

**DRAFT MINUTES OF THE ANNVILLE
TOWNSHIP AUTHORITY
February 25, 2020**

The February Regular Monthly Meeting of the Annville Township Authority was held starting at 5:30 PM on February 25, 2020 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; Anthony Deaven, Secretary; David Myers, Treasurer; and Karen Mailen. Also in attendance were Nicholas T. Yingst, Township Administrator and Authority Clerk; Leslie J. Powell, Superintendent of the Wastewater Treatment Plant (WWTP); Joseph Viozzi, Public Works Department; and Corey Lamoureux, Esq., Township Solicitor.

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.

ELECTION OF ASSISTANT SECRETARY/ASSISTANT TREASURER: Noting that Karen Mailen had been appointed to fill the previously vacant seat on the Authority and there was currently a vacancy in the office of Assistant Secretary/Assistant Treasurer of the Authority, **MOTION** by Mr. Deaven, second by Mr. Ludwig to elect Karen Mailen as Assistant Secretary/Assistant Treasurer of the Authority for 2020. Motion carried unanimously and Chairperson Rooney formally welcomed Ms. Mailen to the Authority.

RECOGNITION OF VISITORS AND OPPORTUNITY FOR PUBLIC COMMENT: Chairperson Rooney provided an opportunity for public comment and no comments were noted.

MINUTES: **MOTION** by Ms. Mailen, second by Mr. Myers to approve the minutes of the Regular Meeting held January 28, 2020 as presented. Motion carried unanimously.

FINANCIAL REPORTS: The Authority reviewed the income statements and balance sheets for the Sewer Fund, Sewer Capital Fund, and MS4 Fund for the period ending January 31, 2020. Mr. Yingst shared information on the annual MS4 Fund contribution to the Lebanon County Stormwater Consortium, noting this was underbudget for 2020, and answered several questions from the Authority regarding same.

ACCOUNTS PAYABLE: The Accounts Payable list for February 2020 was reviewed, with Mr. Powell noting that Sewer Fund Check No. 12673 to Walker Process Equipment pertained to the approved purchase of the upper gear drive reducer. **MOTION** by Mr. Ludwig, second by Ms. Mailen that the list of vendors to be paid (Cash Disbursements Journal) for the Sewer Fund, Sewer Capital Fund, and MS4 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. He began by reviewing the Monthly Report before continuing to 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: The Authority reviewed the results of the latest samplings for the American Legion, Annville-Cleona High School, and Kindred Place. Mr. Yingst reported that copies of these sampling results were mailed to these entities earlier in the month and based upon these results

surcharges would be assessed to their March 1, 2020 sewer bills. He also noted a Township Commissioner learned there was a grease trap at the Luthercare for Kids childcare facility on South King Street when an employee shared information on a lateral clog. Realizing the childcare facility served cafeteria style food which could possibly contribute to clogs, the Commissioner wondered if it should be added to the list of entities sampled. Noting Mr. Powell had been unaware that facility had a grease trap and prepared food, the Authority reviewed the Luthercare for Kids website to determine the types of food it served. Based on this, Mr. Powell noted it could potentially generate a strength of waste surcharge. The Authority then discussed at length if a childcare facility was like other types of entities being sampled and asked Mr. Yingst to research the Township Code of Ordinances regarding this and share his findings at the next meeting.

Dewatering Equipment and Building Project: The Authority was informed of the following items:

Engineering Work by Gannett Fleming: The Authority reviewed an update provided by Nicholas Sahd of Gannett Fleming of his firm's engineering activities over the past month for the dewatering project and elsewhere for the Authority, a copy of which is attached hereto and made a part of these minutes. Mr. Powell reported that Alfa Laval, the centrifuge manufacturer, was onsite the last two weeks to ensure the necessary benchmarks were met during start-up and it had been beneficial for him and his staff to be able to observe that process. He also reported there is a vibration in a gear box that Alfa Laval will be looking at shortly.

Dewatering Project Loan Requisition No. 6: Mr. Yingst reported that, per Gannett Fleming, the only punch list items to be satisfied before retainage should be paid was receipt of the as-built plans and the operations and maintenance manual, as well as addressing a drip at the polymer system. After a lengthy discussion concerning whether a contingent motion to release the retainage was appropriate considering the circumstances, **MOTION** by Mr. Deaven, second by Mr. Ludwig to recommend to the Board of Commissioners it (1) authorize Requisition No. 6 from the dewatering project loan to the dewatering account in the amount of \$22,024, (2) authorize payment from the dewatering account to Sherwood Logan & Associates, Inc. in the amount of \$22,024 for the balance of accumulated project retainage, and (3) authorize the closeout of the dewatering project loan and account by the appropriate Township officials, all actions contingent upon the determination of Gannett Fleming and Mr. Powell regarding receipt of satisfactory as-built plans and the operations and maintenance manual and the satisfactory addressing of the polymer system drip. Motion carried by a vote of four to one with Chairperson Rooney, Mr. Ludwig, Mr. Deaven, and Mr. Myers voting in favor of the motion and Ms. Mailen voting against the motion.

Project Cost Tracking Spreadsheet: The Authority reviewed the project cost tracking spreadsheet.

General Operations and Maintenance: Mr. Powell reported he will need to use a grease distributed by Alfa Laval to service the centrifuge while it is under warranty, although he believes a less expensive grease would be suitable once the warranty expires. He also noted the need to rebuild the actuator valve for Filter #3 and he anticipated the cost would be around \$1,700 to do so.

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

Discharge Motion Regarding Municipal Claims Against Property at 100 North Weaber

Street: Mr. Lamoureux reported the hearing for the discharge motion regarding the municipal claims against the condemned property at 100 North Weaber Street had been cancelled. He indicated this was due to the notice of the motion achieving the intended result of garnering information about whether the lienholders would be willing to discharge their liens and he shared that specific information with the Authority members. Mr. Lamoureux concluded by noting that several options were available to the Board of Commissioners, in part because the Authority's lien against this property gave the Township standing in this matter.

North Annville Township Municipal Work: Mr. Lamoureux reported he recently assisted a colleague with municipal work for North Annville Township. As he recognized the Authority and Annville Township at times had matters pertaining to North Annville that involved legal input, he indicated he was committed to continuing to prioritize work for Annville and the Authority and would pass on any North Annville municipal work that might cause a conflict of interest. He also indicated, however, that he would not do any municipal work for North Annville if the Authority thought this a prudent course. No concerns were raised by members of the Authority, and several expressed their confidence in Mr. Lamoureux's ethical judgment in these situations and his ability to act appropriately and in the Authority's best interests.

Mr. Myers left the meeting at 6:15 PM.

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

Chapter 94 Report: Mr. Yingst reported that Mr. Sahd indicated the 2019 Chapter 94 Report should be ready for review by the Authority at its March 24, 2020 meeting.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) REPORT: Mr. Yingst reminded the Authority that last year at this time he did a review of the accounts that were being charged the MS4 fee only and if they any had significant outstanding balances. He reported that he did so again and noted only one account that was significantly delinquent, namely the Pennsy Supply property with \$523.52 owed. He concluded by reporting he has contacted the customer directly and anticipates this should rectify the delinquency.

CLERK'S REPORT: The Authority was informed 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 January 28, 2020 Authority meeting 20 accounts were posted for shutoff and that over the past four weeks more than \$4,500 had been received from significantly past-due customers.

2020 Delinquent Customers Policy: Mr. Yingst noted that, due to anticipated warmer temperatures, the Township Office would soon be able to shut off water service for nonpayment of sewer, trash, and MS4 fees. To that end, he requested the 2019 delinquent policy remain in effect for 2020, noting this would authorize the Township Office to post delinquent accounts for water shut off if the customer is \$500 or more in arrears, or two or more quarters in arrears, per dwelling or nonresidential unit. After discussion by the Authority members, **MOTION** by

Chairperson Rooney, second by Mr. Ludwig to authorize the Township Office to enforce the delinquent account collection policy as described above. Motion carried unanimously.

Upcoming Resignation of David Myers: Mr. Yingst reported a letter of resignation from the Authority had been received from David Myers due to shortly moving out of the municipality and it was anticipated the March 24, 2020 meeting would be his last as a member of the Authority.

Sewage Backup Costs: Mr. Powell and Mr. Yingst described a recent sewer main backup that resulted in a property owner incurring costs for a plumber. After discussion by the Authority, including a review of past practice and noting it has not previously recommended reimbursement of costs not related to outside professional services for such issues, **MOTION** by Mr. Ludwig, second by Ms. Mailen to recommend to the Board of Commissioners that it authorize payment in the amount of \$219.99 pertaining to the sewer main clog that resulted in plumber costs for the property at 31 North Railroad Street. Motion carried by a vote of three to zero with Chairperson Rooney, Mr. Ludwig, and Ms. Mailen voting in favor of the motion and Mr. Deaven abstaining.

MOTION by Mr. Deaven, 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. Deaven, second by Mr. Ludwig to adjourn the meeting. Motion carried unanimously and the Regular Meeting was adjourned at 6:28 PM.

(Assistant) Secretary