

Northampton, Bucks County, Municipal Authority

Minutes of the Public Meeting held on December 3, 2008

Members Attending: Antonio Albano, Chairman
John T. Jim, Vice Chairman
Sheila Bass, Treasurer
John E. Long, Jr., Secretary
Gretel Bleich, Asst. Secretary-Treasurer

Others Attending: Thomas A. Zeuner, Executive Director
Edward Rudolph, Esquire, Solicitor
Christopher S. Walker, P.E., Consulting Engineer
Stuart L. Rosenthal, P.E., Gilmore & Associates
Steven A. Hann, Esquire, Special Counsel
Carol A. Boston, Stenographer

Mr. Albano, Chairman, called the meeting to order at 8:30 p.m.

1. Pledge of Allegiance

Mr. Albano led the Pledge of Allegiance.

2. Approval of Minutes from November 5, 2008

A motion (Bleich-Jim) adopting a resolution to approve the Minutes from November 5, 2008 passed with 4 ayes and 1 abstention by Mr. Long.

3. Citizens Concerns

Mr. Mark Brendlinger of 46 Neshaminy Drive addressed the Board concerning his personal feelings.

The residents who addressed the Board regarding Phase I of the western end sanitary sewer project were: Mr. Frank Parke – 116 Barley Road.

The residents who addressed the Board regarding Phase II of the western end sanitary sewer project were: Mrs. Lawler – 44 Brookline Road; Mr. Hentschel – 47 S. Traymore Avenue; Mr. Snee; Mr. Guzy – 1309 Almshouse Road; Mr. Bushnell – 91 Hunt Drive; Mr. Bryant - 215 Inland Road; Mr. McKelvey – 126 Barley Road; Mrs. Black – 666 Jacksonville Road; Mr. Burns – 167 Almshouse Road; Mrs. Scheesly – 101 Brookline Road.

The residents who addressed the Board not regarding the Western End Sewer Project were: Mrs. Gold – 999 Almshouse Road; Mr. Constantine – 1144 Almshouse Road; and Mr. Conant - 77 MacFarland Drive.

4. Check Requisitions

A motion (Bass-Long) adopting a resolution to approve Revenue Fund Requisition No. 1891 dated November 17, 2008 in the amount of \$95,684.21 (Pension Fund); Revenue Fund Requisition No. 1892 dated December 3, 2008 in the amount of \$357,945.84; Construction Fund Requisition No. 1037 dated December 3, 2008 in the amount of \$393,415.55; and Bond Redemption & Improvement Fund Requisition No. 453 dated December 3, 2008 in the amount of \$71,066.60 passed with 5 ayes.

Requisition No. 1891 in the amount of \$95,684.21 was a deposit to Principal Financial Group.

The major items paid under Requisition No. 1892 were as follows: Aetna - \$1,642.00; BCWSA (Water) - \$85,859.16; Brinker's Fuels - \$2,108.20; Courier Times - \$1,066.85; DDM Energy Commercial Fuels - \$1,707.37; Hamburg, Rubin, Mullin, et al. - \$18,620.00; Hartford - \$4,119.77; M&T Investment Group - \$2,600.00; PECO - \$20,901.08; Pennoni Associates - \$41,029.29; A. C. Shultes Inc. - \$12,690.00; Source Media Inc. - \$12,307.76; State Workers Insurance Fund - \$2,291.00; Univar USA Inc. - \$1,291.38; and Upper Southampton Sewer Authority - \$54,627.00.

The major items paid under Construction Fund Requisition No. 1037 were as follows: BCWSA (Insituform Payment No. 4) - \$70,748.60; In Line Service under Contract No. 1-W-07 - \$210,501.00; Private Utility Enterprises under Contract No. 1-W-07 - \$6,909.75; Valley Painting under Contract No. 4-W-08 - \$339750.00; and Pennoni Associates (I&I) - \$71,281.10.

Requisition No. 453 in the amount of \$38,000.00 was paid to Gilmore & Associates Inc.

5. Maintenance Report for September 2008

Mr. Zeuner stated that water production both produced and purchased was 70,360,026 as compared with 81,519,114 gallons for the same period last year. One new customer was added. Seventy-five customers were posted and three turned off for non-payment. 5,549 feet of sewer mains were televised and 16,030 feet were cleaned. There were no sewer blockages. There was one 6" water main break on Antler Drive. Eight curb boxes were excavated and repaired.

6. Extension Agreement – Commerce Bank

A motion (Jim-Bass) adopting a resolution to approve and execute the one year extension agreement with Commerce Bank, trade name for TD Bank, for the Commerce Bank building located on Second Street Pike passed with 5 ayes.

7. Feasibility Review – Stanton Systems Land Development

A motion (Long-Bass) adopting a resolution to declare public water feasible and sanitary sewers feasible when the western end sanitary sewer extension project for Phase II is completed for the Stanton Systems Land Development in accordance with plans prepared by Charter Engineers and Surveyors, Inc., dated October 17, 2008, last revised October 22, 2008, consisting of sheets numbered E-2178-1 through E-2178-9 passed with 5 ayes.

8. Contract No. 3-S-08 – Change Order No. 3 – Western End Sanitary Sewer Extension Project, Phase I, Harvest Acres

A motion (Bleich-Bass) adopting a resolution to approve Change Order No. 3 in the amount of \$6,553.57 for relocating the existing 3" force main in two places while installing the sanitary sewer line under Contract No. 3-S-08 passed with 5 ayes.

9. Resolution No. 2008-968 – Revising Fee Schedule – Copy Charges

A motion (Bass-Jim) adopting Resolution No. 2008-968 revising the Fee Schedule attached to the Rates, Rules, and Regulations as Exhibit "A" to comply with the newly expanded Right to Know Law setting charges for copies of any public document to 25 cents each passed with 4 ayes.

10. Fox Chase Bank – Account Agreements (4) and Resolution No. 2008-969

A motion (Bleich-Long) adopting Resolution No. 2008-969 and approving and signing the four account agreements with Fox Chase Bank passed with 5 ayes.

11. Presentation by Mr. David Busch of Keystone Alliance Consulting

Mr. Albano introduced Mr. David Busch from Keystone Alliance Consulting. All members of the Board had the opportunity to meet with Mr. Busch on an individual or two-member basis to discuss merits of the proposal submitted and the strategy of meeting the Authority's objectives. Mr. Albano stated that all residents involved in the project will get a mailing outlining Mr. Busch's report. Mr. Busch gave a Power Point presentation to the Board and the residents. The presentation included a summary of the plan, proposed plan goals, project updates concerning the construction for each phase, the financial assumptions of the residents, when the funds would be due and payable, the accomplishments of the project.

A motion (Bass-Jim) adopting Resolution No. 2008-970 revising the Sewer Service Rates, Rules and Regulations, "Fee Schedule" in accordance with Act 57 of 2003 as follows: "Whereas, the Northampton, Bucks County, Municipal Authority has enacted its Sewer Service Rates, Rules and Regulations by Resolution No. 252; and Whereas, the Sewer Service Rates Rules and Regulations have been revised from time to time; and Whereas, the Authority has commenced construction of certain sanitary sewer facilities within the western end of Northampton Township, as more fully delineated hereinbelow ("Western End Residential Property"), resulting in a need to provide a special purpose tapping fee for Western End Residential Properties ("Special Purpose Tapping Fee") pursuant to Section 607(d)(24) of the Municipality Authorities Act "Act"; and Whereas, in order to effectuate the Special Purpose Tapping Fee, the Authority is required to revise its Rates,

Rules and Regulations by revising its "Fee Schedule" attached hereto as Exhibit "A" so as to establish sewer tapping fees limited exclusively to the Western End Residential Properties; and Whereas, the Board of the Authority desire to limit the subject total tapping fee (including the special service tapping fee) to the sum of Ten Thousand (\$10,000.00) Dollars per Western End Residential Property. Now, therefore, be it resolved, that effective this date, the Fee Schedule of the Authority, as set forth in Exhibit "A" attached hereto, is hereby amended, pursuant to relevant terms of the Act, for Western End Residential Properties, being those parcels indicated on the Tax Map Parcel Listing attached hereto as Exhibit "B;" and Further resolved, that the amendment to the Fee Schedule, as aforementioned, is based upon calculation of charges for the Special Purpose Tapping Fee prepared by Keystone Alliance Consulting, dated December 3, 2008, being Eight Thousand Nine Hundred Thirty Nine Dollars (\$8,939.00); and Further resolved, that accordingly the entire sewer tapping fee per Western End Residential Property; and Further resolved, that accordingly the entire sewer tapping fee per Western End Residential Property shall be: General Fee - \$579.00; Capacity Fee - \$482.00; and Special Purpose Fee - \$8,939.00; for a total of Ten Thousand (\$10,000.00) Dollars. In all other respects, the Fee Schedule remains in full force and effect, and passed with 4 ayes and 1 abstention by Mrs. Bleich.

A motion Bass-Jim) adopting Resolution No. 2008-971 providing assessment and tapping fee payment plans for western end residential properties "WHEREAS, the Board of Northampton, Bucks County, Municipal Authority ("Authority") has reviewed and consulted with Keystone Alliance Consulting ("Keystone"), its financial advisors, in determining the payment terms of the benefit assessment to be imposed upon residential properties with the Phase I portion of all western end residential properties which are indicated, in its entirety, on the list of such properties (both Phase I and Phase II) attached hereto and marked as Exhibit "A" as an alternative to the benefit assessment method permitted to be applied pursuant to the terms of the Municipal Authorities Act ("Act"); and WHEREAS, the Board of the Authority desires to provide uniform terms for owners of all western end residential properties; and WHEREAS, the construction costs for Phase I (forty one [41] residential properties) is determined to be Eight Hundred Forty Eight Thousand One Hundred Forty Eight (\$848,148.00) Dollars and the estimated construction costs for Phase II (two hundred fifty three [253] residential properties) indicated on Exhibit "A" is determined to be Five Million One Hundred Sixty Thousand Five Hundred Eighty Two (\$5,160,582.00) Dollars; and WHEREAS, the Board of the Authority acknowledges a reduced payment of connection fees may be appropriate by those owners within Phase II who will be required to install a low pressure pump device ("Device") as a requirement for connection into the Authority's sanitary sewer system ("Low Pressure Customers"). NOW, THEREFORE, BE IT RESOLVED, that the Board of Authority does hereby adopt all conditions, terms and provisions of the Western End Project Update dated December 2, 2008, attached hereto and marked as Exhibit "B", prepared by Keystone related to payment of all assessments and indicated tapping fees, to be available for the benefit to all owners of western end residential properties ("Payment Plan"), subject nevertheless to a future determination by the Board of the Authority of reduced payment requirements of connection fees by Low Pressure Customers after future considerations of costs of purchase, operation, maintenance and replacement of the Device; and FURTHER RESOLVED, that upon substantial completion of each of the two residential property phases, the applicable property owner shall be permitted to enter into a recordable document with the Authority consistent with the terms of the Payment Plan, in lieu of seeking a benefit assessment of any such property through the applicable procedures for reimbursement of construction costs as provided in the Act passed with 4 ayes and 1 abstention by Mrs. Bleich.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, A MOTION FOR ADJOURNMENT (BASS-JIM) AT 9:12 P.M. PASSED WITH 5 AYES.

THE NEXT MEETING IS SCHEDULED FOR JANUARY 7, 2009.