNDS ETC.

A unanimous vote on motion by Blane Volovich and second by Brian Altland 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

COMMENTS FROM THE FLOOR

Donald Gennuso again asks if there were any comments from the residents present. Robert Salvini, 20 Salvini Lane Mc Donald PA addressed the Board on damages caused to his property during the Millers Run project. He stated the original location of a manhole was moved due excess rock in the area. He stated the decision to move the manhole was made by Gateway Engineers. He further stated that the change caused him additional costs as larger equipment was needed to excavate the rock. He stated his refrigerator and water tank were damaged due to a water line break caused by the contractor. Walter O'Shinski stated the items are on a punch list.

EXECUTIVE SESSION

The Board on motion by Kenneth Heirendt and second by Brian Altland entered into executive session at 6:40 PM to discuss Wagner settlement, PA DEP order, Sitarik litigation, Failure To Connect issues and a Personnel issue. The Board ended the executive session at 8:30 PM and returned to the general session and the following actions were taken by the Board.

WAGNER SETTLEMENT

The Board on unanimous vote on motion by Blane Volovich and second by Brian Altland approved a settlement agreement to the Keith Wagner estate in the amount of \$3,500 to settle two condemnations for property located at the Millers Run pump station site.

FAILURE TO CONNECT

The Board on unanimous vote on motion by Brian Altland and second by Kenneth Heirendt authorized an amendment to the Sewer System Rules and Regulations dated May 1, 1986 Article IX Section 906 and 918 concerning Connections to Systems and Article XI Section 1103 concerning Delinquencies, Violations and Remedies replacing misdemeanor to a summary offense and to have language consistent with that stated in the Pennsylvania Municipal Authorities Act.

The Board on unanimous vote on motion by Blane Volovich and second by Kenneth Heirendt authorized proceeding with the district magistrate filings for property owners not connected into the sanitary system. The filing should be filed as a summary offense basis.

PA DEP ORDER FOR THE FLEEHER SYSTEM

The Board on a 3 to 1 vote on motion by Blane Volovich and second by Brian Altland authorized filing an appeal on the order issued by PA DEP. The deadline for the filing of an appeal is 30-days from the date of the order which was August 5, 2009. Kenneth Heirendt voted no.

LETTER TO FLEEHER SUBDIVISION PROPERTY OWNERS

The Board on unanimous vote on motion by Kenneth Heirendt and second by Blane Volovich authorized a letter be mailed to the property owners located in what is known as the Fleehier subdivision.

INSPECTION WITH SURETY COMPANY

The Board on unanimous vote on motion by Brian Altland and second by Blane Volovich authorized representatives from Gaitens, Tucceri and Nicholas and KLH Engineers to be present during a walk through inspection by members of the surety company scheduled for August 25 and 26, 2009.

PERSONNEL MANUAL

The Board on unanimous vote on motion by Kenneth Heirendt and second by Brian Altland authorized a change in the wording under the Probationary Employee section of the personnel handbook. Two areas of the policy contradict.

ADJOURNMENT

There being no other business by unanimous vote on motion by Brian Altland and second by Blane Volovich the meeting was adjourned at 8:35 PM. The next regular meeting is scheduled for Tuesday, September 15, 2009 at 6:00 PM.

Secretary