

Northampton, Bucks County, Municipal Authority

Minutes of the Public Meeting held on February 1, 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  
Carol A. Fishman, Stenographer  
Debra E. Wirtz, 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.

Mr. Albano stated for the record this Authority did not engage the services of the videographer in attendance this evening and the Authority will not be paying for it since the videographer was engaged by others.

Mr. Albano stated that it is the desire of the Authority to provide a reasonable opportunity at each regular public meeting and advertised special public meeting for residents to comment on any and all matters of concern. The Board will accept all public comment at the beginning of the public meeting. Your comments are important to this Authority. There is a sign-in sheet for members of the public who wish to address the Board. If you have not signed up and wish to address the Board, please do so at this time. This is the only time during this public meeting for residents to provide their public comments to the Authority. All public comments will be accepted at this time on all matters of concern, official action or deliberation which may be before the Board prior to taking official action. Once the "Citizens Concerns" agenda item has been closed by the Authority Chairman, no further public comments will be accepted during the Authority meeting. If the Board determines that there is not reasonable and sufficient time at a meeting for members of the public to provide public comment, the Board may defer further comments to the next regular meeting or to a special meeting occurring in advance of the next regular meeting.

Mr. Albano announced that the Board met in Executive Session prior to the public meeting to discuss matters of personnel.

2. Approval of Minutes from January 18, 2012

A motion (Jim-Rehm) was made adopting a resolution to approve the Minutes from January 18, 2012 and passed with 5 ayes.

3. Executive Director's Report

**WATER QUALITY:** Mr. Zeuner advised the board that in late January 2012, the Authority was notified by the water quality specialist at PA DEP in Norristown that the Authority is in violation of safe drinking water standards. Evidently, the electronic records of the department indicate that this Authority did not take or submit the required samples for numerous Radiological tests as required in 2011. The Authority investigated the matter and concluded the following: samples were taken as required in accordance with regulation on July 29, 2011, the samples were submitted to the approved testing laboratory, testing sample results indicate that the samples passed all regulatory standards. The laboratory which is licensed and registered by PA DEP is supposed to submit the sample results into the electronic PA DEP database. The Authority's investigation has concluded that the laboratory submitted the data electronically to PA DEP under the wrong PWSID (Public Water Supplier Identification), thus the samples were not credited to this Authority. This information and support documents is being communicated to the PA DEP for review. It is our expectation that the current violation status will be revoked due to the findings of facts as presented to the PA DEP by the Authority. Mr. Zeuner will advise the board of the final determination by PA DEP once received.

**ENHANCED COMMUNICATIONS:** Mr. Zeuner advised that the staff is administratively moving forward with the next edition of our newsletter "the Authority". Topics under consideration include: the Ironworks Creek Sanitary Sewer Rehabilitation Project, water meters, leak detection, I & I Abatement, private property service laterals, sump pumps, sanitary vs. storm water responsibilities, the new Federal 4-Log water quality mandate, and our new long term wholesale water agreement. During our 2012 Budget process, a \$50,000.00 contingency was budgeted which included enhanced communications of the Authority. The reinstatement of "the Authority" newsletter supports that initiative.

**FINANCIAL:** Mr. Zeuner advised that the \$485,000 EPA Grant we received in November was budgeted in our 2011 & was carried over to our 2012 Operating Budget. After nearly a year of follow-up and document submissions, on October 31, 2011, the Authority received notice that the Grant Award and release of funds was approved. Although the funds were received in the 2012 fiscal year, notice was provided to the Authority the last day of the 2011 fiscal year, (NBCMA Fiscal Year: Nov. 1, 2010 to Oct. 31, 2011). Since the Authority is on an accrual and not a cash basis accounting method, we have been advised by our auditor, Bee, Bergvall & Company that these funds need to be recorded in our 2011 fiscal year.

Mr. Zeuner advised the board that sanitary sewer flows are up in December and January significantly due to the extremely mild climate conditions we have been experiencing. During the summer months, flows are low due to foliage, trees, grasses etc...absorbing ground water. During spring and fall periods we experience high flows due to weather conditions and reduction of plant life water absorption. This year our winter has been unseasonably mild as compared to our two most recent years and the frost line is non-existent, thus we are experiencing unusually high sanitary sewer flows and processing cost associated with those sanitary flows. Our ground water monitoring wells confirm that condition. A drought situation during summer period provides the opposite effect, high water usage and reduced sanitary sewer flows. The Authority will continue to monitor the situation and keep the board informed.

#### 4. Citizens Concerns

Mr. Bill O'Neill of Rocksville Road addressed the board by providing questions, opinions and comments about the Authority policy of restricting public comment, Authority board terms, objected to not being appointed to municipal authority by the Northampton Board of Supervisors, inflow and infiltration of the sanitary sewer system, accrual accounting system of authority, video of authority meetings.

Mr. Rodger Bushnell of 94 Hunt Drive addressed the board by providing questions, opinions and comments about the Leehurst land development, 537 Planning Modules for development, 537 Plan for West End, number of residential sanitary sewer hook-ups in Phase I & II of Sewer District III, schedule for Jury of View Assessments for the west end residential properties, opinion of Mr. Zeuner as Executive Director of Authority, letters from Mr. Zeuner to Mr. Bushnell dating back to 2004 and 2007, history of on lot disposal system on Mr. Bushnell's property, Spring Garden Mill Farms sanitary sewer survey and comments about the Bucks County Health Department.

Mr. Joe Carney of 134 Inland Drive addressed the board by providing questions, opinions and comments about the Federal EPA Grant received by the Authority, water consumption from wells vs. purchased from Philadelphia, sewage from Northampton Township conveyed to the City of Philadelphia, sanitary sewer overflows, sand-mounds in Traymore Manor, testing of a private well on Norwood Road and reporting results to the property owner and Bucks County Board of Health Department, public well in industrial park, history of water quality in western end of township/Executive Summary (public document) prepared by the Authority's Executive Director for Mr. Pellegrino / Northampton Township -- Township Manager in 2010, tapping fee calculation for Sewer District III, Leehurst land development contributions.

#### 5. Check Requisitions / Accounts Payable

A motion (Farling-George) adopting a resolution to approve Revenue Fund Requisition No. 1969 dated February 1, 2012 in the amount of \$945,677.00 passed with 5 ayes.

The major items paid under Requisition No. 1969 were as follows: George Allen Waste Management - \$1,475.00; BCWSA (Sewer) - \$594,177.62; BCWSA (Water) - \$194,367.72; The Hartford - \$3,277.57; Independence Blue Cross - \$17,380.32; Karl Hops Inc. - \$1,676.92; Kufen Motor - \$1,700.30; M & T Investment Group - \$3,120.00; Nutech Control Products - \$2,358.00; PECO - \$24,970.37; Rio Supply Inc. - \$5,910.28; Rudolph Clarke & Kirk LLC- \$18,274.02; and a \$70,000.00 payroll transfer.

#### 6. PA-DEP Groundwater Rule -- (4-Log)

Mr. Zeuner advised the board that in April 2011 The Authority was required to begin implementation of the Pennsylvania's Groundwater Rule which requires public water systems to provide 4-log treatment of viruses. The Authority engaged the help of Tony Sauder, P.E., P.G. of Pennoni Associates to assist the Authority in implementing this Federally mandated rule.

The Groundwater Rule is intended to reduce the risk of illness from microbial organisms in water systems supplied by groundwater. The PA-DEP requires that all groundwater sources (Authority wells) have sufficient treatment to achieve 99.99% removal or inactivation of viruses. The 99.99% removal is called 4-log treatment. The way 4-log treatment is achieved is to maintain sufficient chlorine time and a residual chlorine level of 0.40 mg/l at each entry point.

The Authority has completed its plan and implemented procedures required to comply with the Federal mandate.

When the Authority applies for a groundwater well to be added to its system, the application is reviewed by many regulatory agencies. The Delaware River Basin Commission (DRBC) is one of the agencies that reviews our documents and issues "Safe" permitted flow rates for each well. In order to comply with the 4-log treatment regulation many of our wells now have a reduced yield. Mr. Zeuner raised this issue so the Board is aware that our previous maximum permitted flow rate is now reduced system-wide by approximately 30% and varies depending on the ground withdraw site. Since we do not run our wells on a 24 hour/seven day per week basis, we do not anticipate any difficulties of meeting demand, particularly with our recent wholesale water agreement with BCWSA. Our reporting, however, will be amended to reflect our new limitations, thus when comparing a well year to year as a percentage of permitted capacity, it will become an apples and oranges comparison for each groundwater withdraw point.

Mr. Zeuner provided the board with support documents, and calculations completed by the Authority and professionals to comply with this Federal mandate. A spreadsheet highlights the DRBC permitted limits as they compare with the 4-log limits. The Authority will be using the lower of the two maximum yields as our basis for calculating permitted flow.

**7. Public Water Supply – Drought Emergency Plan**

A motion (George-Rehm) to table this item until the March meeting, to allow for public comment prior to adoption passed with 5 ayes.

**8. Annual Report**

A motion (Albano-Jim) to accept and approve the 2011 Annual Report prepared by Pennoni Associates Inc. of Doylestown, dated December 2011 passed with 5 ayes.

**9. Resolution No. 2012-1123 – Revising "Fee Schedule" – Service Calls**

A motion (Jim-Albano) to adopt Resolution No. 2012-1123 to revise the service fees charged for water double call-outs outside normal working hours passed with 5 ayes.

**Miscellaneous**

- (A) Mr. Rothermel of Chapel Drive asked the Chairman to schedule a specific agenda item for him at each Authority public board meeting. Chairman Albano advised Mr. Rothermel that a specific agenda item for such purposes has not been the custom in the past and advised Mr. Rothermel that the Chairman of the Municipal Authority sets the agenda.
- (B) Mr. Rothermel (Chairman of the Northampton Township Board of Supervisors) commented on Mr. George's attire, at which point the Authority Chairman requested he refrain from any such comment as it is inappropriate and not germane to the business of the Authority. The Authority Chairman made several attempts to have Mr. Rothermel cease his attack on Mr. George and his attire. Mr. Rothermel did not yield to the instructions of the Authority Chairman in his efforts to conduct an orderly meeting.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, MR. ALBANO ADJOURNED THE MEETING AT 9:09 P.M.

THE NEXT MEETING IS SCHEDULED FOR FEBRUARY 15, 2012.