

NORTH HUNTINGDON TOWNSHIP MUNICIPAL AUTHORITY
 REGULAR MEETING, MAY 13, 2015, 7:00 PM
 YOUGHIOGHENY WATER POLLUTION CONTROL PLANT
 4222 TURNER VALLEY ROAD, NORTH HUNTINGDON, PA 15642

ROLL CALL:

Jeffrey Fisher	- Present	Michael Branthoover, General Manager	- Present
Todd Fry	- Present	Charles J. Gilbert, System Supt.	- Present
Timothy Hondal	- Present	Christy J. Raspotnik, Finance Director	- Present
Joseph Korenic, Jr.	- Present	Christopher Sanner, Asst. System Supt.	- Present
William H. Miller	- Present	Daniel J. Hewitt, Solicitor	- Present
		David A. Coldren, KLH Engineers	- Present

The Regular Meeting of the North Huntingdon Township Municipal Authority was called to order at 7:06 P.M. by Timothy Hondal, Chairman. Michael L. Branthoover called the roll and a quorum was present.

CITIZEN'S INPUT

Sandra Kansky – 360 Malts Lane

Ms. Kansky asked for mercy on the charges, lien and penalties of an outstanding sewage bill. She would like to clear it up tonight if possible.

Mr. Branthoover stated there is an assessment balance of \$2,943.15. The original assessment was done in 1970 and the original balance was \$1,278.75. To his knowledge as far back as he could see there have been no payments on it. The other item is an outstanding charge for sewage rentals. The amount is \$3,353.21. Our history goes back to 2001 and there have been no payments since then. The balance in 2001 was \$2,462. Recently we've added legal fees to put liens on the property and we refile those every three years. There were fees for three separate liens for \$377.82 put on the assessments and \$100 on the rentals.

Mr. Hondal asked how long she's lived at the property and if she resides there now.

Ms. Kansky replied it was her mother-in-laws property.

Mr. Branthoover said they went through the formal procedure and disconnected in 2004. There have been no sewer fees since.

Ms. Raspotnik stated there were no fees but there has been interest on the assessment portion.

Mr. Korenic asked if since 2004 there have been any payments made.

Ms. Kansky replied in 2008 she paid \$2,200 on the assessment.

Mr. Branthoover said he stands corrected, on the assessment there was a \$2,200 cash payment made in 2008.

Mr. Hondal asked what the total fees are pending today.

Mr. Branthoover said \$6,296.36. That's as of April 30 so there has probably been another round of interest charges made since. That is assessment and rentals.

Ms. Kansky said the house was torn down in 2004. It's just an empty lot. It sounds like nothing was done with the original putting in of the sewage but it's a corner lot and they only came onto the property about 20 feet but they charges for the whole frontage. He husband was fighting back then to get a fair assessment, but they wouldn't do it.

Attorney Hewitt asked if it went to court.

Ms. Kanski said her husband has attorneys but it didn't go to court. They wrote letters but nothing was done about it.

Mr. Miller asked when the sewage was put in.

Ms. Kansky replied it was 1969. Her husband then had an old super end tractor with a backhoe. He dug all the neighbors lines like Mr. & Mrs. Cena, Mr. & Mrs. Boback, Mrs. Stanick and Mr. & Mrs. George. He put all of theirs in out of the goodness of his heart and never even charged them gas. When it came to him, he got whammed with the sewage bills.

Mr. Hondal asked if the assessment is associated with the installation cost and is determined by frontage. Everybody that was served paid a share of this.

Mr. Miller stated at that time if you were on a corner lot regardless where the line went in, you paid on the long leg of your property.

Attorney Hewitt agreed that was the general rule back then.

Mr. Hondal asked if there were any other questions from the Board. He said the Board will take this under advisement and Mike will get back to her later this week or early next week.

Lora Moss – Stratton Property on Guffey-Rillton Road

Ms. Moss stated she was there for Alberta Stratton who is unable to be there because of health reasons. When the assessment was taking place her and her husband has split. The agreement was that he would make the payments. There was a situation that came up two weeks ago that an assessment notice was sent. Ms. Moss went up to discuss being charged for a dye test because she just had a loan process. It wasn't a mortgage loan or home equity, it was just a line of credit. She wants to get this taken care of. Her husband is supposed to have done it, but he passed away. She now has this bill that she can't afford. She's on a low income but she wanted to see if something can be done to get rid of some of the penalties and interest that have been attached.

Attorney Hewitt asked about her son Frank Jr. who is also on the deed.

Ms. Moss explained that he is unable to work. Last year he had five bypasses. Right now, both arteries in his legs are blocked and he'll have to have both legs removed. He cannot collect disability because he was not working the twenty weeks prior to the surgery. He has nothing to be able to help her. She has a check for the \$525 tap fee and \$66 for a past bill.

Mr. Hondal asked when her and her husband split.

Ms. Moss replied in 1992 and in 2000 he passed away. Her health has been decreasing over the years and she can't leave the house. She's been in the hospital four times in the last month with pneumonia. The reason for the line of credit is to try to get some of her bills down because she was having a hard time affording to do that.

Mr. Hondal asked when the assessment made.

Mr. Branthoover replied 1990. The principal balance at that time was \$5,242.80. The total balance now is \$13,879.53. The interest or penalty is now \$8,636.73. The two other items are the \$525 balance for the tap fee and a \$66 charge outstanding for past due sewer rentals for account number 10539.

Attorney Hewitt stated there are three structures on the property in question.

Ms. Raspotnik said one has burnt down.

Ms. Moss stated the shop had one and the shop was closed back around 1996 or 1997. The little house burned down in July 2004. There is no sewage on either of those buildings at this time. The only one is the main house.

Attorney Hewitt asked if the lines were capped.

Mr. Branthoover replied we don't know because we did not at that time have procedures to inspect for demolitions.

Attorney Hewitt said the assessment records still show a house and a building as two structures.

Ms. Moss said they would consider that the main house and then the little house. They don't have the shop on there at all. The building is there but they don't show any of that.

Mr. Branthoover said the account of the main house is current and in good standing.

Mr. Hondal asked if there was anything else or any questions from the Board. It will be taken under advisement and Mike will get back to her with a decision.

Mr. Branthoover told Lora the letter of credit is a mortgage and we are going to have to do a dye test on it.

Attorney Hewitt explained a line of credit has a mortgage recorded against your property. That's the triggering event. We reviewed the policies and procedures of this Authority last year and clarified any financing including a line of credit is a triggering event. The property does need to be tested.

Mr. Branthoover said it's just the house. We'll check and make sure all the facilities are disconnected in the shop and confirm the little house has burned down. We going to dye test and inspect the lateral.

Ms. Moss said the bank says it's not a mortgage.

Mr. Branthoover says it's how it's recorded.

Ms. Moss says she was going by what the bank told her.

Attorney Hewitt said if they do it as a loan there's no mortgage recorded, but if they do it as a line of credit, they record it as a mortgage.

Ms. Moss specifically asked the bank if it is considered a mortgage. The girl said no, it has nothing to do with a mortgage. The bank needs to know that.

ENGINEER'S REPORT

Mr. Coldren recommended approval of Change Order #2 in the amount of \$4,600 under Contract #2014-4 Pump Station Panel Relocation Project.

Motion: Fry Motion to award Change Order #2 in the amount of \$4,600
Second: Korenic under Contract #2014-4.

Motion Carried 5 – 0 – 0

Mr. Coldren recommended Contract #2015-1 Building Lateral Replacement Phase 6 be awarded to Advanced Contracting for their bid of \$102,920.

Motion: Korenic Motion to accept Advanced Contracting's bid of \$102,920
Second: Fisher for the Building Lateral Phase 6 under Contract #2015-1.

Motion Carried 5 – 0 – 0

Mr. Coldren recommended Contract 2015-2 Industrial Electrician Services be awarded to Turik's Electric, LLC.

Motion: Fisher Motion to move forward with the contract with Turik
Second: Miller Electrical, Contract #2015-2 for emergency services.

Motion Carried 5 – 0 – 0

Mr. Coldren proposed their Penn's Woods Phase 3 engineering design for the Board's consideration.

Motion: Korenic Motion to move forward with the engineering firm
Second: Fry doing the Penn's Woods Phase 3 design in the amount of \$89,400.

Motion Carried 5 – 0 – 0

SOLICITOR'S REPORT

Attorney Hewitt had nothing to report.

MANAGER'S REPORT

Motion: Fisher Motion to approve the minutes of the Penn's Woods Public
Second: Fry Work Session on March 25, 2015.

Motion Carried 4 – 0 – 1 (Korenic abstained)

Motion: Korenic Motion to approve the minutes of the Work Session on
Second: Miller April 8, 2015.

Motion Carried 4 – 0 – 1 (Hondal abstained)

Motion: Korenic Motion to approve the minutes of the Budget Work Session
Second: Fry on April 8, 2015.

Motion Carried 4 – 0 – 1 (Hondal abstained)

Motion: Fisher Motion to approve the minutes of the Regular Meeting on
Second: Miller April 8, 2015.

Motion Carried 4 – 0 – 1 (Hondal abstained)

Motion: Miller Motion to approve payment of the bills:
Second: Korenic

Capital Reserve Requisition #172 --	\$648,710.51
Operation --	\$601,569.42
Payroll --	\$165,452.19

Motion Carried 5 – 0 – 0

OLD BUSINESS

There were no items of Old Business.

NEW BUSINESS

Attorney Hewitt proposed Resolution #3 of 2015 which is the update to the tap fee. Based upon the engineer's analysis and in compliance with the sewage act, an increase to \$3,775 is proposed. The resolution incorporates the KLH report as required by law.

Motion: Fisher Motion to approve Resolution #3 of 2015.
Second: Miller

Motion Carried 5 – 0 – 0

Mr. Branthoover requested approval of the Sanitary Sewer Conveyance for Dartmoor Estates Phase 3.

Motion: Fry Motion to accept the Conveyance for Dartmoor Estates
Second: Fisher Phase 3 contingent upon the receipt of the escrow funds
allegedly in transit.

Motion Carried 5- 0 - 0

Ms. Raspotnik requested approval for the Fiscal Year 2016 Operating Budget and the Five Year Plan as presented.

Motion: Korenic Motion to accept the 2016 Operating Budget and Five Year
Second: Fisher Plan as presented.

Motion Carried 5- 0 - 0

Mr. Branthoover requested authorization to formally extend invitation for hire to Michael Sartori and Greg Kenric both at a rate of \$18 per hour pending a 90-working day probationary period. Their hire is also contingent upon passing a criminal background check and drug and alcohol screening.

Motion: Fry Motion to move forward with the hiring of two laborers as
Second: Miller described by Mr. Branthoover pending background, drug
and alcohol tests and a 90-day working period.

Motion Carried 5- 0 - 0

Mr. Sanner requested the sale of the 2001 Vactor jet truck.

Mr. Hondal asked if there is a cost range.

Mr. Sanner said he's researched vehicles similar in year back and model. There is a baseline but we'll see what the prices come in at and will leave it up do the Board's discretion.

Mr. Hondal asked if he was requesting approval to advertise for sale.

Motion: Fisher Motion to begin advertisement of the sale of the 2001
Second: Fry vactor jet/vac truck.

Motion Carried 5- 0 - 0

Mr. Branthoover requested authorization to have the property appraisal evaluation for insurance and GASB purposes. The cost is \$7,200 for the initial year and \$865 for annual updates from Accountable Assets Incorporated in Perryopolis.

Mr. Hondal asked how many years the contract is.

Mr. Raspotnik replied there's the initial year and then five after that, so six total.

Motion: Miller Motion to move forward with the property appraisal
Second: Fisher evaluation for a six year period, \$7,200 for the first
year and then \$865 for every year after through
Accountable Assets Incorporated.

Motion Carried 5- 0 - 0

Mr. Hondal stated there were two citizens this evening with similar requests of waiving assessment fees of many, many years ago. He asked the Board's feeling on this. Historically, this has never been done.

Mr. Branthoover said historically we've have never forgiven any rentals or penalties. Assessments may be another matter. He doesn't know of any personally. He asked if Christy knew of any.

Ms. Raspotnik replied she thought there was one a while ago but couldn't recall. There are one that have been written off because of different situations. There was one on Scotch Hill written off because somebody else owns it now. On the Stratton property, there were \$100 to \$200 payments made here and there up until 1999. The man died in 2000 so he was trying to pay it.

Mr. Branthoover said he feels bad, but ignoring your bills doesn't make them go away.

Attorney Hewitt said they fought the charges forty years ago, lost and didn't pay.

Mr. Branthoover said they've ignored the rental charges too.

Mr. Coldren asked if they signed up for a payment plan, would the interest and penalty stop moving forward.

Ms. Raspotnik replied it wouldn't stop until they paid all the interest off and starting eating up the principal. The interest would then be lower.

Mr. Branthoover said the decision is entirely up to the Board.

Mr. Miller asked if we've excused someone in the past.

Ms. Raspotnik said she's not positive, but she can check. It may have just been the interest on an assessment.

Attorney Hewitt said we realize none of these people are going to write a check.

Ms. Raspotnik said she thinks Kansky's might pay it right away.

Attorney Hewitt said one of the reasons why we file the liens and assessments are recorded is so when that property transfers, we get paid in full with interest and penalty to date. We're dealing with a family property who are not willing to part and it's going to a son who is not going to be able to pay it.

Mr. Hondal said if we were in the wrong, we should take some responsibility and we've done that in the past. But when we're not in the wrong, we've got to stick to our guns. Unless there are any other Board comments we'll just let it go as is.

ANNOUNCEMENTS

An executive session was held prior to the Regular Meeting for the purpose of discussing legal and personnel matters.

ADJOURNMENT

Motion: Korenic Motion to adjourn.
Second: Fisher

Motion Carried 5 – 0 – 0

Meeting adjourned at 7:43 PM.



William H. Miller, Secretary