

Northampton, Bucks County, Municipal Authority

Minutes of the Public Meeting held on September 5, 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 7:35 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. Executive Session

Mr. Albano state that the Board met in Executive Session for 15 minutes to discuss DEP matters of litigation.

3. Approval of Minutes from August 1, 2012

A motion (George-Farling) was made adopting a resolution to approve the Minutes from July 18, 2012 passed with 4 ayes.

4. Executive Director's Report

NORTHAMPTON TOWNSHIP

Mr. Zeuner commented that during a recent Board of Supervisors meeting, statements were made about the Authority's "Woods of Northampton Sanitary Sewer Basin Evaluation". Mr. Zeuner stated he was deeply disappointed and upset by those statements, as they inaccurately portray the fine work of the Authority, our mission and the integrity in which we conduct business. In the spring of 2011, the board instructed the administration to provide a comprehensive analysis of alternatives for consideration. The Authority staff and engineers began working on alternatives to the Woods basin problem. Unfortunately several months later, comments of false issues were raised surrounding this long standing problem. The completed "Woods Study" is an example of the fine comprehensive work product of the authority team, a team that includes staff members, professionals and board members. Earlier in

2012, board member Mr. Charles Rehm became an integral member of our team helping us technically evaluate this challenging issue. We employed “best management practices” in evaluating and providing a sound recommendation to resolve this long standing problem. Fourteen months after the study program was initiated, the report and its recommendations were endorsed by the board on August 1, 2012.

PA DEP / BCWSA

The Northampton Bucks County Municipal Authority entered a formal filing with the Environmental Hearing Board of the Pennsylvania Department of Environmental Protection, regarding the July 25, 2012 action issued to Bucks County Water and Sewer Authority. The Authority was also issued a sanitary sewer violation notice which we are appealing through our environmental council Manko, Gold, Katcher and Fox LLP.

The Authority and its consulting engineer have completed its Corrective Action Plan (CAP) and Connection Management Plan (CMP) as requested by Bucks County Water and Sewer Authority. The CMP was completed in cooperation with the Northampton Township Manager and Zoning Department. The documents were hand delivered to Carroll Engineering in accordance with their requested timeline. Mr. Zeuner thanked Chris Walker and the staff at Pennoni Associates for their efforts, as the timelines for document submittals was condensed.

NORTHAMPTON DAYS

The Northampton Bucks County Municipal Authority will have a booth at Northampton Days on Sunday September 9th, 2012. This year we will be giving out flashlight key chains with instructions of how to awaken and read your Neptune R 900i water meter. This aide will help our ratepayers detect if they have intermittent or continuous leaks within their homes.

COLLECTIVE BARGAINING UNIT (CBA) / TEAMSTERS 107

On August 28, 2012, the Authority received “Notice” from the Teamsters Local 107 of their desire to affect contract reopener with the Authority’s employees as applicable and set forth in the current labor agreement. We have contacted our labor counsel, Mr. Neil A. Morris of Archer & Grenier to set up the preliminary discussions.

5. Citizens Concerns

Mr. Frank Rothermel Northampton Township Supervisor Chairman of Chapel Drive, expressed comments and opinion regarding the Wood Basin Sanitary Sewer Evaluation.

6. Check Requisitions / Accounts Payable

A motion (Farling-Jim) adopting a resolution to approve Revenue Fund Requisition No. 1983 dated August 15, 2012 in the amount of \$108,980.17, Revenue Fund No. 1984 dated September 5, 2012 in the amount of \$757,429.65 and BRI No. 521 dated September 5, 2012 in the amount of \$85,789.87, passed with 5 ayes.

The major items paid under Requisition No. **1983** are as follows: Flow Assessment - \$4,900.00; Karl Hops Inc. - \$1,559.98; PECO - \$1,808.19; Teamsters Health & Welfare - \$17,262.28; Telog - \$1,800.00. Major items paid under Requisition No. **1984** are as follows: Bancorp - \$10,500.00; BCWSA \$13,800.00; BCWSA – Sewer \$322,299.68; BCWSA – Water \$176,069.52; Guardian - \$3,653.00; Herbert Rowland & Grubic - \$8,439.13; IBX - \$12,565.82; Karl Hops Inc. - \$4,305.82; PECO - \$22,143.92; Pennoni Assoc. - \$14,756.76; Rudolph Clarke & Kirk - \$25,145.47; TD Bank - \$10,026.51; Upper Southampton Municipal - \$54,627.00; Verizon Wireless - \$1,236.78; Gloria Watkins - \$1,050.85; and a \$70,000.00 payroll transfer.

7. Resolution No. 2012-1133

A motion (George – Jim) was made to correct Resolution No. 2012-1133 to read the proper Resolution No. 2012-1135 passed with 5 ayes.

8. Water and Sanitary Sewer Feasibility TMP 31-1-8-10

A motion (Farling – Jim) was made to declare public water and sanitary sewer feasible for TMP #31-1-8-10 a property located at 181 Railroad Drive, based solely upon a technical basis without comment on economic feasibility, engineering issues, water quality and other related issues, passed with 5 ayes.

9. Sanitary Sewer Feasibility TMP 48-28-5

A motion (Farling – Jim) was made to declare sanitary sewer feasible for TMP# 48-28-5 a property located in Upper Southampton based solely upon a technical basis without comment on economic feasibility, engineering issues, water quality and other related issues, conditioned upon execution of a Tri-Party agreement, passed with 5 ayes.

10. Maintenance Report

Mr. Zeuner provided highlights from the June 2012 Maintenance Report no extraordinary issues were noted.

11. Emergency Preparedness Plan

A motion (George – Farling) was made to adopt Resolution 2012-1136 revising the “Emergency Preparedness Plan” correcting and updating information passed with 5 ayes.

12. Keith Boyd Major Subdivision

A motion (George – Jim) to approve the developers agreement know as Barley Homes “Keith Boyd Major Subdivision” dated August 27, 2012 including an amendment made by Mr. Albano regarding fees be paid by October 3, 2012 passed with 5 ayes.

13. Standard Construction Specifications

A motion (Jim – Farling) was made to amend the Authority’s “Standard Construction Specifications” for the Public Water System last revised February 17, 2009 to clarify wording in section 8.1 passed with 5 ayes.

14. Sale of Jet Truck

A motion (Rehm – Jim) was made to sell the SECO sanitary sewer jet truck via MUNIBID at a minimum reserve price of \$25,000.00 passed with 5 ayes.

15. Well Pump No. 8

A motion (George – Jim) was made to issue a purchase order to A.C. Schultes of Woodbury Heights, NJ for pump and motor replacement of Well No. 8 in accordance with their proposal dated August 21, 2012 at a cost of \$13,974.00 passed with 5 ayes.

16. Well Pump No. 12

A motion (Jim – Rehm) was made to issue a purchase order to F.C. Bollinger of Blue Bell, Pa for pump replacement of Well No. 12 in accordance with their proposal dated August 30, 2012 at a cost of \$12,909.00 passed with 5 ayes.

17. Change Order 2012 Manhole Rehabilitation.

A motion (Jim – Rehm) was made to approve change order No. 1 for Contract 2-S-A-12 titled “2012 Manhole Rehabilitation” to Abel Recon for addition work on manhole no. 158 which is a tributary to the Ironworks Creek Interceptor at a cost of \$3,770.00 and authorize the Executive Director to sign on behalf of the Authority passed with 5 ayes.

Chris Walker of Pennoni Associates also gave an update on CIPP Lining contract, and the paving contract. Insituform (CIPP) has been completed lining operations, some equipment needs to be removed and restoration needs to be done, video inspection should be submitted in the next few months showing liner after it had been completed.

18. Board Comment

Mr. Farling read the following statement:

As members of this Board, we have a fiduciary responsibility to make decisions in the best interest of this Authority and its ratepayers. As residents and ratepayers, we live with the consequences of our decisions, and will for many years after our service is complete. It is a responsibility that I, and I am confident, the other board members take very seriously. We do not need manufactured outrage based on incomplete or inaccurate information, or baseless public challenges to our integrity, to meet that responsibility.

This board approved the investigation of alternate sewage conveyance options from the soon-to-be upgraded Woods Basin Pumping Station a full month before accepting a preliminary plan for budgetary purposes. The option later accepted was one of seven options developed at this boards request by Chris Walker and Pennoni Associates over the intervening year-plus, and it came in at just 15% of the preliminary estimate. This is a project initiated, directed and seen through to a very satisfactory conclusion by the Board and Administration of the Northampton, Bucks County, Municipal Authority. There is no credit for this result due any Township official, certainly not one who misled the public throughout the project, not one who has no actual input into the actions and decisions of this Authority, and not one who opposed the appointments of four of the five citizens currently serving the ratepayers on the Board of Directors.

Mr. George expressed concerns on the townships' issuing of permits, questions regarding escrow agreement, maintenance bond and dedication for the water project in the western end of the township. Mr. Albano asked Mr. Rudolph (solicitor) for clarification. Mr. Rudolph advised that the Township would be responsible to have such escrow agreement, maintenance bond and dedication. It will not be an issue until the Authority takes dedication of the assets. Mr. Zeuner will communicate with Mr. Pellegrino, Township Manager.

19. Solicitor Comments

Mr. Rudolph commented on procedures and background of the litigation with DEP.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, MR. ALBANO ADJOURNED THE MEETING AT 8:35 P.M.