

**MINUTES
BROOKVILLE MUNICIPAL AUTHORITY
Tuesday, February 10, 2015 @ 4:00 P.M.**

The Brookville Municipal Authority met in Council Chambers on Tuesday, February 10, 2015 at 4:00 P.M. with the following in attendance:

MEMBERS

Brad Miller
David Love
Tom Dinger
Robert Moss
Sam McKinley

STAFF

Manager Dana Shick
Commissioner Terry O'Neill
Engineer Mark Glenn
Accountant Kerry Swineford
Assistant Commissioner Clyde Bullers
Solicitor Jim Dennison – arrived at 4:05 p.m.

VISITORS

Matt Triponey
Patti Slaughter

CALL TO ORDER:

Chairman Miller called the meeting to order at 4:00 P.M.

APPROVAL OF MINUTES:

Member Dinger moved to approve the minutes of the January 13th meeting as presented; seconded by Member McKinley. Motion carried 5-0.

FINANCIAL REPORTS:

1. **Executive Session** – Accountant Swineford requested an Executive Session to discuss a problem they ran into last week.
2. **Grant Line for Sewer Fund Budget** – Vice-Chairman Love asked to add a grant line for the Sewer Fund Budget, and Accountant Swineford stated he would take care of it.
3. **Approval of Financial Reports** – Vice-Chairman Love moved to approve the financial reports for the month of January as presented; seconded by Member Dinger. Motion carried 5-0.

VISITORS: None

COMMITTEE REPORTS:

Engineer's Report

- A. **Act 537 Plan** – Engineer Mark Glenn reported they sent in comment responses in January 2015 to PADEP's Act 537/UER technical review letter dated December 29, 2014. Engineer Mark Glenn reported they anticipate approval on this and they will keep the Board advised.
- B. **CO&A/Flow Monitoring Program** – Engineer Mark Glenn stated they submitted the fourth quarter monitoring report to DEP on January 26th for the consent order agreement.

- C. **Phase 1A Wastewater System Improvements (DECD H2O Grant)** – Engineer Mark Glenn reported they are continuing with the design of the Phase 1A Project, and they are continuing to do survey work.
- D. **Phase 1 Exit 81 Sanitary Sewer and Waterline Extension** – Engineer Mark Glenn stated the County awarded the project Base Bid to Wilson Excavating in New Wilmington, Pennsylvania at a total contract price of \$556,079.
- E. **USDA RUS Project Funding** – Engineer Mark Glenn reported RUS approved the engineering agreement, and are requesting the agreement be signed to continue with the application process. Engineer Glenn stated this is on the agenda.

UNFINISHED BUSINESS:

- 1. **Rose Township Agreement** – Solicitor Dennison stated he wrote to Rose Township's Attorney regarding the Authority's feelings about the rates.
- 2. **RBC's Update** – Commissioner O'Neill stated there have been some significant developments with this project. Commissioner O'Neill reported we are still holding Mr. Elzer's molds. Commissioner O'Neill stated there would be potential savings for the Authority if we don't have to put up the money to rebuild unit 8. Commissioner O'Neill reported Mr. Elzer stated he can make the media for the last two units that he didn't build if he had his molds. Commissioner O'Neill reported unfortunately, at the same time, Josstech finally got the raw materials to make the media, which we don't want anymore. Commissioner O'Neill asked Josstech if they could find someone else to use the raw materials they got for us, and they said they will look into it. Commissioner O'Neill reported the cost of the raw materials is \$25,000.00, but we're looking at another \$50,000.00 to get the media actually produced. Commissioner O'Neill stated the only person who could possibly use this material is Don Elzer, but Commissioner O'Neill is trying to do things in such a way that Mr. Elzer doesn't realize we have a need for him, get his molds back, get our media produced, and somehow get this material into the price that we have to pay him because we haven't been invoiced for unit number 8 yet. Commissioner O'Neill stated, in dealing with this issue, he will try to maximize savings and minimize our loss.
- 3. **Water Meter Installation** – Commissioner O'Neill reported that we installed roughly 1,104 water meters in the Brookville Borough and the Cruma system so far.
- 4. **Crestwood Mobile Home Park Status** – Solicitor Dennison reported we are waiting for them to get back to us.
- 5. **Timber Update** – Commissioner O'Neill reported the winter weather has hindered progress on this project. Commissioner O'Neill stated the majority of the timber that is still there is cherry, and they will continue working on this project when conditions are better and the market is up.
- 6. **Old Water Plant Facility and Surrounding Buildings** – Assistant Commissioner Clyde Bullers reported the tank on the McKinley property has been filled in.

NEW BUSINESS:

- 1. Shut Offs** – Accountant Swineford stated he and Manager Shick think they aren't getting enough money from customers to justify keeping their water/sewer service on. Vice Chairman Love stated he can't recall ever discussing the shut-off policy before. Solicitor Dennison stated he didn't think there was a standard shut-off policy. Accountant Swineford stated it is as clear as mud. Accountant Swineford stated some customers pay just enough to keep their water from being shut off, so their balance just keeps going up. Accountant Swineford stated they think it would simplify the process if delinquent customers are required to pay their total amount due minus the current bill to keep from being shut off. Solicitor Dennison stated this would cut the shut-offs in half, because they would be paid up for two months before you would have to shut them off again. Accountant Swineford reported shut-off notices are sent to customers whose bills are \$55.00 or more past due. Accountant Swineford stated customers who don't pay their past due amount and get shut off would have to pay their total amount due plus a \$50.00 shut-off fee to get their water/sewer service restored. Accountant Swineford stated there would be a one-time grace period for customers who really can't afford to pay the entire bill at once, but customers would have to work with us. After some discussion, Vice Chairman Love moved to accept the recommendation with regard to the shut-off policy; that the amount to keep from having the water shut off is all past due amounts except the current bill, and to get the water turned back on, the total balance due and a \$50.00 shut off fee needs to be paid, with a one-time hardship provision; seconded by Member McKinley. Motion carried 5-0.
- 2. USDA Application** – Engineer Mark Glenn reported USDA is ready to extend a funding offer to the Municipal Authority. Engineer Mark Glenn stated USDA needs two things; a signed funding application, and they want the Engineering Agreement approved by the Board. Engineer Mark Glenn stated this if for the plant, Phase 1A and the rest of the phases in the sewer system. Vice Chairman Love moved to approve signing the USDA funding application and the Engineering Agreement; seconded by Member Dinger. Motion carried 5-0.

COMMUNICATIONS AND ANNOUNCEMENTS: None

EXECUTIVE SESSION:

The Municipal Authority Board entered an Executive Session at 4:50 p.m.

Executive Session ended at 5:35 p.m. with the following action taken:

- 1. Cooperation & Transfer Agreements/Nine Star Capital** - Vice Chairman Love made a motion to authorize Chairman Miller to sign the Cooperation Agreement with Nine Star Capital as long as it is substantially in accordance with the draft agreement that has been presented to us, if not we would need a follow up meeting to discuss any subsequent changes, and authorization for

Chairman Miller to sign the Transfer Agreement; seconded by Member McKinley. Motion carried 5-0.

2. **Resolution of Condemnation/McCauley Trucking Property** – Vice Chairman Love moved to pass a Resolution of Condemnation to obtain a right-of-way across the McCauley Trucking property, if no agreement can be reached through negotiation, for our water line for the new Municipal Authority project; seconded by Member Dinger. Motion carried 5-0.

CALL FOR ADJOURNMENT:

At 5:40 p.m. Member Dinger moved to adjourn; seconded by Member Moss. Motion carried 5-0.

Administrative Manager