

Cecil Township Municipal Authority
Monthly Meeting
January 17, 2012

The Cecil Township Municipal Authority held its reorganization and regular monthly meeting on Tuesday, January 17, 2012 at the Cecil Township Municipal Building. Chairman Donald Gennuso called the meeting to order at 6:00 PM with Stephanie Lucchino, Leslie Peters and Richard Barnes present. Absent was Blane Volovich. Also present was Romel Nicholas, Gaitens, Tucceri and Nicholas; Eric Tissue, KLH Engineers Inc., Walter O'Shinski P.E. and Dennis Bell, Administrator.

REORGANIZATION

Chairman Donald Gennuso opened the meeting by asking for the nomination of officers for 2012.

The Board, by a unanimous vote on a motion by Stephanie Lucchino and second by Richard Barnes, nominated and appointed the following officers for the year 2012.

Donald V. Gennuso – Chairman
Stephanie C. Lucchino – Vice Chairperson
Blane Volovich – Secretary/Treasurer
Leslie Peters – Assistant Secretary/Assistant Treasurer

The Board, by a unanimous vote on a motion by Richard Barnes and second by Leslie Peters, appointed Gaitens, Tucceri and Nicholas as Solicitor.

The Board, by a unanimous vote on a motion by Stephanie Lucchino and second by Leslie Peters, appointed KLH Engineers, Inc. as Consulting Engineer.

The Board, by a unanimous vote on a motion by Richard Barnes and second by Leslie Peters, appointed PNC Bank as Trustee/Paying Agent.

The Board, by a unanimous vote on a motion by Stephanie Lucchino and second by Richard Barnes, set the 2012 monthly meeting day as the 3rd Tuesday at 6:00 PM.

ADOPTION OF 2012 BUDGET

The Board, by a unanimous vote on a motion by Richard Barnes and second by Leslie Peters, adopted the 2012 Budget.

MINUTES OF DECEMBER 20, 2011

The Board, by a three-to-one vote on a motion by Leslie Peters and second by Stephanie Lucchino, approved the minutes of the meeting of December 20, 2011. Richard Barnes abstained.

COMMENT FROM THE FLOOR

Donald Gennuso inquired if there were any comments from the Floor. There were none.

ENGINEER REPORT

Walter O'Shinski reported that there was nothing to report.

SOLICITOR REPORT

Romel Nicholas stated the monthly report was circulated to the Board prior to the meeting. He said a meeting was held with Chartiers Township on a new service agreement or an amendment to the 1985 agreement. He reported that a developer is interested in building 40 to 50 town homes on Valley Road, Canonsburg PA and that the capacity in certain segments of the Authority sanitary line is limited to approximately 400 EDU's. He said the information provided to the Chartiers Township manager and solicitor will be presented to the Chartiers Township Board of Supervisors at their February 2012 meeting.

Romel Nicholas discussed correspondence addressed to the Cecil Township Supervisors from Jesse White regarding the Authority practice and procedures for lien filing. He provided the Board with case law, Pennsylvania statutes and the Authority enabling resolution for their review. He reported that Michael Witheral, the Solicitor for the Pennsylvania Municipal Authority Association (PMAA), provided written comment on the need to file the municipal lien for unpaid tap-in fees. He explained the risk for not filing a municipal lien is the Authority's inability to claim the fee if the property should be sold or if the property owner enters into bankruptcy. He advised that the Authority has often made payment arrangements with property owners who revealed hardship circumstances to the Authority.

Donald Gennuso suggested a committee of two members meet to study the process followed in handling hardship cases. Leslie Peters volunteered to serve on the committee along with Donald Gennuso. The committee will report to the Board at their February 2012 meeting. Dennis Bell inquired on how to proceed with the properties where the tap-in fee was not paid. Stephanie Lucchino recommended the liens be filed.

Romel Nicholas recommended delaying the lien filings until after the February 2012 meeting. The Board members agreed to delay the lien filings until after that date.

Romel Nicholas stated he had two issues that needed to be discussed in Executive Session – Sitarik litigation and the Fleher matter.

BUSINESS MANAGER REPORT

DISCUSS ADOPTING TAP-IN PAYMENT PLAN FOR MILLERS RUN

The issue is on hold until the February 2012 meeting.

AUTHORIZE SIGNING LETTER TO M & T BANK ON EXCESS REVENUE FUNDS

Dennis Bell reported a request from M & T Bank on transferring excess revenue funds into the capital improvement and redemption fund with M & T Bank. He stated there are no excess revenue funds to be transferred and requested the Board authorize writing a letter stating the same.

By a unanimous vote on a motion by Richard Barnes and second by Leslie Peters, the board authorized sending a letter to M & T Bank stating that no excess funds are available for transfer into the capital improvement and redemption fund.

DISCUSS REFINANCE ON 2006 BOND ISSUE

Dennis Bell stated that PFM discussed the refinance of the 2006 bond issue and the current net savings on this issue. He reported the savings target previously set for the 2004 bond refund of \$350,000 to \$500,000 was established and inquired if the Board wanted to proceed with the refinancing on the 2006 issue. Donald Gennuso reminded that the net savings must be at least or greater than \$350,000.

The Board by a unanimous vote on a motion by Stephanie Lucchino and second by Leslie Peters, authorized PFM to perform an analysis and, if the net savings is at least or greater than \$350,000, to proceed with a refinance.

AUTHORIZE RENEWAL OF CD 13018987 WITH SLOVENIAN SAVINGS

The Board, by a unanimous vote on a motion by Richard Barnes and second by Leslie Peters, authorized renewal of certificate of deposit number 13018987 for a one-year period at the interest rate of 1.95% and a yield of 2.00% with no penalty for early withdrawal.

AUTHORIZE TRANSFERRING FUNDS FROM DEVELOPER ESCROW TO PNC SWEEP ACCOUNT

The Board, by a unanimous vote on a motion by Richard Barnes and second by

Leslie Peters, authorized transferring \$15,666.00 from the Brooks and Blair Homes developer escrow account to the PNC Bank sweep account as per a letter of authorization dated May 27, 2011 signed by the developers.

AUTHORIZE TRANSFERRING FUNDS FROM PNC TAP-IN ACCOUNT TO THE PNC SWEEP ACCOUNT

The Board, by a unanimous vote on a motion by Stephanie Lucchino and second by Richard Barnes, authorized transferring \$85,000.00 from the PNC Bank tap-in account to the PNC Bank sweep account.

NOVEMBER 2011 FINANCIAL REPORT

Dennis Bell reported that the financial report for the month of November 2011 was provided for the Board to review.

CORRESPONDENCE

Stephanie Lucchino inquired on the status of a letter mailed to Janice Billante regarding her payment. Dennis Bell advised that no payment has been received and that Attorney Adam Buchanan is working with Ms. Billante.

PAYING OF EXPENSES/TRANSFER OF FUNDS ETC.

By a unanimous vote on a 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

COMMENTS FROM THE FLOOR

No comments from the floor.

EXECUTIVE SESSION

The Board, by a unanimous vote on a motion by Stephanie Lucchino and second by Richard Barnes, entered into an executive session at 6:33 PM to discuss the Sitarik litigation and the Fleeher issue. The Board returned from the executive session at 7:05 PM.

AUTHORIZE SIGNING CYPHER & CYPHER ENGAGEMENT LETTER

Dennis Bell requested authorization from the Board to sign the 2011 engagement letter with Cypher and Cypher. The Board by a unanimous vote on a motion by Richard Barnes and second by Leslie Peters, authorized signing the letter.

ADJOURNMENT

There being no other business, by a unanimous vote on a motion by Stephanie Lucchino and second by Leslie Peters, the meeting was adjourned at 7:35 PM. The next regular meeting is scheduled for Tuesday, February 21, 2012 at 6:00 PM.

Secretary