

**WASHINGTON TOWNSHIP MUNICIPAL AUTHORITY
MINUTES
FEBRUARY 18, 2010**

CALL TO ORDER

The regular meeting of The Washington Township Municipal Authority was called to order by Chairman Michael Krestynick at 6:00 p.m. on Thursday, February 18, 2010, at the Washington Township Municipal Building. The meeting opened with the Pledge of Allegiance.

ROLL CALL

The following members were present: Michael Krestynick, David Davidson, John Wynne, Jr., Ernest Gehman, Susan Brown, Administrator, John Bucolo, Esquire, Stuart Rosenthal, P.E., Gilmore & Associates, Inc., Bob Maul, BWM Ecological Services. There were no members of the public in attendance this evening.

Absent: John Backenstose

TAPING OF MEETING

The meeting was recorded as an aid in the preparation of the minutes. It was noted that no one was taping the meeting other than the Administrator this evening.

APPROVAL OF JANUARY 21, 2010 MEETING MINUTES

Mr. Krestynick asked for any questions on the minutes from the January Board meeting. Mr. Wynne had an amendment to the minutes of January 21st. The last paragraph at the bottom of page two (2) first sentence should be changed to Mr. Wynne explained that as Treasurer it is his concern that if this developer agreements issue turns out to be a long term systemic problem, then the projected future multiyear shortfall in debt service funding of \$900,000 leading to the recent tax increase has to be revisited in order to determine if additional action is required. A motion was made by Ernest Gehman and seconded by David Davidson to approve the minutes, as amended, for the January 18, 2010 meeting. **No public comments received.**

All ayes

Absent: John Backenstose

RESERVE AT BALLY SPRING

Anthony from Rotelle Development was present this evening to address the Board with respect to Phase 2 of the Reserve at Bally Spring Development. Anthony explained they have begun planning for construction in phase 2. One of the key components of the start up of phase 2 is the sanitary sewer connection which requires an easement from an adjoining property owner Mr. James Treichler. Anthony distributed maps of the area to the Board Members showing the proposed connection area and explained they have worked diligently since 2007 to negotiate the easement with Mr. Treichler. Various offers of money and acreage have been made to Mr. Treichler in exchange for the

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easement across this small portion of land. This property was assessed at approximately \$400. It is located near the gas line, electrical line and flood plane there is no construction that can occur on this piece of property. At the request of the WTMA the Solicitor contacted all parties and got negotiations started again. At this point Mr. Treichler stated he would be willing to work something out on a per unit basis on the remaining 82 lots in phase 2 and 3 he requested \$50,000 which comes out to \$609 per lot. The counter offer by Rotelle was \$41,000 or \$500 per unit. The other option was to give Mr. Treichler two (2) acres of land for the right to cross 2200 square feet of his ground. Mr. Treichler stated that the land was wet and not really any value to him and the only thing that would work would be to square off the property which would come to 7.6 acres, which is just not feasible. Anthony stated Rotelle Development does not know what else they can do and is looking to the Authority for guidance. Anthony reminded the WTMA that their EDU's are paid for and the WTMA has that money. They want to be good neighbors. All other options have been explored such as pump station etc.

Mr. Wynne questioned whether Mr. Treichler would accept \$41,000 up front rather than over a period of time and Anthony did not know since that was not an offer previously made. He stated Rotelle is not able to offer \$41,000 up front and Mr. Wynne stated possibly if the WTMA were to float a loan this could be settled and the expense of a pump station could be avoided.

Mr. Krestynick indicated the WTMA does not want a pump station since this will be an added expense to the Authority and to go around the property the lines would have to be buried thirty (30) feet deep. Mr. Bucolo suggested this issue will be discussed further in executive session.

Public comment:

Mr. Treichler stated the options that Rotelle has are a pump station, an easement through his property or run the line down to County Line Road.

It was explained to Mr. Treichler that all the other options are extremely expensive to either Rotelle or the WTMA and the lease expensive method would be to go through his property.

Mr. Treichler stated he has repeatedly asked how much it costs to build a pump station and has not gotten an answer. It was stated that it is irrelevant since there is continued maintenance on a pump station. Mr. Treichler stated he is willing to work with Rotelle but feels if he is going to save them money he should be compensated.

Mr. Treichler was questioned how much money he received for the electric and gas easements and he stated he did not know about the electric but the gas line is a public utility and this easement is private. He stated Rotelle purchased this property well knowing it was a low area. Mr. Treichler stated he has an investment in his property and wants some type of equitable return.

TREASURER’S REPORT

Mr. Wynne gave the Treasurer’s Reports for the month ending January 2010. This is a usual and customary request for operating expense needs in this case expenses accrued for the month of January. The inter-fund transfers have been made to set up payment in February in the amount of \$22,000.

The overall report the total bank accounts and sewer revenue fund increased from \$94,300 in December to \$256,000 in January with an increase of about \$162,000. The reason for the increase is primarily due to two (2) events that were posted. The first is the results of the billings from December for sewer revenue received in January and second was a partial payment from Woodstone Homes for the purchase of EDU’s.

ENGINEER’S REPORT

Act 537 Plan Update:

Mr. Rosenthal reported the Plan is still in the hands of DEP and the Township Board of Supervisors has requested DEP to hold off on their review until they can evaluate their position with regard to the Plan.

Mr. Wynne stated he did not understand what Mr. Rosenthal was referring to and Mr. Rosenthal stated the Township authorized their Solicitor to send a letter to DEP which requested DEP put the review of the Plan on hold until the Township could reassess their position. Mr. Wynne stated he did not recall that being discussed as a course of action.

Mr. Wynne stated an attempt was made to rescind the Plan but the motion was not seconded and therefore the motion died. The Board of Supervisors would review and would put this item back on their agenda for their upcoming meeting next week. Mr. Wynne stated this makes the Township look bad in the eyes of DEP. It makes the Township look like they don’t know what they are doing.

It is felt that possibly this is anti-development and the Authority will loose a large amount of money if this Plan is rescinded. We will loose the reimbursement from DEP and the Plan will have to be completed all over again which will take another two years. This is a planning document that will sit on a shelf until the time comes when it is needed.

NPDES Permit:

Mr. Rosenthal indicated the NPDES Permit is up for renewal since it expires in June. This is a five (5) year operating permit. The renewal application was submitted about one month ago. A response was received from DEP indicating the new more restrictive standards for effluent levels specifically for Fecal Coliform, Total Residual Chlorine and Total Phosphorous. The DEP has requested feed back from WTMA before a draft permit is issued. The process is a draft permit is issued, there is a thirty (30) day public comment and review period and following they will issue the final permit. What they want to incorporate into the draft permit is the time frame we will need in order to comply with the new standards. This will require a certain level of testing and expense in order to get in line with the new standards. It is the recommendation of the Engineer to obtain pricing for the piping arrangement previously designed. It was the requested by

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the Board that Bob Maul obtain three price quotes for the piping arrangement and bring them to the Board for discussion and approval. Mr. Rosenthal stated that DEP is looking for a time table and will keep their standards where they are for a period of time and then after a time we will hit a compliance point.

Chapter 94 Report:

A motion was made by John Wynne and seconded by Ernest Gehman authorizing the Engineer to proceed with the preparation of the Chapter 94 Report. **No public comments received.**

All ayes

Absent: John Backenstose

Mr. Rosenthal distributed a draft copy of the Chapter 94 Report. This is a synopsis of the operations for the past year and is to be submitted by March 31st. Mr. Rosenthal pointed out that when you look at the actual numbers you will see we are in an overload condition at the Treatment Plant by 2014 under these projections. If there are any comments regarding the Chapter 94 Report they should be addressed with Mr. Rosenthal or the Administrator as soon as possible.

Gehringer Farms Phase I:

Mr. Rosenthal stated a review letter was issued with regard to the As-Built record plans.

Priority To Do List:

Mr. Rosenthal and Mr. Maul met to discuss and prioritize maintenance items. One priority is the piping arrangement in addition rebuilding the blowers starting with the one that is leaking which is blower #2 and rebuild one each year. The wet wells need to be cleaned, there are wet wells that have never been cleaned and SBR #1 has never been taken down and cleaned and should be done soon. It was suggested after the initial cleaning of the wet wells that the fire company come in and hose them down periodically. Mr. Rosenthal will submit a letter with the high priority items.

BWM REPORT

Washington Inn:

Mr. Maul reported the old Washington Inn appears that it will re-open as a restaurant so the grease trap will be inspected by Brent to make sure they are in compliance.

Flow Meter:

The annual calibration of the flow meter at the Plant was completed which is a requirement. The technician noted at peak flows the meter is pegged at its top limit of 1.5 million gallons per day so he will come back to recalibrate the meter to 2 million gallons per day.

Sampling:

Bob stated due to money constraints BOD sampling is only completed quarterly. The cost to have the sampling done monthly would be \$32, which is an increase of \$256. per year. It was agreed upon by the Board Members to increase to monthly testing.

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Phosphorus Levels:

Mr. Maul indicated there is a chemical company which we purchase our chemicals from who are willing to do bench testing at no cost to the Authority and make recommendations on dosages. The Board agreed to allow the bench testing.

Mr. Davidson questioned if there are any other meters that need to be calibrated and Mr. Maul and Mr. Rosenthal indicated there are not. Mr. Davidson also asked how much money is spent each year on chemicals. The Administrator will get the final figure on what was spent in 2009 on chemicals.

SOLICITOR'S REPORT

Mr. Setley and Mr. Price will be meeting with Mr. Mingey's new lawyer on Tuesday. Mr. Bucolo reported the Administrator did a great job putting together the response to the R.A.T.S. attorney. A court date has not yet been set. Mr. Bucolo indicated he has a few items to discuss in executive session.

ADMINISTRATOR'S REPORT

Mrs. Brown stated she was directed by the Solicitor to draft a letter to Milford Builders extending them until February 15, 2010 to pay the remaining thirteen (13) EDU's from 2009. Mr. Williams did make the payment of \$86,190. Mr. Williams also presented a letter requesting relief from purchasing the thirty (30) EDU's they are required to purchase for 2010 per the take down schedule due to the economy. The Administrator was asked to invite Mr. Williams to the next meeting to discuss the situation.

The Administrator was scheduled to attend a hearing on February 10th regarding the Reinhard matter however that hearing was postponed due to the snow storm. Mr. Reinhard has paid all past due amounts however since this was a criminal matter due to the fact the items were not made available at the time of the scheduled Sheriff Sale. The Board is not interested in pursuing criminal charges against Mr. Reinhard.

UNFINISHED BUSINESS

Montco Fence:

Mr. Rosenthal indicated he met with Mr. Gilinger on February 2nd to look at the three connections. Concrete pads have been placed over the lateral and on one pad there is a fairly large metal building used for storage. There is absolutely no physical evidence of the laterals. Mr. Rosenthal stated there is no way physically to look at the property and determine how the laterals were abandoned. Mr. Rosenthal suggests is to televise the main on Route 100 at Montco's expense at least to see the termination of the lateral. Mr. Rosenthal got a price estimate from BMMA to do the televising of \$100 per hour. It will be approximately \$400 plus traffic control. It was also stated that when the laterals are properly abandon that if Montco Fence ever wants to use them again they will have to purchase the EDU at the current price.

Public comment:

David Moyer asked what the proper standard is to abandon a lateral. Mr. Krestynick stated the lateral is cut under ground and capped. Mr. Davidson explained this cannot be

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abandon as the standard indicates because concrete pads have been poured over top. It was further explained that Mr. Gilinger would have to excavate along Route 100 and then cap the laterals.

Mr. Moyer stated if at the time of televising if there is water coming out anywhere the Authority is going to make Mr. Gilinger excavate anyway so it will cost him even more money. It was suggested to give Mr. Gilinger the option of televising or excavating and capping however, if there is anything leaking he will then have to excavate. The excavation should be done in spring and billing will continue until that time. The Administrator was instructed to draft a letter to Mr. & Mrs. Gilinger detailing what was discussed this evening.

Carl Bales Escrow Release:

A motion was made by John Wynne and seconded by David Davidson to ratify the escrow fund released on February 1, 2010. **No public comments received.**

All ayes

Absent: John Backenstose

NEW BUSINESS

Document Shredding:

The Administrator received a price quote for document shredding from United Document Destruction & Storage. The price for on-site shredding is \$.14 per pound and off-site shredding is \$.08 per pound. Containers are provided for a \$25.00 delivery fee. After shredding is complete they provide a certificate of destruction. Mr. Rosenthal and Mr. Setley will meet with the Administrator prior to a monthly meeting to go through the files.

A resident questioned why the material isn't recycled if it is public knowledge and it was explained that there are some personnel records which contain social security numbers, etc. the Solicitor advised WTMA the material should be shredded.

It was the decision of the Board to have containers delivered and have the shredding completed at the plant for a price of \$.08 per pound.

COMMUNICATIONS

- Letter regarding Gehringer Farms Phase 1 As-Built Plan Review No. 2
- Letter from Gilmore & Assoc. to Environmental Quality Board dated 1/27/10
- Communication with Mr. Mingey regarding escrow account
- Letter from Gilmore & Assoc. dated 2/17/10 regarding NPDES Permit
- Letter from DEP dated 2/16/10 accepting Application No. PA0086142
- Letter from Gilmore & Assoc. to System Design Engineering dated 2/11/10 regarding the Bally Borough Chapter 94 Report

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RESOLUTIONS

A motion was made by John Wynne and seconded by Ernest Gehman to adopt all resolutions as stated on the February agenda and transfer funds in the amount of \$22,000.

No public comments received.

All ayes

Absent: John Backenstose

Kanter Property:

The Administrator informed the Board she met with potential buyers for the Kanter property at 1774 County Line Road this week. The buyer needs to move out of her current residence in two (2) weeks and wants to move on the Kanter property quickly. She will be working with the township to bring the property into compliance. The Administrator explained that the property does need a grinder pump and there are two (2) EDU's for this property. A copy of the As-Built was provided to show where the connection will need to be made. She would like to put money in to an escrow account and as soon as the weather breaks she will make the connection. The Board was in agreement that they would give her until June 1st to make the connections.

PUBLIC COMMENT

David Moyer, Passmore Road, stated he went to the Treatment Plant today and questioned if blower #2 is working and Mr. Rosenthal and Mr. Maul stated it is working but leaking oil. Mr. Moyer also stated he saw the locks are on but shoveling in front of the doors and on the deck was poor. Mr. Moyer reported the chemical shed needs a lock put on. The motors on the blowers show the last time the oil was changed was 3/2009 the oil should be changed more than one time per year. The garbage was piled up and the grate was pushed off. Mr. Moyer has concerns for the safety of children if they get inside the gated area. Some locks the pins are broken off on the lids and should be replaced. A list of Mr. Moyer's concerns was given to the Board.

ADJOURNMENT

A motion was made by David Davidson and seconded by John Wynne to adjourn the meeting at 7:30 p.m. **No public comments received.**

All ayes

Absent: John Backenstose

Respectfully submitted,

Secretary, David Davidson