

**MINUTES OF THE ANNVILLE
TOWNSHIP AUTHORITY
September 22, 2015**

The September Regular Monthly Meeting of the Annville Township Authority was held starting at 5:30 PM on September 22, 2015 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Anthony Perrotto, Chairperson; Hugh Rooney, Vice Chairperson; Barry Ludwig, Secretary; David Myers, Treasurer; and Keith Seward, Assistant Secretary/Assistant Treasurer. Also in attendance were Nicholas T. Yingst, Township Administrator and Authority Clerk; Timothy D. Sheffey, Township Solicitor; Leslie J. Powell, Superintendent of the Wastewater Treatment Plant (WWTP); Dale Shope, Engineer with Gannett Fleming; and Louis Rotunda, Batdorf Restaurant.

Chairperson Perrotto called the meeting to order and led those present in the Pledge of Allegiance to the flag of the United States of America.

PUBLIC COMMENT: Noting that Louis Rotunda of the Batdorf Restaurant was listed on the agenda and was in attendance, Chairperson Perrotto asked him to share his comments with the Authority. Mr. Rotunda revisited the matter of the surcharge on the Batdorf Restaurant's July 1, 2015 sewer bill that he had previously discussed during the Public Comment portion of the July Regular Meeting. He recalled that at that meeting the Authority had agreed to waive the portion of the surcharge on the Corvette Grille's July 1 sewer bill pertaining to fats, oils, and grease (FOG) if the owner installed a new grease trap. While noting that the Batdorf Restaurant's primary problem was not one of FOG, he asked that the portion of its July 1 bill's surcharge pertaining to Total Suspended Solids (TSS) and Biochemical Oxygen Demand (BOD) be waived, with him using this money to redo plumbing at the restaurant. It was noted that of a total surcharge of \$841.33 on the Batdorf Restaurant's July 1 bill, \$159.44 pertained to TSS and \$252.89 pertained to BOD, for a total of \$412.33 Mr. Rotunda was asking to be waived. The Authority then discussed this request in detail. Chairperson Perrotto noted that the grievance expressed by Michael Beare of the Corvette Grille was that the FOG surcharge was a new one and that he had not been apprised of this overage; it was because of this oversight he was granted a waiver. By way of comparison, Chairperson Perrotto noted that the TSS and BOD surcharges were not new, that the Batdorf Restaurant had received these types of surcharges on past bills, and that the total bill for July 1 containing these surcharges was consistent with the restaurant's average quarterly billings over the past year. Mr. Rotunda did not dispute this but noted that what was new were the corrective measures suggested by the Authority members at the July Regular Meeting he attended, and with this information he was asking that financial relief be granted so he could more readily follow the Authority's suggestions. Chairperson Perrotto noted that some of the reason for the high surcharge was due to the Batdorf Restaurant not consistently providing the water meter readings specific to its kitchen to the Township, resulting in the surcharge being calculated based upon the entire restaurant's water usage. Mr. Rotunda noted that he has begun providing this information to the Township and Mr. Powell confirmed this. Mr. Ludwig, Mr. Rooney, and Mr. Myers all noted they were supportive of granting financial relief if it would mitigate this problem, and Mr. Myers asked if someone could look at the situation to recommend a workable solution. Mr. Powell noted that he has met twice with Mr. Rotunda about this and he had recommended a number of housekeeping measures to reduce the TSS and BOD numbers, in part due to the Batdorf Restaurant discharging grease directly into the sewer line. Mr. Rotunda stated the restaurant has never done so as he makes a profit by selling the grease, and Mr. Powell countered by noting there was a significant clog in the sewer line in 2014 directly attributable to the Batdorf Restaurant. Mr. Rooney noted the Authority had been

reviewing the TSS, BOD, and FOG numbers for the Batdorf Restaurant for some time and stated his belief that the restaurant was only interested in cooperating now that the surcharges were affecting its profits. Mr. Rotunda asked if other restaurants were tested and Mr. Powell and several members of the Authority noted that all restaurants, nursing homes, and schools in the municipality were tested. Mr. Rotunda suggested that such sampling has only been done recently by the Township and other municipalities do not do likewise. Mr. Seward contested the former assertion, specifically noting that Palmyra Borough sampled restaurants while he was employed there, and Mr. Powell contested the latter assertion, indicating that Annville Township has been conducting water samplings on businesses for many years. Mr. Sheffey suggested that if the Authority was interested in granting a waiver, it may want to consider several stipulations that must be met before the waiver would take effect. Pertaining to his point from earlier in the discussion, Chairperson Perrotto read from the minutes of the July Regular Meeting, noting that a "lapse in communication regarding the FOG sampling numbers" from the Township to the Corvette Grille was the rationale for granting that waiver. He noted his concern that, as no oversight on the part of the Township was apparent regarding Mr. Rotunda's request, this would be setting a bad precedent. With no further discussion noted, **MOTION** by Mr. Rooney, second by Mr. Ludwig to grant a one-time waiver of the \$412.33 portion of the surcharge pertaining to TSS and BOD on the July 1, 2015 sewer bill for the Batdorf Restaurant, provided the following conditions are met by the Batdorf Restaurant: (1) full payment of the remainder of the July 1, 2015 sewer bill not specific to the surcharges for TSS and BOD, (2) submission of a bill to the Township indicating that the cost of the plumbing work exceeds \$412.33, (3) all work is completed by and the plumbing bill is submitted to the Township no later than December 22, 2015, and (4) the TSS and BOD numbers for the Batdorf Restaurant decrease upon its first sampling following the completion of the plumbing work. Motion carried by a vote of four to one, with Mr. Rooney, Mr. Ludwig, Mr. Myers, and Mr. Seward voting in favor of the motion and Chairperson Perrotto voting against the motion.

MINUTES: **MOTION** by Mr. Ludwig, second by Mr. Seward to approve the minutes of the Regular Meeting held August 25, 2015 as presented. Motion carried unanimously.

SEWER FUND REPORT: The Authority reviewed the Sewer Fund Report for the period ending August 31, 2015.

ACCOUNTS PAYABLE: The Accounts Payable list for September 2015 was reviewed. Chairperson Perrotto inquired about several checks to Lowe's Companies, Inc. and Mr. Powell indicated these payments represented purchases of several items over the past month. **MOTION** by Mr. Ludwig, second by Mr. Myers that the list of vendors to be paid (Cash Disbursements Journal) for the Sewer Fund, which list is filed with other Authority records, be approved by the Authority for submission to the Board of Commissioners for payment. Motion carried unanimously.

WASTEWATER TREATMENT PLANT PROJECT - PAYMENT REQUISITION: An invoice summary was distributed on the WWTP improvements project, which included pay estimates for Gannett Fleming engineering services for the period ending August 21, 2015 in the amount of \$1,900.76. **MOTION** by Mr. Ludwig, second by Mr. Rooney to recommend to the

Board of Commissioners for payment the list of invoices for the WWTP improvements project as presented in the total amount of \$1,900.76. Motion carried unanimously.

SUPERINTENDENT'S REPORT: Mr. Powell reported that the WWTP is operating very well. He briefly reviewed the Monthly Report, noting that the plant should have no issues remaining below its total nitrogen and total phosphorus limitations at the end of its permit year. Mr. Powell then reviewed the Status of Pending Projects Report, a copy of which is attached hereto and made a part of these minutes, and the following items were discussed in detail:

Surcharges: Mr. Powell reviewed the August water sample numbers for Annville-Cleona High School (ACHS) and Kindred Place. Regarding the surcharge to the former, Mr. Powell indicated that while ACHS had indicated it was planning on installing a water meter specific to its kitchen area, which would decrease the water flow on which its surcharge is calculated, he does not believe the school has done so as of yet. Regarding the surcharge to the latter, it was noted that as the surcharge was so low, the Township Office did not charge a \$250 sampling and testing fee to Kindred Place and the Authority was amenable to this decision.

First Stage Blower Valve Control Boards: Mr. Powell provided a brief update on the status of the continuing issues associated with the damaged control boards for the first stage blower valves. He reported that he is still waiting on word from North East Technical Sales, Inc. on what additional corrective measures it recommends. Mr. Powell also reported he has contacted the manufacturer of the parts in question to investigate whether that direction should be pursued if North East is unable to fix the problem. He noted he has not heard anything further from North East about the invoice it submitted to the Township for payment, which Mr. Powell had responded to in late August by noting the invoice would not be paid until the problem was corrected. The Authority then briefly discussed how to proceed as there seemed to be little confidence in North East being able to do so. Mr. Perrotto recommended Mr. Powell inform North East that it had until October 23, 2015 to complete the repairs and Mr. Powell agreed to do so.

Corvette Grille Grease Trap: Regarding the stipulations pertaining to the FOG surcharge waiver granted to the Corvette Grille, Mr. Powell reported that Michael Beare has informed him he has ordered a grease trap and that it would be installed prior to the October Regular Meeting of the Authority.

Testing for the Batdorf Restaurant: Noting that he was scheduled to do water testing at the Batdorf Restaurant in the next few days, Mr. Powell asked the Authority how it wished him to proceed due to the waiver it granted to the restaurant earlier in the meeting. After much discussion, the members of the Authority recommended that Mr. Powell conduct the water sampling as usual and provide the results to them for their review and consideration at the October Regular Meeting. Mr. Myers asked if restaurants were notified in advance of the date of sampling and Mr. Powell indicated they are not. Mr. Shope suggested that, based upon the information provided thus far by Mr. Rotunda, he would not be surprised if future sampling results indicate that the Batdorf Restaurant's surcharge issues have less to do with plumbing and more to do with the need for improved housekeeping measures.

ANNVILLE TWP.WASTEWATER TREATMENT PLANT

STATUS OF PENDING PROJECTS

September 12, 2015

- (1) **SURCHARGE** Attached are the results for ACHS and Kindred Place
- (2) **HAULING** Hauled 65 loads 247,000 gals. to Heilbron farm
- (3) **PLANT UPGRADE** Still waiting on their decision of what they are going to do with 1st air valves
- (4) **LAB EQUIPMENT** I would like to get a new spectrometer and balance for the lab for a price of \$4200 for speck from Hach and \$1800 for balance from precision instruments. We budgeted this money for this year.
- (5) **GLRA FARM** We are still working on permitting the farm.

Respectfully Submitted,
Les Powell Chief Operator

Lab Equipment: Upon the recommendation of Mr. Powell and noting that these items were budgeted for in 2015, **MOTION** by Mr. Seward, second by Mr. Ludwig to recommend to the Board of Commissioners that it authorize: (1) the purchase of a spectrometer from Hach at an estimated cost of \$4,200 and (2) the purchase of a balance from Precision Instruments at an estimated cost of \$1,800. Motion carried unanimously.

Bids for Ferrous Sulfate and Methanol: Mr. Powell requested that the Township advertise for bids for both ferrous sulfate and methanol for the WWTP for 2016. **MOTION** by Chairperson Perrotto, second by Mr. Seward to recommend to the Board of Commissioners to advertise for bids for ferrous sulfate and methanol for the WWTP for 2016. Motion carried unanimously.

SOLICITOR'S REPORT: Mr. Sheffey informed the Authority of the following items:

Legal Actions Against Significantly Delinquent Customers: Mr. Sheffey apprised the Authority of the delinquent status of unpaid sewer and trash fees for the following properties:

Execution Against the Property at 524 West Queen Street: Regarding the property at 524 West Queen Street, Mr. Sheffey reported that in the past month he was contacted by a realtor asking about the remaining balance of the lien against it. He communicated this information to the realtor but had yet to receive a response that the lien would be fully paid. **MOTION** by Chairperson Perrotto, second by Mr. Myers to authorize Mr. Sheffey to force an execution against the property at 524 West Queen Street if the remaining balance of the lien is not paid timely. Motion carried unanimously.

Filing a Lien Against the Property at 225 West Queen Street: Regarding the property at 225 West Queen Street, Mr. Sheffey reported that while there is a lien against the property in the amount of \$490.20, an additional \$559.26 in unpaid sewer and trash fees is owed that are not covered by the existing lien. He further noted that this property was recently sold at sheriff's sale and the new owner has not responded to his communications concerning payment on the delinquent balance. **MOTION** by Mr. Ludwig, second by Mr. Seward to authorize the filing of a lien against the property at 225 West Queen Street in the amount of \$559.26 for unpaid sewer and trash fees. Motion carried unanimously.

Allegation of Unauthorized Discharge into Sewer System: Mr. Sheffey reported that the Township Office received an allegation of an authorized discharge into the sanitary sewer system at 708 East Maple Street. Specifically, it was alleged that wastewater from a camper was being discharged into the sewer system. The Authority reviewed the portions of the Annville Township Code of Ordinances pertaining to this, noting that Section 18-103 defines "holding tank waste" as including "waste from holding tanks such as those found in...campers or house trailers" and further noting that Section 18-111.12 prohibits the discharge of "trucked, hauled or holding tank wastes" into the sewer system unless prior express written consent is received from the Township. It was noted that no such written consent had been granted for this specific alleged action at 708 East Maple Street and there was discussion on the various reasons why such a discharge is not allowed. **MOTION** by Mr. Rooney, second by Mr. Ludwig to authorize the Township Office to issue a letter to the owner of the property at 708 East Maple Street indicating that a complaint was received pertaining to unauthorized discharge into the sewer

system, reminding the owner of the restrictions pertaining to this activity per the Annville Township Code of Ordinances, and stating the penalties for future violation. Motion carried unanimously.

ENGINEER'S REPORT: Mr. Shope informed the Authority of the following items:

Pennvest Engineering Budget Change Order: It was reported that, during her review of the Pennvest closeout process, Rachel Govelovich of Gannett Fleming noted that three small scope changes and additional work authorizations in the amount of \$11,681 were approved verbally but not formally changed as part of the Pennvest budget. This amount was comprised of the following: \$7,136 for additional survey work pertaining to a new access road approved in May 2010, \$975 for Pennvest reapplication approved in July 2011, and \$3,570 for nutrient trading and rate comparison approved in August 2011. It was noted that these costs were already paid and these actions were referenced in the minutes for these meetings, but must be formally added to the Pennvest budget if they are to be considered eligible for reimbursement from Pennvest. **MOTION** by Chairperson Perrotto, second by Mr. Ludwig to authorize a change order to the Pennvest engineering budget in the amount of \$11,681 for the items detailed above. Motion carried unanimously.

Retirement of Mr. Shope: Mr. Shope announced he would be retiring in March 2016 and he asked to bring Mike Mehaffey, who will be the new lead engineer for the Authority from Gannett Fleming, to the November Regular Meeting to introduce him to the Authority members. He indicated that Mr. Mehaffey was involved in the engineering for the WWTP improvements project and shared his opinion that he would do a good job in this new role. The Authority granted Mr. Shope's request and expressed its congratulations to him on his upcoming retirement.

CLERK'S REPORT: Mr. Yingst informed the Authority of the following items:

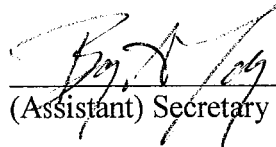
Delinquent Report: Mr. Yingst informed the Authority of the measures taken by the Township Office over the past month to collect on delinquent accounts. He noted that since the August 25, 2015 Authority meeting 19 accounts were posted for shutoff; this was comprised of seven customers who were under a payment contract but had not paid, nine customers not under a payment contract with the Township, and three landlord/tenant customers. Mr. Yingst concluded by reporting that over the past four weeks more than \$6,500 had been received from significantly past-due customers, including \$500 from BSW Holdings.

2016 Draft Budgets - Sewer Fund and Sewer Capital Fund: Mr. Yingst presented the 2016 draft budgets for the Sewer Fund and the Sewer Capital Fund for the Authority's review and comment. He noted that these draft budgets, which were being presented to the Authority a month earlier than budgets had been presented to it in prior years, were prepared with input from Mr. Powell and based upon historical analytics. Mr. Yingst also reported that these draft budgets would be reviewed by the Board of Commissioners at its October 13, 2015 Special Meeting. He stressed that, as these draft budgets were being provided to the Authority with more than a quarter of the year remaining, the numbers presented would inevitably change as the budget process continued and more information became available. With that in mind, Mr. Yingst noted

that the 2016 draft budget for the Sewer Fund was balanced with the \$55,645 surplus of revenues over expenses being budgeted as a year-end contribution to the Sewer Capital Fund. He indicated this was done with no increase projected to the quarterly Sewer Rentals fee. Mr. Yingst also noted that this surplus may decrease by several thousand dollars if the Public Works Department's labor distribution is revised for 2016, although he indicated that even with such a revision he anticipated there would still be a year-end surplus for the 2016 Sewer Fund budget. Chairperson Perrotto thanked Mr. Yingst and Mr. Powell for their work in preparing the budgets and the Authority then briefly discussed the budgets.

MOTION by Mr. Ludwig, second by Mr. Seward to approve the reports as presented at this meeting. Motion carried unanimously.

There being no further business to come before the Authority, **MOTION** by Mr. Ludwig, second by Mr. Rooney to adjourn the meeting. Motion carried unanimously and the Regular Meeting was adjourned at 6:19 PM.



(Assistant) Secretary