

Cecil Township Municipal Authority  
Monthly Meeting  
February 21, 2012

The Cecil Township Municipal Authority held its regular monthly meeting on Tuesday, February 21, 2012 at the Cecil Township Municipal Building. Vice Chairperson Stephanie Lucchino called the meeting to order at 6:00 PM with Blane Volovich and Leslie Peters present. Absent were Donald Gennuso and Richard Barnes. 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 JANUARY 17, 2012

The Board, by a two-to-one vote on a motion by Leslie Peters and second by Stephanie Lucchino, approved the minutes of the meeting of January 17, 2012. Blane Volovich abstained.

2006 BOND REFINANCE

Ryan Brockman with Public Financial Management, Inc. presented an update for refunding of the 2006 bonds. The net saving target of \$350,000 was established by the Board at the January 17, 2012 meeting. Mr. Brockman provided a chart on market trends since 1993 with the current bond rates at 2.320 on February 17, 2012. He suggested that based on the market rate the net savings would be \$449,000. Those net savings would be realized over an eleven-year period beginning in August 2012. The planned borrowing would be \$9,365,000 with a bond yield of 4.087570 over the term. The bond issue would not extend the life established in the 2006 bond issue. The bond sale would most likely occur during the week of February 27, 2012.

Attorney Sean Garin, bond counsel with the firm of Dinsmore & Shohl LLC, presented a Resolution for the issuance of the Authority's Guaranteed Sewer Revenue Bonds, Series of 2012. Cecil Township enacted an ordinance authorizing the entry into a guaranty agreement with the Authority at their meeting on February 14, 2012.

By a unanimous vote on motion by Leslie Peters and second by Blane Volovich authorized Resolution 1 of 2012 for the issuance of the Sewer Revenue Bonds, Series of 2012.

ENGINEER REPORT

VALLEYCREST CONSTRUCTION UPDATE

Michael Sherrieb updated the Board on the Valleycrest sanitary sewer

construction project. He indicated that 700 feet of pipe and 8 manholes were installed and the stream crossing has been accomplished. Mr. Sherrieb suggested all of the lines would be installed within the next two weeks.

#### AUTHORIZE SIGNING CHAPTER 94 ANNUAL REPORTS

Walter O'Shinski requested the Board authorize signing the three (3) Chapter 94 reports completed for the three treatment facilities. The annual reports are prepared for the PA Department of Environmental Protection. By unanimous vote, on a motion by Leslie Peters and second by Blane Volovich, the Board authorized signing the Chapter 94 reports.

#### COMMENTS FROM THE FLOOR

No comments from the floor.

#### SOLICITOR REPORT

#### AUTHORIZE SIGNING ASSIGNMENT OF EASEMENTS, QUITCLAIM DEED AND BILL OF SALE

Romel Nicholas requested the matter be held for a discussion in Executive Session.

#### OAKBROOKE DEVELOPMENT – PHASE 2 NEW EASEMENTS AND PROPOSED VACATED EASEMENTS

Romel Nicholas provided the Board with specific wording for motions to correct easements previously recorded for properties located in Oakbrooke Estates Phase 2. Walter O'Shinski, working with Dan Caste, developer at Oakbrooke Estates, completed a review for the new easements for Lots 109, 201, 208, 204, 203 and Parcel OS-2. Walter O'Shinski reported that five (5) easements must be vacated and five (5) new easements recorded. The following motions were acted upon by the Board:

Lot 109 Oakbrooke Estates – By unanimous vote on motion by Blane Volovich and second by Leslie Peters the Board approved the easement vacating portions of the easement recorded in instrument 201114457 concerning Lot 109, and approving the recording of the replacement easement as provided by the Developer.

Lot 201 Oakbrooke Estates – By unanimous vote on motion by Blane Volovich and second by Leslie Peters the Board approved the easement vacating portions of the easement recorded in instrument 201114457 concerning Lot 201, approving a replacement easement to be provided by the Developer, and recording of the vacation document after satisfactory completion of the contemplated construction.

Lot 208 Oakbrooke Estates – By unanimous vote on motion by Blane Volovich and second by Leslie Peters the Board approved the easement vacating portions of the easement recorded in instrument 201114457 concerning Lot 208, contingent upon the Developer securing and providing a replacement easement document.

Lot 204 Oakbrooke Estates – By unanimous vote on motion by Leslie Peters and second by Blane Volovich the Board approved the document vacating portions of the easement recorded in instrument 201114457 concerning Lot 204, contingent upon the Developer securing and providing a replacement easement document that would satisfy the Private Owner's requests of the Developer, as well as the Developer committing a sum of money, in perpetuity, to be determined by the Authority upon further analysis of the nature of the Private Owner's requests.

Lot 203 Oakbrooke Estates – By unanimous vote on motion by Leslie Peters and second by Blane Volovich the Board approved the document vacating portions of the easement recorded in instrument 201114457 concerning Lot 203, contingent upon the Developer securing and providing a replacement easement document for Lot 204.

Omnibus Motion – By unanimous vote on motion by Blane Volovich and second by Leslie Peters the Board agreed to accept the conforming easement documents for Lots 109, 201, 203, 204 and 208 after the contingencies have been satisfied.

Parcel OS-2 – By unanimous vote on motion by Leslie Peters and second by Blane Volovich the Board agreed to accept the easement concerning Parcel OS-2 in the Oakbrooke Estates Lot Plan conveying the accompanying sewer lateral.

### OAKBROOKE DEVELOPMENT – PHASE 3

Phase III, Oakbrooke Estates – By unanimous vote on motion by Blane Volovich and second by Leslie Peters the Board agreed to accept the transfer of all sanitary sewer lines located within Phase III of the Oakbrooke Plan of Lots, and approving the deed of dedication.

### BUSINESS MANAGER REPORT

#### AUTHORIZE REFUND ON WASTEWATER CHARGES M. MURR 802 REDWOOD DRIVE, MC DONALD PA

Dennis Bell referred to his email of February 7, 2012 providing information on a water leak at the home located at 802 Redwood Drive, Mc Donald, PA. He said the water line leak occurred outside of the home and no water entered into the sanitary sewer system. The value on the 101,900 gallons of water is \$738.78. By unanimous vote on motion by Leslie Peters and second by Blane Volovich the Board authorized the refund to Mr. Murr.

## AUTHORIZE RENEWAL OF CD 13013879 AND CD 13013254 WITH SLOVENIAN SAVINGS

Dennis Bell reported on the maturity in March 2012 for two (2) Certificates of Deposit with Slovenian Savings. The certificate numbers are 13013879 valued \$550,118.14 maturing on March 9, 2012 and certificate number 13013254 valued \$935,533.84 maturing on March 14, 2012. By unanimous vote on motion by Blane Volovich and second by Leslie Peters the Board authorized renewing the two (2) certificates of deposit for a one-year term at the interest rate of 1.95% with a yield of 2.00% with no penalty for early withdrawal.

## AUTHORIZE SIGNING PRE-DEVELOPER AGREEMENT FOR CREST VUE PLAZA @ SOUTHPOINTE II

Dennis Bell reported on a project in Southpointe II, Lot 12 known as Crest Vue Plaza, a project of Horizon Properties. He stated the developer deposited \$1,000 into a developer account to cover Authority expenses. Walter O'Shinski advised the Board that a sewer line extension is planned to service Lot 12. By unanimous vote on motion by Leslie Peters and second by Blane Volovich the Board authorized signing the pre-developer agreement with Horizon Properties.

## AUTHORIZE SIGNING CONSTRUCTION AGREEMENT FOR OAKBROOKE ESTATES SEWER LINE RELOCATION

Dennis Bell advised the Board as a part of the vacation and new easements in the Oakbrooke Estate Phase 1 and 2, the sewer line must be relocated. He stated the developer deposited \$3,000 into a developer account to cover Authority expenses related to this project. By unanimous vote on motion by Blane Volovich and second by Leslie Peters the Board authorized signing the sanitary sewer and construction agreement with Oakbrooke Muse Partners LP.

## DISCUSS CREDIT CARD ACCEPTANCE PROGRAM

Dennis Bell advised the Board on two programs for accepting of credit card payment of wastewater bills. He reviewed with the Board information obtained from PNC Merchant Services on costs to purchase and/or lease the equipment and processing fees. The second program was an internet based credit card and electronic check payment process system known as eNETPAY. Information on this program was provided through a webinar held by PA Rural Water Association and conducted by Hamer Enterprises. The internet program provides the service to the customer with no costs to the Authority. He stated several Authorities have been using this program. Stephanie Lucchino requested a summary be provided for their review and further discussion at the March 2012 meeting.

## DECEMBER 2011 FINANCIAL REPORT

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

### CORRESPONDENCE

Leslie Peters inquired on a letter received from Charles Gardner, 35 Maple Street Muse PA on an outstanding sanitary sewer bill. Dennis Bell stated both Marcy Boggio and he have met with Mr. Gardner on making payments to clear the outstanding wastewater charges. He reported that the water service was terminated by PA-American Water Company. Dennis Bell further stated an issue exists with the adjoining property at 33 Maple Street, Muse PA and an inspection is scheduled for Wednesday, February 22 with PA-American Water Company being present at the property.

An inquiry was made for the letter received from Steven and Karen Drexler on a refund check. Dennis Bell stated the letter is a response to our correspondence for outstanding checks issued in October 2011 and not cashed. The letter from the Drexler's confirming their non-receipt of the checks and stop payment was issued with PNC Bank and the check was reissued and requires signatures.

### PAYING OF EXPENSES/TRANSFER OF FUNDS ETC.

By a unanimous vote on a 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, by a unanimous vote on a motion by Leslie Peters and second by Blane Volovich, entered into an executive session at 6:50 PM to discuss the Sitarik litigation and the Fleeher land acquisition. The Board returned from the executive session at 7:20 PM.

### AUTHORIZE SIGNING ASSIGNMENT OF EASEMENTS, QUITCLAIM DEED AND BILL OF SALE

By unanimous vote on motion by Leslie Peters and second by Blane Volovich the Board authorized signing the document titled Assignment of Easements, Quitclaim Deed and Bill of Sale with Marion Fleeher.

## AUTHORIZE ISSUING A LETTER TO ATTORNEY ARCURI

Romel Nicholas review the issue raised in Attorney Frank Arcuri's letter of February 1, 2012 on behalf of Graziani Family LP. By unanimous vote on motion by Leslie Peters and second by Blane Volovich authorized Romel Nicholas to forward his letter to Attorney Arcuri stating our position on the issue contingent of the staff preparing a memorandum for the record on the timeline of events.

## ADJOURNMENT

There being no other business, by a unanimous vote on a motion by Leslie Peters and second by Blane Volovich, the meeting was adjourned at 7:22 PM. The next regular meeting is scheduled for Tuesday, March 20, 2012 at 6:00 PM.

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Secretary