

Cecil Township Municipal Authority
Monthly Meeting
November 15, 2011

The Cecil Township Municipal Authority held its regular monthly meeting on Tuesday, November 15, 2011 at the Cecil Township Municipal Building. Chairman Donald Gennuso called the meeting to order at 6:00 PM with Stephanie Lucchino, Blane Volovich, Leslie Peters and Richard Barnes present. Also present was Romel Nicholas, Gaitens, Tucceri and Nicholas; Eric Tissue, KLH Engineers Inc., Walter O'Shinski P.E. and Dennis Bell, Administrator.

MINUTES OF OCTOBER 18, 2011

The Board on a vote of 3 to 1 on motion by Blane Volovich and second by Stephanie Lucchino approved the minutes of the meeting of October 18, 2011. Richard Barnes abstained.

ENGINEER REPORT

CREEDMORE ROAD STREAM INCIDENT

Walter O'Shinski updated the Board on the incident resulting in a fish kill in an unnamed tributary to the Millers Run stream located along Creedmore Road, Mc Donald PA. He stated the final report was received by PA DEP on the incident. He stated the kill was probably attributed to an insecticide known as Spectracide, a chemical highly toxic to aquatic life. Donald Gennuso referred to an official statement prepared and stated he would not read the statement but requested that it be made a part of the minutes. He further stated a copy should be provided to the township police department, fire department, KDKA news and be placed on the Authority website.

VALLEYCREST PROJECT

Michael Sherrieb advised the Board the project is ready to begin awaiting contract resolution between Redevelopment Authority of Washington County (RAWC) and Border Patrol. He stated three temporary easements for construction must be signed by the property owners whose properties are impacted by the project. He stated to date no easements have been received. Romel Nicholas stated that if the documents are not signed a condemnation would be needed to proceed. He provided three options available to the Authority – get the easement document signed; condemnation for temporary construction easement or let the lateral lines remain as they currently exists.

Walter O'Shinski stated the RAWC requires full payment from the Authority for their portion of the construction cost before the project will begin. In addition, a letter needs to be signed stating that if the project costs exceed the bid; the Authority will pay the amount over the bid amount.

RELEASE OF CONSTRUCTION FUNDS FOR GEORGETOWN ROAD PROJECT

Walter O'Shinski stated the sewer lines have been tested. He requested the Board authorize release of the remainder of the funds to Stewart Construction contingent of the completion of punch list items. The Board on unanimous vote on motion by Richard Barnes and second by Blane Volovich authorized release of the remainder of the construction funds.

LAWRENCE ACT 537 UPDATE

Walter O'Shinski stated the DCED approved the use of the remaining funds from the local share account to be used for completing an income survey in the Lawrence area. He stated we are awaiting approval from RUS authorizing the income survey.

COMMENTS FROM THE FLOOR

Mr. Jerry Hatfield addressed the Board regarding his property located at 165 Mc Connell Road, Canonsburg PA. He stated that he was not successful in obtaining an easement and he inquired on what the Authority could do to assist him in obtaining the easement. Donald Gennuso stated our policy is not to intervene in private property matters as they do not benefit the general public. Romel Nicholas inquired if a financial offer was made to the property owner where an easement is required. He stated the costs for any condemnation would be in excess of \$20,000 and those costs would be paid by the individual requesting a condemnation. Romel Nicholas suggested that Mr. Hatfield work through his attorney in an attempt to resolve the matter. Walter O'Shinski suggested looking at other areas to make the connection.

Mr. William Graziani, developer of Alto Piano, addressed the Board on the fees charged for engineering and inspection work on his project. He stated that he paid in excess of 10 percent of the sewer construction costs. He stated that KLH Engineers inspector fees are \$56.00 per hour and the engineer review fees are \$101.00 per hour. Donald Gennuso stated that all costs are absorbed by the developer and that the final amount billed is due to the Authority. Michael Sherrieb state that construction was 58 days with 60% of those days being charged with overtime. Donald Gennuso suggested that Mr. Graziani work with Michael Sherrieb to review the project costs.

SOLICITOR REPORT

Romel Nicholas stated the monthly report was circulated to the Board prior to the meeting. He stated a letter was mailed on October 24, 2011 to Valley Brook Country Club regarding violations of the Authority's Rules and Regulation with respect to the wastewater being generated by the Club. He stated the Club has 30 days to correct the violations or further action will be initiated. He stated a draft letter to PA DEP has been prepared and circulated for the Board review regarding unresolved issues related to the

Fleehar facilities. He reported on the status of lateral connection in the Millers Run project area as only 3 properties are not connected and work will continue to get those properties tapped into the system. He suggested a decision be made for reviewing and updated the standard operating policy and procedures manual to include security and safety issues. The Board requested Romel Nicholas provide a cost to complete the work

BUSINESS MANAGER REPORT

REQUEST FOR POOL FILLING ADJUSTMENT – 239 MC CONNELL ROAD

Dennis Bell referred to a letter from David James, 239 Mc Connell Road, Canonsburg PA for a credit for water used to fill his swimming pool. He stated the property owner had to replace a pool liner and undertook the filling without knowledge of our deduction meter or pool policy. He stated the average monthly water usage is 4,700 gallons and recommended an adjustment for 7,500 gallons or \$54.38 be made. The Board on a 4 to 1 vote on motion by Leslie Peters and second by Richard Barnes authorized a refund in the amount of \$54.38 as a one-time only adjustment. Donald Gennuso suggested the property owner be advised on the policy regarding pool filling. Stephanie Lucchino voted no.

AUTHORIZE SIGNING CERTIFICATE OF INCUMBENCY – 2011 BOND ISSUE

The Board on unanimous vote on motion by Stephanie Lucchino and second by Leslie Peters authorized signing a letter of incumbency for the 2011 bond issue as requested by M & T Bank.

DISCUSS CHANGE IN BILLING SERVICE

Dennis Bell discussed with the Board the October 27, 2011 letter from PA-American Water Company and their decision to not provide wastewater billing. He stated two options would be available to the Authority – contracting with another provider or doing the billing in house. He stated several software providers have made contact with the office for purchasing their software. He further stated that a meeting is schedule to visit Smith Township Municipal Authority to review their in house billing system. Donald Gennuso recommended doing a review and presenting the information to the Board at a future date. The change in billing system would happen prior to October 2012.

DISCUSS 2012 BUDGET

Dennis Bell stated he has begun the budget process and he recommended a committee of two members be appointed to work on the 2012 budget. Donald Gennuso and Stephanie Lucchino volunteered to serve on the budget committee.

SEPTEMBER 2011 FINANCIAL REPORT

Dennis Bell stated the financial report for the month of September 2011 was provided for the Board to review.

CORRESPONDENCE

No comments were made on the correspondence.

PAYING OF EXPENSES/TRANSFER OF FUNDS ETC.

A unanimous vote on motion by Leslie Peters and second by Richard Barnes the Board authorized payment of expenses and transfers as follows.

DMR Review and Approval; Payment of Expenses/Invoices etc.
Employee Payroll; 941 Tax Deposit; Employee State Tax Payment
Discharge Monitoring Reports were approved for submission to the PA DEP

Public Statement

On Monday, November 7, 2011, the Cecil Township Municipal Authority received a communicated concern from an individual residing along Creedmore Road, regarding the inexplicable death of marine wildlife in the tributary to Millers Run. This stream receives the effluent discharge from the Authority's Millers Run wastewater treatment plant. As a result, the Authority immediately responded to investigate these concerns.

The Authority's Engineer preliminarily investigated this matter through a site visit. The Authority's respondent determined that a number of fish, crayfish, and worms had expired beginning at a point in the stream directly across from the property located at 75 Creedmore Road with others in distress downstream from this location.

Thereafter, Authority personnel inspected the Millers Run wastewater plant to investigate if the facility may have caused the incident. A thorough inspection revealed that all processes and operations were in proper order. Continuing with this investigation, the Authority's respondent inspected the stream below the plant outfall pipe for several hundred feet; fish were observed swimming freely with no dead or distressed aquatic life.

The Authority respondent contacted the emergency response operator of the Pennsylvania Department of Environmental Protection, to advise PADEP and the local authorities of this environmental emergency. PADEP sent field personnel to the site and collected water samples from the stream in multiple locations.

Authority personnel returned to the site at first light on November 8, 2011. The Authority Engineer and plant operator began an independent investigation of the stream. Authority respondents discovered a 32 ounce bottle of insecticide labeled "Done Once" Spectracide, Triazicide in the location directly upstream from where the aquatic life was affected.

Upon this realization, Authority respondents contacted PADEP, detailed their findings and inquired how to proceed. The respondents were advised by PADEP to remove the bottle and retain it until PADEP field personnel could arrive. The Authority's respondents complied with this instruction, and further, contacted the Cecil Township Police Department for a full investigation.

At this point in time, the Authority has no reason to believe this incident is a result of the existence or operation of its Millers Run wastewater treatment plant. All evidence and data collected preliminarily indicates that the environmental incident which occurred on the evening of November 7, 2011 was a direct result of a negligent or criminal act in which a container of insecticide was placed either unintentionally or purposefully in the tributary stream to Millers Run. As the matter is investigated more fully, the Authority is committed to working in conjunction with PADEP and the Cecil Township Police Department to resolve the investigation. A full independent investigation will be continued on behalf of the Authority. To this end, anyone with information regarding this matter is urged to contact the Cecil Township Police Department, the PADEP or Authority directly.

We, the Cecil Township Municipal Authority will continue to honor the principles that the Authority has been dedicated to uphold – to protect the environment and to preserve and protect the public health and welfare of the residents of Cecil Township.

ADJOURNMENT

There being no other business by unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich the meeting was adjourned at 7:15 PM. The next regular meeting scheduled for Tuesday, December 20, 2011 at 6:00 PM.

Secretary