

Cecil Township Municipal Authority
Monthly Meeting
December 20, 2011

The Cecil Township Municipal Authority held its regular monthly meeting on Tuesday, December 20, 2011 at the Cecil Township Municipal Building. Chairman Donald Gennuso called the meeting to order at 6:02 PM with Stephanie Lucchino, Blane Volovich, and Leslie Peters present. Absent was Richard Barnes. Also present was Jeff Hollowood, Gaitens, Tucceri and Nicholas; Eric Tissue, KLH Engineers Inc., Walter O'Shinski P.E. and Dennis Bell, Administrator.

MINUTES OF NOVEMBER 15, 2011

The Board on a unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich approved the minutes of the meeting of November 15, 2011.

ENGINEER REPORT

UPDATE ON VALLEYCREST DRIVE SEWER PROJECT

Michael Sherrieb advised the Board that a preconstruction meeting was held on Friday, December 16, 2011. He stated three (3) temporary construction easements have been signed and given to the Authority. The construction start date is January 3, 2012 with completion scheduled between 30 to 45 days from the start date. He stated shop drawings have been provided and are being review. Paving and restoration work on the project will be completed in early spring 2012. Walter O'Shinski recommended a letter be mailed to the property owners advising them of the start date.

UPDATE ON OAKBROOK ESTATES

Michael Sherrieb presented the Board on a request made by the developer – Mr. Dan Caste with Oakbrook Muse Partners for a reduction in the letter of credit valued at \$99,280.00 held as a performance bond for Oakbrook Estates Phase 3. The amount requested for release was 85% of the total letter of credit. Michael Sherrieb advised the Board that testing has not been completed and he suggested a release of 75% of the original value or \$74,460.00 contingent on completion of the testing. He stated a portion of the remaining balance would be converted to an 18-month maintenance bond.

The Board on unanimous vote on motion by Blane Volovich and second by Stephanie Lucchino authorized release of \$74,460.00 from the letter of credit held for the project contingent on the successful completion of the sanitary testing.

Walter O'Shinski advised the Board on an issue created by the developer having sold lots to Heartland Homes prior to the recording of the easements. He stated the sewer line will need to be relocated on lot 201. He stated six (6) lots have easements assigned

to the Authority but ownership is in question. He stated the developer is working to correct the problem and the developer will be meeting with all property owners. The developer stated he will be responsible for all cost regarding these issues.

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 a response to our first letter was received from RUS requesting additional information. Walter O'Shinski stated the additional information requested while provided in our first letter was resent with the second letter.

HEIRENDT PLAN – EASEMENTS AND CONSTRUCTION FUND RELEASE

Walter O'Shinski updated the Board on the status of the Heirendt plan for closing the project. He stated the sewers were completed and tested. He stated an easement was prepared for Heirendt signatures and an 18-month maintenance bond needs to be posted. Walter O'Shinski requested the Board authorize a release from the letter of credit by 75% with the balance held for the maintenance bond and expense related items.

The Board on unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich authorized a release of 75% from the letter of credit held on the Heirendt sewer project.

SOLICITOR REPORT

Jeff Hollowood stated the monthly report was circulated to the Board prior to the meeting. He stated on the Fleeher matter outstanding items remain on the PA DEP consent order that need to be completed by Fleeher prior to release of the remainder of the funds. He stated on the Sitarik matter US District Judge William Standish dismissed North American Specialty Surety Company claims against the Authority for penalties (attorney fees and interest) under Pennsylvania's Prompt Payment Act. The Judge also dismissed Sitarik's attempts to sue the Authority for breach of the contract and an identical Prompt Payment Act claim. The Judge scheduled a case management conference for January 17, 2012 in the federal courthouse in Pittsburgh but the solicitor has been advised that the scheduled date has been moved until February 2012.

Jeff Hollowood stated Romel Nicholas wanted direction on how to proceed with negotiating a sewer service agreement with Chartiers Township. Walter O'Shinski stated a previous agreement was with Chartiers Township Sanitary Authority a now defunct entity. He stated a developer wishes to build approximately 50 town houses in Chartiers Township with service through our interceptor line on Valley Road, Canonsburg PA. Romel Nicholas previously reported that a new service agreement is needed. Walter O'Shinski stated that as a part of the agreement a transportation fee should be considered. Walter O'Shinski will request a meeting with Chartiers Township.

Leslie Peters inquired on the issue regarding Valley Brook Country Club. Walter O'Shinski stated the club reportedly changed detergent. He stated the field staff will continue to monitor the flow to assure compliance.

BUSINESS MANAGER REPORT

AUTHORIZE CHANGE IN EMPLOYMENT STATUS FOR CHARLES Z. BURNFIELD

Dennis Bell advised the Board on the completion of a 180 day probationary period for Charles "Zac" Burnfield and stated his performance has been acceptable. He requested the Board authorize full time status. The Board on unanimous vote on motion by Stephanie Lucchino and second by Blane Volovich authorized the change in employment status from probationary to full time employee.

UPDATE ON 2012 BUDGET

Dennis Bell stated the 2012 budget committee met on Friday, December 16, 2011 and recommended minor changes to the budget. He stated that Donald Gennuso requested an executive session to discuss a personnel matter that would impact on the budget. Dennis Bell stated a copy of the proposed budget will be emailed or mailed to the members within the next few days so that the Board may review prior to adopting the budget at the January 17, 2012 meeting.

OCTOBER 2011 FINANCIAL REPORT

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

COMMENTS FROM THE FLOOR

No comment from the floor.

CORRESPONDENCE

No comments were made on the correspondence.

PAYING OF EXPENSES/TRANSFER OF FUNDS ETC.

A unanimous vote on motion by Blane Volovich and second by Leslie Peters 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

EXECUTIVE SESSION

The Board on a unanimous vote on motion by Stephanie Lucchino and second by Leslie Peters entered into an executive session at 6:28 PM to discuss a personnel issue. The Board returned from the executive session at 6:55 PM.

ADJOURNMENT

There being no other business by unanimous vote on motion by Stephanie Lucchino and second by Leslie Peters the meeting was adjourned at 6:55 PM. The next regular meeting and annual reorganization meeting is scheduled for Tuesday, January 17, 2012 at 6:00 PM.

Secretary