

NORTH HUNTINGDON TOWNSHIP MUNICIPAL AUTHORITY
 REGULAR MEETING, JANUARY 4, 2012, 7:00 PM
 YOUGHIOGHENY WATER POLLUTION CONTROL PLANT
 4222 TURNER VALLEY ROAD, NORTH HUNTINGDON, PA 15642

ROLL CALL:

Andrew Blenko	- Present	Kate Petrosky, Manager	- Present
Timothy Hondal	- Present	Donald J. Snyder, Jr., Solicitor	- Absent
Edward Shields	- Present	Daniel J. Hewitt, Solicitor	- Present
William Miller	- Present	Charles J. Gilbert, System Supt.	- Present
Joseph Korenic, Jr.	- Present	David A. Coldren, KLH Engineers	- Present
		Michael Branthoover, Finance Director	- Present

The Regular Meeting of the North Huntingdon Township Municipal Authority was called to order at 7:00 P.M. by Andrew Blenko, Chairman. Mrs. Petrosky called the roll and a quorum was present.

CITIZEN'S INPUT

Duane List – 1251 Colt Drive

Mr. List lives in Florida, and bought the house at 1251 Colt Drive for his boys to live in while they were going to college. That fell through and in the interim the house was vacant and the water lines broke. There was water damage to the home and the water department shut the water off. The water bill was over \$600. Mr. List paid the water bill and paid the sewage bill at that time. The water lines were disconnected. He was being charged for sewage but the water wasn't being used. He didn't have someone up here to open the house to have it inspected. When it was inspected, everything was disconnected except for a toilet. The home was vacant and he was being charged for sewage. Mr. List asked for some understanding. He paid for what he used, but it's the things he didn't use. He met the parameters for sewage; he just didn't have anyone available here to let someone in for the inspection.

Mr. Blenko asked if the Authority was ever contacted prior to January 2009?

Mrs. Petrosky replied there was no record in the file prior to that date. An inspection was scheduled for January 29, 2009. The inspector went out, but there was a sink still connected. A second inspection was done on February 19, 2009. The inspection was approved and billing was discontinued as of that date. The outstanding balance is \$980.99. Those charges were accrued prior to February 19, 2009.

Attorney Hewitt explained that the Authority doesn't bill based on consumption – they bill based upon the fact that a customer is tying up part of the system. Mr. List tied up the system until February 19, 2009 and he was charged for holding that spot in the system for that time.

Mr. List said his problem was getting someone up here to open the door for the inspection. Mr. List said he was in contact with the Authority before the inspection. Mr. Blenko asked if he could produce any records showing he was in contact with the Authority before the inspection? Mr. Shields stated he thought that was a void point.

Mr. List said he has some emails that he sent to Mr. Martino in March and April 2009. Previous to that he had been paying the bills. He didn't use the sewage and feels he shouldn't have to pay. He had no one up here to do the inspection. Mr. Shields said contact had not been made prior to January 2009?

Mr. List said this wasn't a priority for him. In 2005 he lost the use of his legs. He had to learn to walk all over again. He had nearly four hurricanes in Florida and has had to deal with his home down there. He lost his business, his wife and \$38,000 was stolen from him. He wasn't worried about the house here. Then he had a stroke.

Mr. Blenko stated the Board has been in this position before. The Authority's policy has held firm that regardless of consumption, if a customer is connected there should be a fee due. Mr. Shields agreed that the Board has seen this before and they've followed the written procedures and need to do the same thing now.

Mr. List said he'll get his phone records and show them to the Authority if he has to. Mr. Shields said it doesn't matter if he called the Authority prior to that if the inspection wasn't done. Mr. List said he's asking for a little understanding and consideration.

Mrs. Petrosky said the policy is very firm that the Authority doesn't discontinue billing until the date of inspection. The Board has held very firm with that because if they grant one exception, then that opens up a whole field of exceptions down the road and the value of having a policy goes out the window. The Board has to justify every action they take because this is a public entity.

Mr. List explained a problem that he had with sewage years ago and he fixed it himself instead of running to the Authority. He knows there are policies but it's not right.

Attorney Hewitt stated that a public authority is held to a different standard. This body can't say they understand and cut the customer a break. The Authority has to have a hard and fast policy that applies to everybody. If they grant a request for one customer they may as well erase the policy because it has no legal value.

Mr. List said he's asking for some common sense. There's always an exception to the rule. He's not asking for an exception, just some common sense. Mr. Blenko asked if anything had been paid on the balance? Mr. List replied he didn't have his records with him but he could provide the information later.

Mr. Blenko asked why we're hearing from him on this three years later? Mr. List said he was in the hospital, he had a stroke, lost the use of his legs, lost his wife, lost his business and had \$38,000 stolen. This wasn't priority, but now it is because he's in foreclosure and he's not going to have a home. He said he would leave now, he had spoken his piece.

Mr. Blenko thanked him for coming, and Mr. List left the meeting. Mrs. Petrosky stated the last payment on the account was July 2007. Attorney Hewitt said the lien runs from July 2007 through February 2009. Mrs. Petrosky said the Authority did an inspection there in May 2001, probably when the home was built. The inspection report notes that there was a large rock in the tee that needed to be removed by the contractor. The rock in the lateral line may have caused the backup that Mr. List referred to.

Attorney Hewitt said the Board could consider foregoing the interest if Mr. List wanted to pay the lump sum? Mr. Blenko asked how much the interest would be? Mrs. Petrosky said the late fees are about \$6 each quarter. Mr. Hondal said no matter what the Authority does they would be setting a precedent.

Mrs. Petrosky asked if formal action needed to be taken? Attorney Hewitt replied not if they're not changing the decision. Mr. Blenko asked if the Board wanted to waive the interest? Attorney Hewitt said he didn't recommend it unless Mr. List offers to make a payment.

REORGANIZATION

Mr. Blenko stated the Reorganization will be postponed until next month due to Mr. Miller just being named to the Board.

ENGINEER'S REPORT

Mr. Coldren reported that in addition to the two construction contracts, the storage building and the pipeline rehab, KLH is also finalizing the plans and specs on the Yough Disinfection System to change out the chlorine gas to the bulk sodium hypochlorite system. That design is about 85% complete.

KLH finished the plans and specs for the Stewartsville Pump Station Emergency Bypass sewer pipe. The plans will be sent to the DEP for their review and approval. The Authority should get approval within the next six to eight weeks and the project can be put out for bid.

KLH hopes to advertise the two sewer line replacement projects for bid in February or March. The estimates are \$1.2 million on Country Hills 2 and approximately \$200,000 on Richard/Wayne.

SOLICITOR'S REPORT

Attorney Hewitt reviewed pending litigation during the Executive Session prior to the Regular Meeting. The first item of action is proposed Resolution #1 of 2012 which is the adoption of the IRC Section 125 Plan resulting from the recent union agreement. Mr. Hewitt reviewed the plan and it appears to be fairly standardized. He submits that Resolution #1 of 2012 is ready for adoption so that the Authority is in compliance.

Motion:	Blenko	Motion to adopt the Resolution #1 of 2012 for the IRC
Second:	Hondal	Section 125 Plan.

Motion Carried 5 – 0 – 0

Attorney Hewitt stated PNC Bank has submitted a proposal to extend its Standby Bond Purchase Agreement relating to the outstanding bonds. This is a continuation of what was started with the SWAP termination last year. It is within the parameters that the Authority was expecting, and Mr. Hewitt suggested that the Board approve the Agreement.

Motion:	Hondal	Motion to adopt the proposal to extend the Standby Bond
Second:	Korenic	Purchase Agreement.

Motion Carried 5 – 0 – 0

Attorney Hewitt reported that the Township Solicitor has suggested both parties would be better served if the two entities joined in litigation for the encroachment at the Marko property on the combined right-of-way of the Township for storm water and the Authority for sanitary. Mr. Hewitt is asking for a motion to authorize his office to join with the Township in an enforcement action to clear the right-of-way. During the course of that, Chuck has agreed to look into this and get a better idea of the extent of the encroachment. Eventually a survey will need to be done.

Motion: Hondal
Second: Shields

Motion to join with the Township in the enforcement proceeding on the Marko property.

Motion Carried 5 – 0 – 0

MANAGER'S REPORT

Motion: Korenic
Second: Shields

Motion to approve the minutes of the Regular Meeting on December 7, 2011.

Motion Carried 5 – 0 – 0

Motion: Shields
Second: Blenko

Motion to approve the minutes of the Work Session on December 7, 2011 as corrected.

Motion Carried 5 – 0 – 0

Motion: Hondal
Second: Blenko

Motion to approve the minutes of the Public Meeting with the Country Hills and Emergency 2 residents on December 14, 2011.

Motion Carried 5 – 0 – 0

Motion: Korenic
Second: Shields

Motion to approve payment of the bills:

Capital Reserve Requisition #132 --	\$ 45,951.41
Administration and System --	\$198,799.33
Payroll --	\$ 97,266.84

Motion Carried 5 – 0 – 0

OLD BUSINESS

Mrs. Petrosky reported that she sent an email to Mrs. Sullivan after the last meeting explaining that the Board was willing to permit the Sullivans to hire their own engineer, but everything would have to be reviewed by the Authority's engineer and comply with the Authority's rules and regulations. Mrs. Petrosky hasn't heard anything back.

Mr. Hondal asked about the status of Atwood Estates issue? Mr. Coldren replied that he and Chuck went out a few weeks ago and there has been no additional movement. At this point

the Authority has a proposal from Ackenheil to do the extensive investigation which was about \$15,000 to \$20,000. Mr. Hondal said the structure looks like it's in a stressful condition and asked if the Authority was going to do something because the hangers don't look too good. Mr. Gilbert said he put new hangers on within the last two weeks so it's not going to fall down. Mr. Gilbert thinks it was originally installed incorrectly and isn't sure if it hasn't moved some more. Mr. Coldren is going to try to set up a meeting with another consultant.

NEW BUSINESS

There were no items of New Business.

ANNOUNCEMENTS

An Executive Session was held prior to the Regular Meeting to discuss litigation regarding Glenn Engineering and the WWMA.

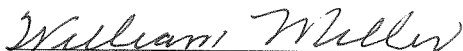
ADJOURNMENT

Motion: Korenic Motion to adjourn.

Second: Hondal

Motion Carried 5 – 0 – 0

Meeting adjourned at 7:52 PM.



Edward P. Shields, Secretary

William Miller