

Minutes of the Public Meeting held on May 2, 2012

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

Others Attending: Edward Rudolph, Esquire, Solicitor
Christopher S. Walker, P.E., Pennoni Associates Inc., Consulting Engineer
Debra E. Wirtz, Stenographer/Executive Assistant

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. Approval of Minutes from April 4, 2012

A motion (Jim-Farling) was made adopting a resolution to approve the Minutes from April 4, 2012 (Subject to revision to the "Miscellaneous" section of the minutes relating to clarifying comments made by Mr. George) passed with 5 ayes.

3. Executive Director's Report

- **Water and Sewer Revenues** are down compared to budget, and expenses for wholesale sanitary sewer are up compared to last year. We have experienced reduced water consumption of commercial, residential and industrial customers. We will continue to monitor the situation in the coming months, as both trends adversely impact finances. Sanitary sewer flows are reducing compared to our unexpected high flows in the 1st quarter of our fiscal year.
- **Council Rock Holland Elementary** – The Authority received an unbudgeted public water tapping fee and meter income of approximately \$43,000.00 for the renovations at Holland Elementary School.
- **Fox Issue.** Mr. Zeuner stated: "As we did last year, we have numerous (at a minimum of 7) foxes residing in the rear of our tank site adjacent to the Highspire neighborhood. There are legal restrictions on capture during this period due to "baby foxes". We are working to implement deterrent measures, but cannot implement a capture and relocate plan at this time due to laws protecting them. Alternative measures are being investigated, such as deterrent sprays."
- **Well #5 on Antler Dr. and Well #7 on Buttonwood Dr.** are currently inoperable. In both cases the pumps burned out and require replacement. The failures were not of any known cause. They may be out of service for up to a month. We will experience no difficulties in our ability to provide adequate water to our ratepayers due to the well sites being out of service. The unexpected expenses are anticipated to be \$12,000.00 to \$15,000.00 each. The Authority is investigating reducing pump size in order to save on ongoing operational costs.
- **ACE:** Mr. Zeuner announced that he will be attending the ACE (Annual Conference and Exposition) of the American Water Works Association. Mr. Zeuner announced he'll be attending an education forum to obtain an "AWWA Public Officials Certification". The conference is being held in Dallas Texas June 10th through 14, 2012.

- On April 24th the Authority started its **Spring Hydrant Flushing** program. The process should be completed by Friday May 18th. The flushing schedule has been posted on the Authority and Township websites in addition to being advertised in the Bucks County Courier Times and listed on the “Northampton Patch” website.
- **Hydrogeology Report DRBC:** The Authority has completed its annual Hydrogeology Report. This Annual Report is required by the Delaware River Basin Commission in accordance with our docket approvals. The report is 76 pages in length. Although submitted in paper form as required to the agency, staff members and board members received the report in electronic format.
There was discussion among the Executive Director and board members if this document is considered a public document. Mr. Zeuner stated that several years ago he attended a session in Washington D.C. by the Water Environment Federation and Federal Homeland Security regarding such reports. Based upon information learned at that session, he stated that the Hydrogeology Report is not considered a public document by the Authority.
- **Review of Agenda:**

Agenda Item #4	Maintenance Reports for February and March 2012
Agenda Item #6	Paving Restoration
Agenda Item #7	Cured In Place Pipe lining (CIPP) Contract Award responsive to the presentation prepared by PAI on April 4, 2012
Agenda Item #8	Conduct of Meetings: This is a resolution outlining the desires of the Authority in the conduct of business affairs and public meetings in compliance with the Sunshine Act.
Agenda Item #9	Feasibility review for public water and sewer for a land development consisting of 26.673 acres and 1.487 acres known as the Russell Property. The feasibility review was submitted by Toll Brothers.
Agenda Item #10	Site Remediation to correct a grading issue on two (2) properties in Phase I of the sewer project. The final grading created a ponding issue in the rear of the properties that needs corrective action.
Agenda Item #11	Settlement Agreement – Granieri vs. NBCMA relating to BCCCP Case Docket No. 2010-11092
Agenda Item #12	iPad Understanding for enhanced communication.
Agenda Item #13	Accounts Payable – this agenda item has been scheduled at the end of the meeting due to items numbers 10 & 11 on the Agenda.

Mr. Albano stated there will be an Agenda Item #14 regarding oversight question administrative employee salaries.

5. Citizens Concerns

Chairman Albano stated there is a sign-up sheet for Citizens Concerns available for anyone who wishes to address the Board.

Mr. Zeuner advised the board that a Mr. Colajezzi was planning to attend the meeting and address the board.

Mr. Albano stated “As usual, our ratepayer residents of Northampton expect that we conduct our business in a professional and courteous manner that is in the best interest of the public. According to the Sunshine Act nothing shall prohibit this Board from adopting rules for the conduct of meetings or the maintenance of order. It is the duty of the Chair to conduct an orderly and respectful meeting for all in attendance. The Chair will use reasonable means to maintain order so that the business of the Authority may be conducted in an orderly manner. If anyone objects, the objection will be noted. So that we may properly conduct an orderly meeting, at no time will uncivil conduct or inappropriate behavior be permitted during business meetings of the Board. The Board does not wish any person to attack anyone for any personal matter, nor does the Board accept political commentary or unnecessary repetition of matters previously explained in public. Citizens are of course encouraged to express their concerns pertaining to the business of the Authority during the time allotted for Citizens Concerns. Citizens Concerns period is just that; concern from the residents expressed directly to the Board pertaining to the business of the Authority and not for any

other purpose. Citizens Concerns is not a question and answer session. This is not a forum for political or technical debate. During Citizens Concerns, we respectfully ask that everyone be considerate of one another so that we conduct an orderly public meeting. The Board will not permit the Citizens Concerns period to degenerate into chaos or a political circus-like atmosphere. To protect everyone's right to speak it is important that the Board conduct an orderly public business meeting in a courteous and civil fashion".

"Again, there is a sign-up sheet for Citizens Concerns available for anyone who wishes to address the Board. You must sign up when requested in order to address the Board or you will not be recognized. We ask people to speak one at a time. When an individual finishes speaking, we will call on the next person to address the Board. People are to refrain from shouting out and heckling anyone as they speak. Again, please do not engage in personal attacks, needless repetition, or political commentary. If anyone speaks to matters that are not pertaining to the business of the Authority he or she will be politely asked to address only matters that are the business of the Authority. If he or she refuses, he or she will be asked to yield the floor. Thank you for your cooperation".

Mr. Albano asked if Mr. Colajezzi was in the audience, no response.

Mr. Jerry Bass of 66 Kennan Lane, Holland provided comments and opinions on the subject of rebuilding, rather than replacing the existing pumps on Wells 5 and 7.

Mr. George addressed the board regarding the letter from Douglas Wiik, of 1126 Bridgetown Pike. Mr. Zeuner was asked to send a letter to Mr. Wiik responsive to the content of the letter, that this is private property and that the utility pole is situated on private property. Mr. Zeuner confirmed a written response would be sent to Mr. Wiik.

6. Award Contract No. 1-A-A-12 Paving Restoration

A motion (Jim – Rehm) was made awarding the Annual contract 1-A-A-12 for Paving Restoration to Polaris Construction Inc. of Warminster, PA in the Base Bid amount of \$53,875.00 in accordance with their bid received on April 25, 2012, passed with 5 ayes.

7. Award Contract No. 1-S-12 CIPP Lining (Cured in Place Pipe Lining)

A motion (Albano – Jim) to award the 2012 CURED IN PLACE PIPE lining sewer project to the low bidder Insituform Tech. based upon their bid received on April 25, 2012 in the amount of \$164,663.80 which includes (E&S) Erosion and Sediment controls as an add alternate to the base bid. It is further acknowledged that the monetary amount is above the \$128,000.00 approved in the 2012 Capital Budget, passed with 5 ayes.

8. Resolution No. 2012-1133 – Conduct of Meetings

A motion (Farling – Jim) to adopt Resolution No. 2012-1133, Conduct of Public Meetings of the Board, pursuant to the Commonwealth of Pennsylvania Act 65 PA C.S. Chapter No. 7 passed with 5 ayes.

9. Feasibility Review – TMP 31-010-075 & 31-010-076 Russell Property

A motion (Jim - George) was made that the Board declare public water and sanitary sewer feasible solely upon a technical basis without comment on economic feasibility, engineering issues, water quality, and other related issues for the sketch plan submitted by Toll Brothers in their communication dated March 30, 2012 which consists of two (2) parcels – TMP 31-010-75 (28.673 acres) and TMP 31-010-76 (1.487 acres). passed with 5 ayes.

10. Site Remediation Agreement – 28/38 Clover Rd

A motion (George - Jim) was made to approve the "Release and Hold Harmless Agreement" for site remediation at TMP 31-071-003 and 31-071-006 and provide compensation in the amount of \$4,449.50 passed with 5 ayes.

11. Litigation Settlement: Granieri vs. NBCMA – BCCCP 2010-11092

A motion (George - Farling) was made to approve the Settlement Agreement: Reference Bucks County Court of Common Pleas Civil Action No. 2010-11092 Granieri vs. NBCMA passed with 5 ayes.

12. iPad Understanding Agreements

A motion (George – Albano) was made to adopt the iPad Understanding Agreement passed with 5 ayes.

13. Check Requisitions/Accounts Payable

A motion (Farling – Albano) adopting a resolution to approve Revenue Fund No. 1974 dated 4/18/2012 in the amount of \$156,187.27, BRI Requisition No. 517 in the amount of \$17,889.98 and Revenue Requisition No. 1975 dated May 2, 2012 passed with 4 ayes, and one abstention by Mr. Jim to avoid a potential conflict of interest.

The major items paid under **Requisition No. 1974** were as follows: HD Supply Waterworks - \$1,075.76; Karl Hops Inc. - \$1,597.38; Peco Energy - \$2,634.20; Pennoni Assoc. - \$50,358.75; Quality Control Inc - \$1,354.00; JH Shanahan Inc. - \$2,295.00; Southampton Post Office - \$5,000.00; Teamsters Health and Welfare - \$17,262.28 and a \$70,000.00 payroll transfer. - The major items paid under **Requisition No. 1975** were as follows: BCWSA (Sewer) - \$439,935.04; BCWSA (Water) – \$121,204.96; CSI - \$1,855.43; Flow Assessment - \$4,900.00; GMG Ins - \$2,500.00; The Hartford - \$3,418.18; Independence Blue Cross - \$19,355.53; PECO - \$18,791.59; Rudolph Clarke & Kirk LLC - \$24,201.25; Warminster Municipal Authority \$14,736.42 and a 70,000.00 payroll transfer. The major items under **BRI No. 517** were as follows: Pennoni Assoc. - \$17,926.98.

14. Oversight regarding salaries

A motion (George – Albano) was made to correct an oversight to have administrative pay amendments effective on a fiscal year basis vs. a calendar year basis passed with 5 ayes.

15. Budget Adjustment Resolution No. 2012-1134

A motion (George – Farling) was made to adopt Resolution No. 2012-1134 amending the 2012 Capital Budget to reflect the amended costs (as confirmed by bid) with CIPP Contract NO. 1-S-12. The line item for CIPP to be amended to read \$164,663.80 passed with 5 ayes. The amended Capital Budget is reflected in document Exhibit “A” 2012-1 Capital Budget.

16 Motion

A motion (George – Albano) to direct Mr. Zeuner to communicate to the Township Manager that the videos on the Township website are to reflect the Authority’s correct name passed with 4 ayes, Mr. Rehm abstained.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, MR. ALBANO ADJOURNED THE MEETING AT 8:50 P.M.