

Northampton, Bucks County, Municipal Authority

**Minutes of the Public Meeting held on September 16, 2015**

Members Attending: Edward Farling III, Chairman  
Vincent Deon, Vice Chairman  
Michelle Held, Treasurer  
John T. Jim, Secretary  
Charles Rehm, Assistant Secretary-Treasurer

Others Attending: Thomas A. Zeuner, Executive Director  
Edward Rudolph, Esquire, Solicitor  
Melissa Fiala, Esquire, Solicitor  
Christopher Walker P.E., Pennoni Assoc.  
Loretta Nesti, Senior Bookkeeper

Mr. Farling, Chairman, called the meeting to order at 7:45 p.m.

**1. Pledge of Allegiance**

Chairman Farling led the Pledge of Allegiance and requested a moment of silence for our service men and women in harm's way. Mr. Farling noted that the Board met for a workshop on the 5 Year Capital Plan and matters of litigation.

**2. Executive Director's Report**

Mr. Zeuner had nothing to report due to the fact that there was a Board meeting on Sept. 2, 2015.

**3. Citizens' Concerns**

Representatives from Council Rock School District were present. Due to the need to preserve lawyer-client privilege and possible legal consequences. Mr. Rudolph advised the Board not to comment on the issues of EDUs for Holland Middle School raised by the representatives. Mr. Farling thanked Mr. Rudolph for the advice. Mike Carr, Solicitor, Mr. Doug Taylor, Facilities Manager and Mr. Terry DeGroot, Engineer of the project for Council Rock School District provided a presentation on required EDUs needed for the expansion of Holland Middle School. Mr. Rudolph advised representatives of the School District that the Authority is bound by its established Rules, including the application of tapping fees, noting that preferential treatment would probably result in significant consequential impact upon the entire rate structure of the Authority.

**4. Approval of the Minutes of September 2, 2015**

A motion (Jim-Rehm) made to approve the Minutes of September 2, 2015 passed with 5 ayes.

## **5. Check Requisitions / Accounts Payable**

A motion (Held-Jim) adopting a resolution to approve **Revenue Fund Requisition No. 2063** dated September 16, 2015 in the amount of \$155,501.39 passed with 5 ayes.

The major items paid under **Requisition No. 2063** are as follows: Dukes Root Control \$58,015.17; Ebert's Engineering Inc. - \$1,947.60; Edwin Elliot & Co. Inc. - \$6,899.00; Eurofins QC - 1,609.60; Exeter Supply Co. Inc. - \$4,165.00; PECO - \$3,367.28; RHR Mechanical Co. - \$1,196.61; RIO Supply - \$1,552.80; Teamsters Local 107 - \$1,574.00 USA Blue Book - \$2,246.59 and a \$70,000.00 transfer for payroll.

A motion (Held-Deon) adopting a resolution to approve **BRI Fund Requisition No. 552** dated September 16, 2015 in the amount of \$50,057.54 passed with 5 ayes.

## **6. Juliette's Garden Land Development**

A motion (Deon-Rehm) made that the Northampton, Bucks County, Municipal Authority Board adopt Resolution No. 2015-1159 a Developers Agreement with Prestige Property Partner, LLC for a subdivision known as Juliette's Garden conditioned upon the developer presenting to the Authority two easement documents that have been prepared and presented to the developer for execution passed with 5 ayes.

## **7. Upper Southampton Sewer Authority**

A motion (Held-Deon) made that the Northampton, Bucks County, Municipal Authority Board Adopt Resolution No. 2015-1160 as follows

WHEREAS, Northampton, Bucks County, Municipal Authority ("Northampton Authority") is successor in interest to an Agreement between Northampton Township and Upper Southampton Sewer Authority dated October 27, 1961 ("Agreement") to provide sanitary sewer collection services to portions of Northampton Township; and

WHEREAS, the Northampton Authority has been duly paying to Upper Southampton Sewer Authority and its successor in interest, Upper Southampton Municipal Authority ("Municipal Authority"), for services rendered pursuant to the terms of the Agreement; and

WHEREAS, on or about June 1, 2015, the Northampton Authority received notice that the Municipal Authority increased Northampton Authority's sanitary sewer rates by approximately Two-Hundred Thirty-Five Percent (235%) in violation of the terms of the Agreement; and

WHEREAS, on or about June 2015, Northampton Authority paid the Municipal Authority sewer bill under dispute of the increased sanitary sewer collection rate unilaterally imposed by the Municipal Authority as memorialized in correspondence from Northampton Authority to the Municipal Authority dated July 2, 2015 attached hereto as Exhibit "A"; and

WHEREAS, the Northampton Authority has tasked its professionals to review and investigate the Municipal Authority's increase of the sanitary sewer collection rate.

BE IT RESOLVED, that until such time as a determination is made by this Board of the Northampton Authority ("Board") as to the Municipal Authority's increase of the sanitary sewer collection rate and the appropriate payment thereof, this Board hereby directs and authorizes the Northampton Authority staff, specifically, the Executive Director, to place disputed monies into an escrow or segregated account of the Northampton Authority passed with 5 ayes.

## **BOARD COMMENTS**

Michelle Held -- Thanked everyone who came out to Northampton Days

THERE BEING NO FURTHER BUSINESS TO DISCUSS, MR. FARLING ADJOURNED THE MEETING AT 8:30P.M.