

Minutes of the Public Meeting held on May 4, 2011

Members Attending: Antonio Albano, Chairman
John T. Jim, Vice Chairman
Edward W. Farling, III, Treasurer
Margaret M. Weiner, Secretary
Donald S. George, Assistant Secretary-Treasurer

Others Attending: Thomas A. Zeuner, Executive Director
Edward Rudolph, Esquire, Solicitor
Melissa Fiala, Esquire, Solicitor
Christopher S. Walker, P.E., Consulting Engineer
Carol A. Fishman, 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 and requested a moment of silence for our service men and women in harm's way.

2. Swearing In and Appointment of New Officers

Mr. Jim made a nomination for Edward Farling to be the Treasurer for the Authority. Mr. George seconded and the nomination passed with 5 ayes.

Mr. Jim made a nomination for Margaret Weiner to be the Secretary for the Authority. Mr. Albano seconded and the nomination passed with 5 ayes.

Mr. Jim made a nomination for Donald George to be the Assistant Secretary-Treasurer for the Authority. Mr. Farling seconded and the nomination passed with 5 ayes.

All five members completed the swearing-in.

3. Approval of Minutes from April 6, 2011

This item was tabled at the Solicitor's direction.

4. Citizens Concerns

Mr. Sylvan Gross who owns an industrial property at 65 Richard Road addressed the Board with regards to the EDU calculation determined by the Authority. Mr. Gross stated that the Authority used two quarters which were higher due to a leak. In addition, he now has one-third less employees. He requested that the Authority re-calculate his EDU's. Mr. Zeuner stated that the Authority calculated the EDU's based upon the adopted Rates, Rules, and Regulations of the Authority.

5. Check Requisitions / Accounts Payable

A motion (Farling-Jim) to approve Revenue Fund Requisition No. 1949 dated April 27, 2011 in the amount of \$235,645.77; Revenue Fund Requisition No. 1950 dated May 4, 2011 in the amount of \$171,131.41; and Bond Redemption & Improvement Fund Requisition No. 504 dated May 4, 2011 in the amount of \$36,967.42 passed with 5 ayes.

The major items paid under Revenue Fund Requisition No. 1949 were as follows: Archer & Greiner PC - \$1,936.00; Armour & Sons Electric - \$1,610.73; BCWSA (Tap Fees) - \$92,000.00; Chet's Printing - \$1,335.00; Flow Assessment - \$4,540.00; Hartford - \$3,177.80; Karl Hops Inc. - \$1,524.95; Paist & Noe Inc. - \$4,283.00; PECO - \$14,069.87; J. H. Shanahan Inc. - \$3,675.00; Teamsters Health & Welfare - \$16,631.29; Warminster Municipal Authority - \$12,973.68; and a \$70,000.00 payroll transfer.

The major items paid under Revenue Fund Requisition No. 1950 were as follows: Independence Blue Cross - \$17,187.74; Karl Hops Inc. - \$5,231.57; PECO - \$9,801.90; Pennoni Associates - \$16,348.14; Quality Control Inc - \$5,288.00; Rudolph Clarke & Kirk LLC - \$39,919.87; TD Card Services - \$1,104.34; Verizon Wireless - \$1,389.92; and a \$70,000.00 payroll transfer.

The major items paid under Bond Redemption and Improvement Fund Requisition No. 504 were as follows: Associated Paving Contractors (Contract No. 2-A-A-10) - \$26,900.58; and Pennoni Associates - \$10,066.84.

6. Executive Director's Report

BCWSA Surge Tank & Interceptor Upgrade

During the Authority's March 2, 2011 Public Meeting, Mr. Zeuner reported to the board his recommendation and response about our participation in the Neshaminy Interceptor Surge Tank / Sanitary Sewer Upgrade being proposed by the Bucks County Water and Sewer Authority.

In late March, the Authority and its professionals met with representatives from the Bucks County Water and Sewer Authority and their professional representatives. Although we respectfully disagree on certain aspects of the issues raised and methodology of calculations, we do support the program proposed. A regionalized surge tank and interceptor capacity upgrade will certainly help the Authority to meet existing and future regulatory requirements and the contractual obligations Bucks County has with the City of Philadelphia. Previously, Bucks County was seeking participation from Northampton in the amount of approximately \$1.2M, however, after recent discussions, Bucks County has verbally revised its participation estimates for Northampton to a projected at +/- \$900,000.00. The participation figures provided by Bucks County are preliminary and include a 40% contingency factor. It is the Authority's opinion that a 40% contingency figure is high.

It is recommended that this Authority's participation and approval must be based on a commitment from Bucks County of upgrading the conveyance of the sanitary sewer interceptor on the receiving side of the siphon chamber at Langhorne Avenue. Increasing the size of the interceptor pipe from that point to the connection to the sanitary sewer surge tank is extremely important to this Authority. Improvements to the hydraulic dynamics relating to the angle of intersecting point at the interceptor must also be accomplished prior to completion of the surge tank. Those engineering designs and capacity upgrades must be acceptable to this Authority once finalized by Bucks County's consulting engineers.

Mr. Zeuner is recommending endorsement of the surge tank and interceptor upgrade program and, further, endorsement of financial participation by this Authority in an amount not to exceed \$900,000.00, including all contingencies. That endorsement is contingent upon the conveyance facilities upgraded as discussed and the ability for Northampton to technically and financially audit the project upon final completion and certification by Bucks County's consulting engineer in determining final monetary contribution. Payment of funds and the timing of those payments are yet to be finalized. All issues are contingent upon completion of formalized legal documents being prepared and adopted by the respective Authorities.

The Board endorsed Mr. Zeuner's suggestion as stated and authorized communicating that understanding to the Bucks County Water and Sewer Authority.

Repeal of Fire Sprinkler Rule

On April 26, 2011, Governor Corbett signed the repeal of the fire sprinkler rule. Repealing the requirement that fire sprinkler systems be installed in all one and two family homes. The bill was approved by margins of 2-1 in the State House earlier last month.

Builders will still be required to offer homebuyer's the option of installing a sprinkler system. Earlier this year, the Authority adopted standards for providing sprinkler systems to residential dwellings. No action is required by this Board as we have already adopted a standard. The option to provide such devices will lie with the home builder and the buyer.

NBCMA Consumer Confidence Report (CCR) for 2010

Mr. Zeuner reported that this Authority has met all regulatory requirements and standards for drinking water quality for 2010. Our annual Consumer Confidence Report (also known as the "CCR Report") is currently out for print and will be distributed to all our customers within the next month.

7. Feasibility Review – Norton Minor Subdivision

A motion (Jim-Weiner) declaring public water and sanitary sewers feasible solely upon a technical basis without comment on economic feasibility, engineering issues, water quality, and other related issues for the Norton Minor Subdivision in accordance with plans prepared by Pickering, Corts & Summerson, Inc. of Newtown, PA dated March 8, 2011, with no revisions, consisting of seven sheets, and identified as Job No. 201010032 passed with 5 ayes.

8. Contract No. 3-S-11 – Root Control – Permission to Prepare Bid Documents and Specifications and Advertise for Bids

A motion (Jim-George) authorizing Pennoni Associates Inc. to prepare the bid documents and specifications for Contract No. 3-S-11 for the annual root control of the sanitary sewer lines and, further, that the Authority staff advertise for bids passed with 5 ayes.

9. Appointment of Bond Counsel

A motion (George-Jim) to appoint Jennifer M. Caron of Eckert Seamans CHerin & Mellott, LLC of Harrisburg, PA as bond counsel for the Authority passed with 5 ayes.

10. Resolution No. 2011-1107 – New Signature Cards – M&T Bank

A motion (Albano-Jim) adopting Resolution No. 2011-1107 amending the signature cards on the Authority's M&T Bank Accounts passed with 5 ayes.

11. Resolution No. 2011-1108 – New Signature Cards – Fox Chase Bank

A motion (Albano-Jim) adopting Resolution No. 2011-1108 amending the signature cards on all Fox Chase Bank Accounts for this Authority passed with 5 ayes.

12. Resolution No. 2011-1109 – Naming new Board Members as Trustees on Principal Pension Plan

After advice from Principal Financial, this item was not required.

13. Resolution No. 2011-1110 - Naming new Board Members as Trustees on AIG Valic Deferred Compensation Plan

After advice from AIG Valic, this item was not required.

14. Resolution No. 2011-1111 – Authorizing the Solicitor to File Private Criminal Complaints against Western End Industrial Park Owners who have failed to Connect to the Sanitary Sewer System by May 1, 2011

A motion (Jim-Weiner) adopting Resolution No. 2011-1111 authorizing the Solicitor to prepare and file private criminal complaints against all individuals and/or corporations and/or other entities owning properties located in the industrial park, Western End Sanitary Sewer Project Area, that have failed to connect to the public sanitary sewer system on or before May 1, 2011 passed with 5 ayes.

Supplemental "A" – Resolution No. 2011-1112 – General Interest Rate

A motion (George-Albano) adopting Resolution No. 2011-1112 to establish a general interest rate of 6% simple interest per annum passed with 5 ayes.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, MR. ALBANO ADJOURNED THE MEETING AT 8:10 P.M.

THE NEXT MEETING IS SCHEDULED FOR MAY 18, 2011.