

**Minutes of the Public Meeting held on February 4, 2009**

Members Attending: Antonio Albano, 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  
Carol A. Boston, Stenographer

Mr. Albano, Chairman, called the meeting to order at 7:30 p.m.

**1. Pledge of Allegiance**

Mr. Albano led the Pledge of Allegiance.

**2. Approval of Minutes from January 7, 2009**

A motion (Bass-Bleich) adopting a resolution to approve the Minutes from January 7, 2009. Mrs. Bleich requested that the Minutes from January 7, 2009 indicate that the communication sent by the Authority on December 16, 2008 state that the assessment reduction was not a savings but an error. The motion passed with 4 ayes.

**3. Citizens Concerns**

The residents who addressed the Board regarding the Western End Sanitary Sewer Project were: Mr. Frank Parke of 116 Barley Road; Mr. Ed Bailey of 133 Gwyn Lynn Drive; Mr. Bob McKelvey of 126 Barley Road; Ms. Barbara Snee of 619 Jacksonville Road; Mr. Rodger Bushnell of 91 Hunt Drive; Mr. Lou Hirsch of 51 Rotterdam; and Mr. Mark Curtis of 47 Harvest Road.

Mr. Rudolph briefed the Board on the conditions required by the H20 Grant. The H20 Grant Application Guidelines Manual stated: "1. Conflicts of Interest – An officer, director, or employee of an applicant who is a party to or has a private interest in a project shall disclose the nature and extent of the interest to the governing body of the applicant and may not vote on any action of the applicant concerning the project nor participate in the deliberations of the applicant concerning the project."

Based upon the review by Mr. Rudolph (Authority's Solicitor) and Steven Hann (Special Counsel to the Authority), it was advised that Mrs. Bleich comply with the conditions of the Grant Application regarding voting, and the participation in deliberations due to the fact that Mrs. Bleich is located within Phase II of the Western End Sanitary Sewer Project. Mrs. Bleich stated that she would abide by the advice of counsel.

**4. Check Requisitions**

A motion (Bass-Long) adopting a resolution to approve Revenue Fund Requisition No. 1895 dated January 22, 2009 in the amount of \$232,978.98; Revenue Fund Requisition No. 1896 dated February 4, 2009 in the amount of \$1,118,011.45; Bond Redemption & Improvement Fund Requisition No. 456 dated February 4, 2009 in the amount of \$25,000.00; and Construction Fund Requisition No. 1029 dated February 4, 2009 in the amount of \$187,332.40 passed with 5 ayes.

The major items paid under Requisition No. 1895 were as follows: Aetna - \$1,642.00; Analytical Lab Services - \$6,100.00; BCCD (Upper South Interceptor Rehab) - \$2,250.00; BCWSA (Water) - \$67,259.96; Bee Bergvall & Co. - \$6,000.00; Independence Blue Cross - \$22,576.27; PECO - \$24,553.63; State Workers Insurance Fund - \$2,291.00; Warminster Municipal Authority - \$11,936.23; and a \$80,000.00 payroll transfer.

The major items paid under Requisition No. 1896 were as follows: BCWSA (Sewer) - \$890,877.00; Brinker's Fuels - \$1,009.12; Scott Findlay (reimbursement of overpayment) - \$1,104.98; Hamburg, Rubin, Mullin - \$10,610.18; Hartford - \$4,245.48; Independence Blue Cross - \$33,907.78; M&T Investment Group - \$3,120.00; Northampton Township - \$1,471.06; PECO - \$7,663.23; Pennoni Associates - \$37,464.76; Rudolph, Pizzo & Clarke LLC - \$30,600.75; Suburban Propane - \$2,481.71; Univar USA Inc. - \$1,368.35; United States Treasury - \$1,000.00; BCCD (Fees for Upper South Rehab Project) - \$2,317.50 and a \$80,000.00 payroll transfer.

Bond Redemption & Improvement Fund Requisition No. 456 in the amount of \$25,000.00 was paid to Gilmore & Associates Inc. (Harvest Acres Sanitary Sewer Project).

The major items paid under Construction Fund Requisition No. 1039 were as follows: Pennoni Associates Inc. (I&I) - \$51,074.50; In Line Services (Contract No. 1-W-07) - \$131,947.40; and Private Utility Enterprises (Contract No. 1-W-07) - \$4,310.50.

**5. Maintenance Report for December 2008**

Mr. Zeuner stated that water production both produced and purchased was 67,347,982 as compared with 70,521,756 gallons for the same period last year. One new water customer was added. Sixty-six customers were posted and twenty turned off for non-payment. 5,922 feet of sewer mains were televised (114,474 feet to date) and 4,500 feet were cleaned (128,677 feet to date). There were no sewer blockages or water main breaks. Eleven curb boxes were excavated and repaired.

**6. Murray Agreement – Utility Easement**

A motion (Long-Bass) approving and signing the agreement with the Murrays residing at 139 Schan Drive, Churchville, PA, also known as Tax Map Parcel No. 31-020-073, allowing the Murrays to maintain their pool, certain pool-related improvements, and a fence on the property within the Authority's easement with the condition that if the Authority requires access to the easement, the owners will remove the pool at the owner's sole cost and expense passed with 4 ayes.

**7. Resolution No. 2009-975 – Revising “Waiver of Late Charges” in Rates, Rules & Regulations**

A motion (Bleich-Bass) adopting Resolution No. 2009-975 revising the Rates, Rules, and Regulations, paragraph “I” under Article I, Section 3, entitled “Late Charges/Delinquencies,” subheading “Water and/or Sewer Billings” regarding the waiver of late charges one every three years passed with 4 ayes.

**8. PA H29 Grant Application – Rescinding Resolution No. 2009-973 and Adopting Resolution No. 2009-976**

A motion (Long-Bass) rescinding Resolution No. 2009-973 and adopting Resolution No. 2009-976 requesting a H20 PA Grant in the amount of \$10,029,976.00 from the Commonwealth Financing Authority to be used for the Western End Sanitary Sewer Extension Projects; the Ironworks Creek Rehabilitation Program; and the Mill Creek Sanitary Sewer Rehabilitation Project passed with 3 ayes and 1 abstention by Mrs. Bleich at the advice of counsel.

**9. Resolution No. 2009-977 – Revising “Dedication Requirements”**

A motion (Bleich-Long) adopting Resolution No. 2009-977 revising the “Dedication Requirements” attached to the Rates, Rules, and Regulations as Exhibit “D” passed with 4 ayes.

**10. Harvest Acres, Phase I, Sanitary Sewer Main Extension – Contract No. 3-S-08**

A motion (Bass-Long) adopting Resolution No. 2009-978 declaring the Western End Sanitary Sewer Extension for Harvest Acres, Phase I, substantially complete and ready for use per the advice of Gilmore & Associates, Inc. by letter dated January 12, 2009 passed with 3 ayes and 1 abstention by Mrs. Bleich at the advice of counsel.

**11. Approval of Western End, Phase I, Sanitary Sewer Project Public Sanitary Sewer Payment Plan Agreement**

Mr. Rudolph gave an overview of the agreement. A motion (Long-Bass) to approve the language contained in the Western End, Phase I, Sanitary Sewer Project Public Sanitary Sewer Payment Plan Agreement passed with 3 ayes and 1 abstention by Mrs. Bleich at the advice of counsel.

**Supplemental Agenda Item “A” – Contract No. 1-A-09 – Janitorial Services at Authority Offices**

A motion (Bleich-Bass) adopting a resolution authorizing the office staff to prepare the bidding documents and advertise for bids under Contract No. 1-A-09 for janitorial services for the Authority's administration offices passed with 4 ayes.

**Supplemental Agenda Item “B” – Contract No. 2-A-09 – Landscaping/Lawn Care Services at Authority's Properties**

A motion (Bass-Bleich) adopting a resolution authorizing the office staff to prepare the bidding documents and advertise for bids under Contract No. 2-A-09 for landscaping/lawn care services for the Authority's properties passed with 4 ayes.

**Miscellaneous (A)** – Mr. Zeuner stated that the Authority held workshop on January 21, 2009 for the residents involved with the Ironworks Creek and Mill Creek Rehabilitation Projects. Mr. Walker gave a PowerPoint Presentation and we answered questions from the residents.

(B) Mr. Zeuner stated that the Authority would be holding a workshop on Wednesday, February 18, 2009 for those residents involved with Phase II of the Western End Sanitary Sewer Extension Project.

(C) – Mrs. Bleich asked if she could attend the workshop. Mr. Rudolph advised that she could without commenting.

(D) – Mr. Zeuner stated that the Richboro Shopping Center management company has installed a pre-treatment facility. Mr. Rudolph will be preparing an agreement outlining the sampling and testing. We also have to locate and/or repair the curb stops that are buried or in disrepair. At Mr. Long's suggestion, the Board endorsed seeking resolution of the issue of compliance of the property owner and the escrow held by the Authority. The Board authorized the Solicitor and Executive Director to pursue resolution of this matter.

MR. ALBANO, CHAIRMAN, ADJOURNED THE MEETING AT 9:02 P.M.

THE NEXT MEETING IS SCHEDULED FOR MARCH 4, 2009.