

Northampton, Bucks County, Municipal Authority

Minutes of the Public Meeting held on September 7, 2016

Members Attending: Edward Farling III, Chairman
Vincent Deon, Vice Chairman
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.
Eileen Silver, Supervisor Liaison
Debra Wirtz, Executive Assistant

Mr. Farling, Chairman, called the meeting to order at 7:32 p.m.

1. Pledge of Allegiance

Chairman Farling led the Pledge of Allegiance and requested a moment of silence for all those serving in harm's way.

2. Executive Director's Report

Mr. Zeuner noted that there are three (3) Supplemental agenda items for this evening meeting:

- Appointment of Auditor for 2016 Fiscal Year
- Acceptance of low pressure force main / Keller
- Release of various escrows

Financial Statements

The Director of Finance has prepared our unaudited financials for Board review for the Period ending July 31, 2016.

Fox Chase Bank conversion to UNIVEST

Fox Chase Bank has been acquired by UNIVEST effective July 2016. The Authority is working in cooperation with the bank during the transition process. One of the changes is a different lock box address for our rate payers. Notices on our bills were printed beginning in August 2016 and will continue. A separate letter will be sent to all customers advising them of the change.

Herbert, Rowland & Grubic, Inc. Rate Study Analysis

Earlier this year HRG Engineering was engaged by the Authority to complete a comprehensive water and wastewater rate study analysis. HRG will be making a board presentation at our October

meeting for consideration into the Authority's 2017 Operational & Capital Budgets scheduled for deliberation and adoption at our November 2016 Board meeting.

Northampton Days

The Authority will be participating in the Northampton Days festivities on Sunday September 11, 2016. Back by popular demand we will be giving away insulated lunch bags with the Authority logo.

3. Citizens' Concerns

Clifford Locasle New Road, express concerns regarding PFOA's and PfOM's.

4. Approval of the Minutes of August 3, 2016

A motion (Jim-Rehm) made to approve the Minutes of July 3, 2016 passed with 4 ayes.

5. Check Requisitions / Accounts Payable

A motion (Rehm-Jim) adopting a resolution to approve **Revenue Fund Requisition No. 2090** dated August 17, 2016 in the amount of \$333,305.62 passed with 4 ayes.

The major items paid under Requisition No. 2090 are as follows: Abel Recon - \$15,110.00; BCWSA – Water - \$202,120.64; Eurofins QC - \$1,223.60; HD Supply. - \$1,379.34; Herbert, Rowland & Grubic, Inc. - \$1,416.50; Independence Blue Cross - \$10,416.13; Josephine Chan - \$2,625.01; Line Systems Inc. - \$1,134.09; PECO - \$3,639.99; Phila Business Fords - \$1,716.21; Teamsters Health and Welfare Fund - \$17,838.72 and \$70,000.00 for payroll.

A motion (Rehm-Jim) adopting a resolution to approve **BRI Fund Requisition No. 563** dated August 17, 2016 in the amount of \$405,160.74 passed with 4 ayes.

A motion (Rehm-Jim) adopting a resolution to approve **Revenue Fund Requisition No. 2091** dated August 31, 2016 in the amount of \$572,699.16 passed with 4 ayes.

The major items paid under Requisition No. 2091 are as follows: BCWSA - Sewer - \$311,955.92; Guardian - \$3,576.17; JH Shanahan - \$3,815.00; Karl Hops Inc. - \$1,628.06; PECO - \$12,528.89; Pennoni Assoc. Inc. - \$66,490.43; Rio Supply Inc. - \$39,940.70; TD Card Services - \$1,358.44; Traffic Control Service - \$2,892.80; \$70,000.00 for payroll and BCWSA Disputed - \$48,976.43.

A motion (Rehm-Jim) adopting a resolution to approve **Revenue Fund Requisition No. 2092** dated September 7, 2016 in the amount of \$88,583.95 passed with 4 ayes.

The major items paid under Requisition No. 2092 are as follows: Analytical Laboratories - \$3,520.00; Council Rock School District - \$2,960.67; County Builders - \$2,607.40; EDW Builders. - \$2,750.00; EJ USA Inc. - \$1,074.42; Flow Assessment - \$10,525.00; Link Computer Corp. - \$3,362.00; Manko, Gold, Katcher & Fox LLP - \$7,884.96; PECO - \$1,189.99; Right Steps Daycare - \$2,336.00; Rite Aid Corp. - \$2,445.25; Rudolph Clarke LLC - \$20,030.00; TCG Realty - \$1,611.27; Teamsters Health and Welfare Fund \$17,838.72; US Postal Service - \$5,000.00.

A motion (Rehm-Jim) adopting a resolution to approve **BRI Fund Requisition No. 564** dated September 7, 2016 in the amount of \$97,047.38 passed with 4 ayes.

6. Resolution No. 2016-1173 – Grant Application / Commonwealth Finance Authority

A motion (Deon-Farling) made:

Be it RESOLVED, that the Northampton, Bucks County, Municipal Authority of Bucks County hereby request an PA Small Water and Sewer Program grant of \$400,000.00 the Commonwealth Financing Authority to be used for C.I.P.P. Lining and manhole rehabilitation.

Be it FURTHER RESOLVED, that Northampton, Bucks County, Municipal Authority the Applicant does hereby designate Thomas A. Zeuner, Executive Director and Edward Farling (Chairman) as the official(s) to execute all documents and agreements between the Northampton, Bucks County, Municipal Authority and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant, passed with 4 ayes.

A motion (Deon-Farling) made:

I, John T. Jim, duly qualified Secretary of the Northampton, Bucks County, Municipal Authority, Bucks County, PA hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Northampton, Bucks County, Municipal Authority at a regular meeting held September 7, 2016 and said Resolution has been recorded in the Minutes of the Northampton, Bucks County, Municipal Authority and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and the seal of the Northampton, Bucks County, Municipal Authority, this 7th day of September 2016, passed with 4 ayes.

7. Feasibility Review – Sanitary Sewer - Newtown Richboro and Holland Roads

NBCMA requested Pennoni Engineers to perform a feasibility study for a low pressure sanitary sewer system in the area of Newtown Richboro Road and Holland Road. The study was authorized by the NBCMA Board at their public meeting on July 6, 2016. NBCMA authorized the study in response to a petition received from a majority of the property owners. Pennoni presented the report with monetary projections. There was some discussion with residents from the affected area. No action was taken.

8. Resolution No. 2016-1170-Sanitary Sewer Lateral Program Adding Article VII to the Rates, Rules and Regulations

A motion (Deon-Rehm) made that the Northampton, Bucks County, Municipal Authority Board adopt Resolution No. 2016-1170, amendment to Rates, Rules and Regulations. A Resolution of the Northampton, Bucks County, Municipal Authority amending Article VII for the Authority's sanitary sewer lateral program passed with 4 ayes.

9. Resolution No. 2016-1171 – Professional Services Arbitrator regarding BCWSA vs. NBCMA

A motion (Farling-Rehm) made that the Northampton, Bucks County, Municipal Authority Board approve Resolution 2016-1171 as follows:

WHEREAS, Northampton, Bucks County, Municipal Authority (“Authority”) in 1965 entered into an agreement (“1965 Agreement”) with Bucks County Water and Sewer Authority (“Bucks Authority”) regarding the construction, maintenance and operation of The Neshaminy Interceptor; and

WHEREAS, the Authority and the Bucks Authority dispute, inter alia, the enforceability and applicability of the 1965 Agreement and the calculation of sewer rates charged to the Authority by the Bucks Authority; and

WHEREAS, the Authority and the Bucks Authority have agreed to arbitrate these disputed matters; and

WHEREAS, the Authority and the Bucks Authority have jointly agreed to engage James Laskey, Esq. to serve as the Arbitrator to arbitrate the various matters in dispute at a rate of \$500.00 hour, to be born equally by the Authority and the Bucks Authority, subject to the terms of an Arbitration Agreement, which will be jointly prepared by the Authority and the Bucks Authority.

NOW, THEREFORE, BE IT RESOLVED, that this Authority does hereby approve of the engagement of James Laskey, Esq. to serve as the Arbitrator in the matters of dispute referenced herein, subject to the terms of an Arbitration Agreement to be prepared by the Authority and the Bucks Authority passed with 4 ayes.

10. Resolution No. 2016-1172 New Signature Card for Fox Chase Bank

A motion (Deon-Jim) made that the Northampton, Bucks County, Municipal Authority Board adopt Resolution No. 2016-1172 to approve and execute new signature cards for Fox Chase Bank for the Authority accounts removing former Board member Michelle Held as an authorized signer of NBCMA accounts passed with 4 ayes.

11. Consent Order & Agreement with Pennsylvania Department of Environmental Protection

A motion (Deon-Farling) made that the Northampton, Bucks County, Municipal Authority Board enter into a Consent Assessment of Civil Penalty under Section 605 of the Clean Streams Law in the amount of \$13,300.00 with a cover letter stating the Authority’s objection to certain wording in the assessment passed with 4 ayes.

12. Release of cash escrows/ various projects

A motion (Farling-Jim) made that the Northampton, Bucks County, Municipal Authority Board approve the cash escrow releases for the following projects, passed with 4 ayes.

- EDW Builders \$2750.00
- Council Rock School District (Churchville Elem.) \$1505.67
- Council Rock School District (CRSD South) \$1455.00
- Rite Aid Corporation \$2445.25
- Right Steps Daycare \$2336.00

- TCG Realty \$1611.27
- County Builders \$2607.40

13. Acceptance of Low Pressure Sewer System (Keller)

A motion (Rehm-Jim) made that the Northampton, Bucks County, Municipal Authority Board accepting the low pressure sewer system and related facilities and appurtenances on the Premises (TMP 31-054-001) that was installed within the public right-of-way of Buck Road (S.R. 532) passed with 4 ayes.

14. Appointment of Auditor for 2016 Fiscal Year

A motion (Deon-Jim) made that the Northampton, Bucks County, Municipal Authority Board appoint Brinker Simpson & Company LLC as the Authority’s auditor for its 2016 fiscal year audit in accordance with their proposal dated September 6, 2016 for a fixed price of \$15,000.00 passed with 4 ayes.

BOARD COMMENTS

Charles Rehm reported on three technical sessions held at the recent PMAA August Conference. The PennVest Loan Program has been expanded to include first time connections to a public sewer system as well as the replacement of on-lot septic systems. Household income limits have been removed and a fixed rate for the life of the loan up to 20 years established. The funds can be used for design, construction and permitting costs, but does not include sewer line repairs. A second session allowed Pennsylvania Department of Environmental Protection to detail their proposed minimum water distribution system disinfectant residual increase. Their proposed standard of 0.2 is not widely accepted by water industry and doesn’t stand a chance of implementation this legislative period. Opponents cited the need for in-system booster equipment, adverse residual taste and cost while recognizing the need for public health protection. The third session detailed the experiences of the Derry Township Municipal Authority in establishing a storm water management program. They emphasized the importance of public education and participation as potential customers will be asked to accept a concept of paying for the prevention of storm water problems instead of paying for utility services as they received them on demand. They also stressed the importance of continued cooperation of the Municipality and Authority as options of leasing or sale of assets are discussed.

SOLICITOR COMMENTS

ENGINEER COMMENTS

Christopher Walker, Pennoni Associates, asked the Board for authorization to prepare the plans, specs and advertised for bids for the hyporclorite conversion with an award of the contract at the November Board meeting.

A motion (Farling-Rehm) made to authorize Pennoni Assoc. to prepare the plans, specs and advertised for bids for the hyporclorite conversion passed with 4 ayes.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, MR. FARLING ADJOURNED THE MEETING AT 9:47 P.M.