

ANNVILLE TOWNSHIP AUTHORITY
AGENDA
March 22, 2016

Visitor(s):

1. Call to Order
2. Public Comment
3. Minutes – February 23, 2016
4. Sewer Fund Report
5. Accounts Payable
6. Superintendent's Report
7. Solicitor's Report
 - Legal Actions Against Significantly Delinquent Customers
 - Policy Regarding Reimbursement of Professional Services Costs by a Third Party
8. Engineer's Report
 - Chapter 94 Report
9. Clerk's Report
10. Adjournment

**MINUTES OF THE ANNVILLE
TOWNSHIP AUTHORITY
March 22, 2016**

The March Regular Monthly Meeting of the Annville Township Authority was held starting at 5:30 PM on March 22, 2016 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Hugh Rooney, Chairperson; Barry Ludwig, Vice Chairperson; David Myers, Secretary; Keith Seward, Treasurer; and Anthony Perrotto, Assistant Secretary/Assistant Treasurer. Also in attendance were Nicholas T. Yingst, Township Administrator and Authority Clerk; Leslie J. Powell, Superintendent of the Wastewater Treatment Plant (WWTP); Timothy D. Sheffey and Corey Lamoureux, Office of the Township Solicitor; and Michael Mehaffey, Engineer with Gannett Fleming.

Chairperson Rooney 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: Chairperson Rooney provided an opportunity for public comment and, as no one from the public was in attendance, no public comments were noted.

MINUTES: MOTION by Mr. Perrotto, second by Mr. Seward to approve the minutes of the Regular Meeting held February 23, 2016 as presented. Motion carried unanimously.

SEWER FUND REPORT: The Authority reviewed the Sewer Fund Report for the period ending February 29, 2016.

ACCOUNTS PAYABLE: The Accounts Payable list for March 2016 was reviewed. Chairperson Rooney asked if Check No. 10760 in the amount of \$588.00 to North East Technical Sales, Inc. pertained to the damaged boards for the second stage blowers and Mr. Powell indicated it did not, and rather represented payment for motors. Mr. Perrotto asked if Check No. 10754 in the amount of \$843.00 to Hackman Fire Equipment pertained to the annual inspection of fire extinguishers and Mr. Powell confirmed this. With no further comments noted, **MOTION** by Mr. Seward, second by Mr. Ludwig 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.

SUPERINTENDENT'S REPORT: Mr. Powell reported that the WWTP is operating very well. Per review of the Monthly Report, Mr. Rooney asked if the sludge received from Hollywood Casino and the Fredericksburg Sewer Authority was expected to continue on a routine basis and Mr. Powell indicated that was his expectation. 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 discussed with the Authority the results of the latest samplings for the following businesses and institutions: Annville-Cleona High School, Annville Grille, Batdorf Restaurant, Corvette Grille, J&S Pizza, Just Wing It, Kindred Place, Salsa's Mexican Grille, and the Lebanon Valley (United Church of Christ) Home. He and Mr. Yingst noted that of these, the following were on the upcoming billing cycle and that surcharges would be assessed to their April 1 bills: Annville Grille, Batdorf Restaurant, Corvette Grille, J&S Pizza, and the Lebanon Valley Home. Mr. Yingst also noted that this represented the first sampling performed on

ANNVILLE TWP.WASTEWATER TREATMENT PLANT

STATUS OF PENDING PROJECTS

March 18, 2016

- (1) **SURCHARGE** We sampled UCC Home, J&S Pizza, Salsa's, Annville Grille, Just Wing It, Corvette, Batdorf, Kindred Place and ACHS results attached.
- (2) **HAULING** No hauling this month.
- (3) **PLANT** I am working with North East. We are going to replace the turn pots on the valves on Tuesday.
- (4) **METHANOL** The new pump is being built and should be shipped out by the end of the week.
- (5) **SAMPLER** We have a total of two portable samplers. The one is two years old the other one is around 15 years old. The oldest one we have the computer board just went out and to get a new board we might as well upgrade to a new sampler. I got prices from the following suppliers for a new sampler
 1. USA Blue Book-just for sampler \$3,689.00 they do not supply batteries
 2. HD Supply-sampler \$3639.00, charger \$255.78 and batteries 417.48
total \$4,312.26
 3. HACH-sampler \$3135.65, charger \$247.95 and batteries \$404.70 total \$3,788.30
- (6) **VAC** I was going to be off April 26 which is the next Auth meeting. I can schedule Keith H to attend meeting if you would like someone there.
- (7) **WET WELL CLEANING** I got the following prices to have the wet well and septage station cleaned out. We have yet to clean septage station out and it has been two years since in operation. This will give us a good idea how the equipment is working.
 1. Walters-no price
 2. USG-\$200.00 per hr.
 3. Kline's-\$335.00 per hr.
- (8) **CPS** Cleona P/S is going to be replacing there main pumps to the same type of system we got in our upgrade I will be inspecting their work twice a day at a rate of \$75.00 per hr.

Respectfully Submitted,
Les Powell Chief Operator

Salsa's Mexican Grille and the Township Office mailed the owner of the property and the manager of the restaurant these results along with a letter indicating that high sampling numbers in the future could result in a surcharge added to the corresponding bills. The Authority then reviewed the high sampling results for Just Wing It, and Mr. Yingst noted that warning letters and sampling results were mailed to both the owner of the property and the manager of the restaurant following the June 2015 and September 2015 samplings, with no surcharge being assessed for the September 2015 sampling and only the \$250 test charge being assessed for the June 2015 sampling, per the Authority's direction. Mr. Powell also confirmed he has had conversations with the manager of the restaurant about its high sampling numbers. Mr. Perrotto suggested that the Authority should have a policy about assessing surcharges after a certain number of warnings that would be automatic and consistent. Several members of the Authority expressed their concurrence with this suggestion. Mr. Myers asked why there were significant differences in sampling results from one testing to the next and Mr. Powell indicated it was likely because there were different employees working at the restaurant. With no further discussion noted, **MOTION** by Mr. Perrotto, second by Mr. Seward to direct that newly sampled establishments should receive their testing results, including a projected surcharge, via certified mail as a warning and that the testing results of the next sampling should be surcharged as part of the corresponding bill. Motion carried unanimously.

Second Stage Blowers: Mr. Powell reported that North East Controls has replaced the actuator boards for the second stage blowers that had not been working sufficiently. He further reported that these replacement boards are working as they should and he is satisfied this has corrected this ongoing issue. **MOTION** by Mr. Ludwig, second by Mr. Perrotto to recommend to the Board of Commissioners that it authorize payment of the outstanding invoice to North East Controls in the amount of \$2,184 for costs associated with the actuator boards for the second stage blowers. Motion carried unanimously and the Authority thanked Mr. Powell for his perseverance in bringing this matter to a satisfactory conclusion.

Portable Sampler: Mr. Powell reported that the computer board on the older of the two portable water samplers is no longer working and, due to the cost of replacing the computer board and the age of the sampler, he recommended it would be prudent to purchase a new water sampler. He reported that he obtained prices from three vendors for this item: \$3,788.30 from Hach (\$3,135.65 for the sampler, \$247.95 for the charger, and \$404.70 for batteries), \$4,312.26 from HD Supply (\$3,639.00 for the sampler, \$255.78 for the charger, and \$417.48 for batteries), and \$3,689.00 from USA Blue Book for a sampler only (charger and batteries not included). It was also noted that while this cost was not budgeted for in 2016 it was believed there would be adequate funds to cover this expense. **MOTION** by Mr. Ludwig, second by Mr. Myers to recommend to the Board of Commissioners that it authorize the purchase of a portable sampler, charger, and batteries from Hach at a cost of \$3,788.30. Motion carried unanimously.

Wet Well Cleaning: Mr. Powell recommended that the wet well and septage station be cleaned, noting that he sought estimates for this work from the following three entities: USG (\$200 per hour), Kline's (\$335 per hour), and Walters' (no estimate provided). Mr. Powell noted that the total costs would likely run between \$1,000 and \$1,500 and that this cost was included in the 2016 budget for repair and maintenance of sewers. **MOTION** by Mr. Ludwig, second by Mr. Seward to recommend to the Board of Commissioners that it authorize the cleaning of the wet

well and septage station at the WWTP by USG at a cost of \$200 per hour. Motion carried unanimously.

Cleona Pump Station: Mr. Powell reported the main pumps at the Cleona pump station are being replaced. As the Cleona Borough Authority has a maintenance contract with the Annville Township Authority and the Cleona system is the same as that installed for the Annville WWTP upgrade project, he reported that he will be observing this work twice a day at a rate of \$75 per hour. The Authority discussed this briefly and, while it was supportive of it, wanted to be sure it was clear that Mr. Powell was only observing, and not formally inspecting, the work. **MOTION** by Chairperson Rooney, second by Mr. Ludwig to authorize Mr. Powell to observe the replacement of the main pumps at the Cleona pump station at the above rate. Motion carried unanimously.

Plant Inspection: Mr. Powell reported on a recent inspection by the Pennsylvania Department of Environmental Protection (DEP) pertaining to the WWTP's National Pollutant Discharge Elimination System (NPDES) permit. He indicated that while the plant's new NPDES permit was anticipated to be issued in the next few months, it will bring with it some changes that will affect the WWTP. Specifically, he noted that the plant will have to conduct testing twice a week instead of once a week regarding its permit limits and that nitrogen offsets from septage haulers may no longer be used to offset the plant's nitrogen number if the septage did not originate in the WWTP's service area. Chairperson Rooney asked about the financial impact regarding the latter of these changes and Mr. Mehaffey estimated that between \$500 to \$2,000 annually could be lost if these offsets were to be sold as nitrogen credits to other permittees, depending on going rates. Chairperson Rooney noted this would also require more methanol product to be used to ensure that total nitrogen remains within the permitted limit. Mr. Perrotto asked if the increased testing was due to anything observed by DEP at the plant or represented a best practice. Mr. Powell and Mr. Mehaffey explained that this is typical of how NPDES permits function and that the requirements often become stricter as time goes on.

SOLICITOR'S REPORT: The Authority was informed of the following items:

Policy Regarding Reimbursement of Professional Services Costs by a Third Party: Mr. Lamoureux presented a proposed policy and draft agreement pertaining to the reimbursement of professional services costs requested by a third party. **MOTION** by Mr. Seward, second by Mr. Ludwig to adopt Policy #2016-001, Professional Costs Requested by a Third Party, and the corresponding agreement as presented. Motion carried unanimously and a copy of this policy is attached hereto and made a part of these minutes.

Legal Actions Against Significantly Delinquent Customers: Mr. Sheffey provided brief updates on several liens for unpaid sewer and trash fees. Regarding the lien against the properties on North King Street and West Church Street that are owned by BSW Holdings, he reported that BSW Holdings made another payment in March to reduce the outstanding principal balance of the lien for these properties to less than \$3,800. Regarding the lien against the former Carranza property at 524 West Queen Street, he reported that final payment has been received and the lien has been satisfied. Finally, regarding the lien against the Smith-Loser property at 807 East Walnut Street, Mr. Sheffey reported that although it was recently sold at Sheriff's sale

ANNVILLE TOWNSHIP AUTHORITY

POLICY #2016-001

PROFESSIONAL COSTS REQUESTED BY A THIRD PARTY

PURPOSE: The Annaville Township Authority (ATA) occasionally receives requests from a third party (such as a developer or an entity interested in purchasing a property) for information pertaining to the sanitary sewer system that involves either direct or indirect coordination with a professional services provider (such as a solicitor or engineer) who is retained by the ATA for this purpose. When these requests are granted, typically the costs for professional services that benefit the third party are initially paid to the professionals from funds for which the ATA has oversight and the third party is later billed for reimbursement. The ATA desires to make it clear to any third parties making such a request that they will be required to provide reimbursement in full for these professional costs within ten days of receipt, that failure to provide reimbursement will result in legal action taken against them to collect the monies owed to the ATA, and that they must sign a form indicating their understanding of, and agreement with, the aspects of this policy before any such requests are granted by the ATA.

POLICY: Any third party requesting information pertaining to the sanitary sewer system that involves either direct or indirect coordination with a professional (such as a solicitor or engineer) who provides these services to the ATA, and where this coordination will involve costs initially paid from municipal funds, must complete and have an official sign a form as provided by the ATA indicating the entity's name, address, contract information, and the type of services being requested of the professional. This form will also indicate that these professional costs must be paid within ten days of receiving an invoice for reimbursement from the ATA and that any costs of litigation and attorney's fees will be charged to the entity if they do not comply. Also, the ATA must approve these requests for the professional service to be provided in the manner described above.

EFFECTIVE DATE: March 22, 2016

ADOPTED: March 22, 2016.

and the deed should have been transferred, the Sheriff's Office has indicated that this has not yet occurred. To that end, he indicated he would shortly be following up with the Sheriff's Office to investigate this further.

CONDUIT FOR TAX-FREE FINANCING FOR LEBANON EXPO CENTER: Mr. Sheffey reported the closing for the Lebanon Expo Center financing is scheduled for March 28, 2016. He further indicated the paperwork that needs to be signed by the Chairperson and Secretary of the Authority, as it is acting as a conduit for tax-free financing for the Expo, is being mailed to the Township Office and Mr. Yingst will coordinate with those officers for their signatures.

ENGINEER'S REPORT: The Authority was informed of the following item:

Chapter 94 Report: Mr. Mehaffey presented copies of the Township's Municipal Wasteload Management (Chapter 94) Report for 2015 to the members of the Authority, Mr. Powell, Mr. Yingst, and Mr. Sheffey and Mr. Lamoureux. He noted that this report has been submitted to DEP and he did not foresee any concerns from that agency as he considered it to be a good report with no issues pertaining to hydraulic or organic loading.

CLERK'S REPORT: The Authority was informed of the following item:

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 February 23, 2016 Authority meeting 14 accounts were posted for shutoff; this was comprised of three customers who were under a payment contract but had not paid and 11 customers not under a payment contract with the Township. Mr. Yingst concluded by reporting that over the past four weeks more than \$10,900 had been received from significantly past-due customers, including \$2,414.85 from the Corvette Grille, \$1,500 from BSW Holdings, and \$800 from the Allen Theatre.

MOTION by Mr. Perrotto, second by Mr. Ludwig 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. Seward to adjourn the meeting. Motion carried unanimously and the Regular Meeting was adjourned at 6:05 PM.


(Assistant) Secretary