

Cecil Township Municipal Authority
Monthly Meeting
September 15, 2009

The Cecil Township Municipal Authority held their regular monthly meeting on Tuesday, September 15, 2009 at the Cecil Township Municipal Building. Chairman Donald Gennuso called the meeting to order at 6:00 PM with Kenneth Heirendt, Blane Volovich and Stephanie Lucchino present. Absent was Brian Altland. Also present was Jeff Hollowood, Gaitens, Tucceri and Nicholas; Eric Tissue, KLH Engineers; Walter O'Shinski P.E. and Dennis Bell, Administrator.

MINUTES OF AUGUST 18, 2009

The Board on 3 to 1 vote on motion by Blane Volovich and second by Kenneth Heirendt approved the minutes of the meeting of August 18, 2009. Stephanie Lucchino abstained.

ENGINEER REPORT

UPDATE ON LOCAL SHARE GRANT PROJECT

Walter O'Shinski advised the Board that construction on the Mc Connell Road Sewer Project was stopped on Friday, September 11, 2009. He stated Widmer Engineering advised that rock was encountered and Bella Enterprises has made a request to PennDot to open cut the roadway. Washington County Redevelopment Authority will handle the issue with Bella Enterprises.

Walter O'Shinski stated the solicitor needs to provide the easement and release documents for the property owners on the Elm Drive force main and grinder pump project. Upon receipt of the easement and release documents, a meeting with the property owners may be arranged.

Walter O'Shinski stated we are awaiting a meeting date with PA DEP, Pennvest and RUS to discuss funding options for a Lawrence project. He stated that he would advise the Board on a meeting date.

COMMENTS FROM THE FLOOR

John Retzloff, 236 Mc Connell Road Canonsburg PA addressed the Board on two issues. He inquired on how the Board intends on using the five-million dollar H2O PA Grant funds. He stated a percentage should be used for reimbursement to the Millers Run project property owners. Donald Gennuso indicated that information is being provided to the funding agency and a decision has not been made on the disbursement of the funds. He further stated that the funds will not be made available until after November 2009.

John Retzloff commented on the Authority's appeal of the PA DEP for the Fleeher system and the cost of such an appeal to the taxpayers. He also inquired on the acquisition of the Monaco system. Donald Gennuso stated no tax funds are used in the operation of the business. He stated the Monaco system is located outside of the Millers Run watershed and therefore not in the project area.

Chuck Johnson, 102 Cowden Road Mc Donald PA addressed the Board regarding driveway restoration work on his property. He stated the trench was not backfilled with stone and therefore sinkage has occurred. He further stated no base was placed under the top coat and that material was of a low grade. Walter O'Shinski stated the property is on the punch list and we are waiting for a decision from the bonding company on how the work will be done. Jeff Hollowood stated their office has not been advised on a schedule. Donald Gennuso stated a monetary settlement was offered and if not accepted by the property owner then the issue remains unresolved until the bonding company provides their response to the restoration issues. Donald Gennuso requested a note be placed on the restoration list for the property not being properly backfilled with stone, no base and the low grade material used on the driveway.

UPDATE ON MILLERS RUN PROJECT

Michael Sherrieb presented his report to the Board. He stated the Kranick Environmental contract has been closed and the final request for payment of the grant funds requires the board to authorize signing the documents. He further stated the funds should be available within a 30-60 day period.

Michael Sherrieb advised the Board that Lone Pine Construction is working with property owners for easements at the main pump station site. He stated an agreement has been reached between Lone Pine Construction and one of the two property owners.

Michael Sherrieb advised the Board of the completion of an on-site inspection for properties on the restoration list. He stated ninety percent of the properties were reviewed. He stated a representative from Gateway Engineers, KLH Engineers, Gaitens, Tucceri and Nicholas, and Sitarik Contracting were present for the 2 day inspection.

The Board on unanimous vote on motion by Kenneth Heirendt and second by Blane Volovich authorized signing the grant fund request number 6 in the amount of \$573,800 to obtain final payment on the EPA Grant.

SOLICITOR'S REPORT

Jeff Hollowood stated the Gaitens, Tucceri and Nicholas monthly report was circulated to the Board prior to the meeting. He stated he will address pending litigation issues in executive session.

BUSINESS MANAGERS REPORT

AUTHORIZE SIGNING LETTER TO M & T TRUST COMPANY ON EXCESS FUNDS IN REVENUE ACCOUNT

Dennis Bell stated a letter to M & T Trust Company requested a letter regarding the transfer of excess funds in the revenue fund after the payment of debt service for the Millers Run project. He stated no funds are available for transfer to the Capital Improvement and Redemption Fund. The Board on unanimous vote on motion by Blane Volovich and second by Stephanie Lucchino authorized the letter be signed and returned to the M & T Trust Company.

AUTHORIZE RESOLUTION 5 OF 2009 AMENDMENT TO SANITARY RULES & REGULATIONS

The Board on unanimous vote on motion by Blane Volovich and second by Kenneth Heirendt authorized Resolution 5 of 2008 amending the sewer system rules and regulations under Article XI Section 1103; Article IX Section 906 and 918 changing misdemeanor to a summary offense.

AUTHORIZE EMPLOYEE STATUS CHANGE FROM PROBATIONARY TO FULL TIME

The Board on unanimous vote on motion by Kenneth Heirendt and second by Blane Volovich authorized changing the employment status of Philip D'Antonio to full time from probationary employee. Dennis Bell stated an employee review was completed by Walter O'Shinski as the 90-day probationary period expired.

AUTHORIZE REINVESTMENT OF CD 13017918 WITH SLOVENIAN SAVINGS

The Board on unanimous vote on motion by Stephanie Lucchino and second by Kenneth Heirendt authorized the reinvestment of CD 13017918 in the amount of \$1,024,494.87 for one-year. The rate quoted was 2.92 % with an annual percentage yield of 3.00 %.

REQUEST FROM CECIL TOWNSHIP ON TAP-IN FOR AMBULANCE SERVICE PROPERTY

A request of the Board to consider waiving the tap-in fee for the ambulance service located on Elementary School Drive. A motion was made by Kenneth Heirendt to grant an exemption for the ambulance service. The motion did not receive a second and was tabled until the October 2009 meeting. Blane Volovich inquired on the ownership of the building and whether Southbridge Ambulance Service is a non-profit organization and who would be responsible for the sewage bill. He also inquired if rent is paid on the building. Dennis Bell stated he would investigate and report to the Board. He also stated the property is owned by the township.

REQUEST FROM VERMLOU PROPERTIES FOR REFUND ON TAP-IN FEE

Chris Vermilya, President of Vermlou Properties addressed the Board on a refund for two tap-in fees paid for the property located at 3234 Millers Run Road. The issue was addressed by the Board at the June 16, 2009 meeting. He stated the building was demolished and the Cecil Township provided a memorandum to the Authority stating that fact. Donald Gennuso indicated a tap-in fee would be due if a new building is constructed on the site.

The Board on unanimous vote on motion by Stephanie Lucchino and second by Kenneth Heirendt authorized a refund of \$13,200 for two tap-in fees paid on property located at 3234 Millers Run Road, Cecil PA.

DISCUSS JULY 2009 FINANCIAL REPORT

Dennis Bell discussed the financials for July 2009.

CORRESPONDENCE

The correspondence was reviewed for filing. No comments from the Board.

PAYING OF EXPENSES/TRANSFER OF FUNDS ETC.

A unanimous vote on motion by Blane Volovich and second by Kenneth Heirendt 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 Stephanie Lucchino and second by Kenneth Heirendt entered into executive session at 6:38 PM to discuss litigation issues for John Spavelko, Sitarik Contracting and the DEP Order on the Fleehler system. The Board ended the executive session at 7:40 PM and returned to the general session and the following action

was taken by the Board.

ANSWER AND NEW MATTER – JOHN SPAVELKO

The Board on unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich authorized signing the Answer and New Matter in the civil case between John Spavelko and Cecil Township Municipal Authority.

ADJOURNMENT

There being no other business by unanimous vote on motion by Stephanie Lucchino and second by Kenneth Heirendt the meeting was adjourned at 7:43 PM. The next regular meeting is scheduled for Tuesday, October 20, 2009 at 6:00 PM.

Secretary