

SPRING-BENNER-WALKER JOINT AUTHORITY

REGULAR MEETING

October 23, 2017

ATTENDANCE:

AUTHORITY MEMBERS:

Spring	Joseph Galbraith Gregg Heny Chris McMurtrie Dondi Smeltzer
Benner	Dan Hoffman Timothy Miller
Walker	Dennis McDowell Ted Onufrak

GUESTS: None present

EXECUTIVE DIRECTOR: N. Warren Miller

EMPLOYEES: Kelly Gill

CALL TO ORDER:

The October 23, 2017, Regular Meeting of the Spring-Benner-Walker Joint Authority was called to order at 7:00 P.M. by Timothy Miller, Chairman. Mr. T. Miller thanked everyone for attending and stated that the meeting would be recorded for transcription.

ROLL CALL:

Dondi Smeltzer, Assistant Secretary, took Roll Call, recording eight members present. Mr. Hughes was absent. Mr. T. Miller, Chairman noted that with a quorum present, the Spring-Benner-Walker Joint Authority was permitted to conduct business under the laws of Pennsylvania.

PLEDGE OF ALLEGIANCE:

Mr. T. Miller, Chairman, led the Board members and Employees in the Pledge of Allegiance.

APPROVAL OF MEETING MINUTES:

Mr. T. Miller asked the Board if there were any questions and/or changes to the October 9, 2017 meeting minutes as presented. **Mr. Galbraith moved, seconded by Mr. McMurtrie to approve the Minutes of the October 9, 2017 Regular Meeting as presented.** 8 ayes, 0 nays, 1 absent. **The motion carried.**

CORRESPONDENCE:

Lee, Green & Reiter – We received an email from Robert Mix indicating he was asked to review the available public records in search of easements for the storm sewer that our Authority was asked to clean as part of the Pleasant Hills Development. Mr. Mix located easements through lots 6 and 7, but couldn't locate an easement for the tract owned by the Pennsylvania Railroad Company (PRR). Mr. Mix suggests the Pleasant Hills Homeowners Association (HOA) provide our Authority with an easement from the PRR before work can commence. He also recommended the Authority consult with its insurance agent to determine if coverage would exist since this work is not within the scope of our Authority's duties and responsibilities. Lastly, Mr. Mix suggested a written contract be prepared to indemnify the Authority for any damage caused by its efforts to clean the storm sewer. **TO BE FURTHER DISCUSSED UNDER THE EXECUTIVE DIRECTOR'S REPORT.**

Penn Terra Engineering – Tony Fruchtl sent us an email requesting our Authority provide a letter of intent to provide sewer service for the G.M. McCrossin site located along Benner Pike. The plan includes 3 offices and 4 retail spaces, for a total of 7 EDUs. A letter of intent was provided to Mr. Fruchtl on October 18, 2017. Mr. W. Miller indicated the plan includes the construction of a 2 story building with offices upstairs and retail shops on the first floor.

Miller, Kistler & Campbell – David Gaines, Jr. sent a letter to Robert Mix pertaining to our Authority's request to complete an in-home sewer inspection to the property located at 1241 Doruss Drive, Bellefonte. Mr. Gaines indicated our Authority's inspection program is patently unlawful and his clients refuse to allow our Authority access to their property. Mr. W. Miller indicated there is court precedent that we were provided with at the time the in-home inspection policy was developed, which has been forwarded to Mr. Mix for review and comment.

Keller Engineers – Adam Long is requesting our Authority offer a letter of intent to provide sewer service to the Central PA Institute of Science & Technology's new Medical Sciences Building. The new facility will consist of a classroom building for nursing and medical related education programs in addition to a tenant space for a medical office to give the students school-to-work experience. A letter of intent was provided to Mr. Long on October 16, 2017.

Gwin, Dobson & Foreman Engineers – Andrew Johnson submitted a letter to our Authority in response to our recent RFP to perform a rate study. Mr. Johnson indicated it is their belief that if the Authority Board has concerns regarding the customer rates and/or equipment rentals that a meeting of the Finance committee, Accountant, Engineer and Executive Director would be more productive to discuss and address financial concerns. GD&F has declined providing a proposal to our Authority at this time and would prefer to work collectively towards a well thought out financial plan.

Pleasant Hills HOA – Our Authority received a copy of letter that was issued to William MacMath, Spring Township Manager, from the President of the Pleasant Hills HOA, Aimee Levandoski. Ms. Levandoski thanked Mr. MacMath for copying her on the September 4, 2017 letter to our Authority and appreciates their assistance with the matter, but wanted to clear up an apparent misunderstanding.

Ms. Levandoski referenced Mr. MacMath's comment which read, "the Association has become aware that maintenance of the stormwater facilities are their responsibility"; however, she indicated this is not entirely accurate and what was previously expressed while she attended the last Spring Township Supervisor's meeting. The HOA believes they are responsible for maintaining the real estate they own and includes the drainage basins into which the stormwater flows; however, the HOA understands that the Township has maintained the storm sewer drains, pipes, grates and other facilities since their neighborhood's inception. Ms. Levandoski continued by stating the HOA believes these items remain the responsibility of the Township. The HOA attended the last Spring Township Supervisor's meeting to report the condition of the pipe and asked the Township to maintain it as it has maintained the neighborhood stormwater facilities in the past.

Ms. Levandoski reported the HOA hired an excavator to perform the necessary work to dig out and maintain the drainage basin, which is now complete and accessible to be cleaned out. The HOA understands that the Township will work with our Authority to clean out this pipe.

FINANCIAL REPORTS:

Treasurer's Report: Mr. Onufrak reviewed the financial reports for the period ending 09/30/2017 and asked if there were any questions regarding the Treasurer's Report or any comments by the Authority staff. **Mr. McDowell moved, seconded by Mr. Hoffman to approve the Treasurer's Report as presented.** 8 ayes, 0 nays, 1 absent. **The motion carried.**

APPROVAL OF PAYMENTS:

Approval of Requisitions:

Revenue Fund Requisition 2012-111 – Mr. Onufrak presented the Board with Revenue Requisition 2012-111. Mr. T. Miller asked if there were any questions regarding the presentation of Revenue Fund Requisition #2012-111. **Mr. Heny moved, seconded by Mr. Smeltzer to approve Revenue Requisition 2012-111 payable to SBWJA in the amount of \$33,969.55.** 8 ayes, 0 nays, 1 absent. **The motion carried.**

GUESTS: There were no Guests present.

EXECUTIVE DIRECTOR'S REPORT:

Pleasant Hills HOA – Mr. W. Miller indicated that following the last meeting, he contacted the Pleasant Hills HOA to inquire about the location of the drainage pipe that our Authority is being asked to assist with the removal of grit. This is not a typical storm sewer that we have cleaned in the past for any of the Townships.

Mr. W. Miller referenced an email from Mr. Onufrak on 10/13/2017 which stated that he had a discussion with William MacMath, Spring Township Manager, and suggested Mr. MacMath stated that our Authority has cleaned storm drains in the past for Benner Township; therefore, he didn't believe there would be an issue with cleaning one for Spring Township. Mr. W. Miller took a moment to inform the Board that in the past 15 years that we've had our Vactor truck, our Authority personnel have cleaned storm drains for all three Townships, but have cleaned more for Spring Township than the other two Townships combined. On one occasion there was a storm drain along Lyonstown Road that was completely plugged and flooded the road forcing Spring Township to close the road until the pipe was cleaned. Earlier this year, our Authority personnel cleaned a storm drain within Pleasant Hills development for Spring Township. The Townships have never been charged due to the sharing of equipment/services that have occurred over the years.

Mr. W. Miller stated that at this point the storm drain is not ready to be cleaned and asked Mr. McDowell if he would like to discuss this with the Board since he has also visited the site several times over the past two weeks. Mr. McDowell informed the Board that the pipe is approximately 60% packed full of debris and due to the topography of the property, the pipe would be very difficult to access for cleaning. Whenever the HOA's contractor cleaned the pipe and inlet all they did was drag some of it out, spread it over the ground and seed it.

Mr. Onufrak wanted to know if contact has been made with the Authority's insurance agent to determine if coverage would exist since this work is not within the scope of our Authority's duties and responsibilities, as stated in Mr. Mix's email. Mr. W. Miller indicated that contact hasn't been made with the insurance company, but he recalls contacting our insurance agent before we started the Vactor truck work for outside entities and finding out that we were covered. Mr. W. Miller will follow-up with our insurance agent to ensure coverage for this type of work exists.

Mr. McDowell stated the storm drain is nowhere near ready to be cleaned. Trees would need trimmed and he is not comfortable with taking our Vactor truck to the site due to limited access. Mr. W. Miller indicated there is a lot of preparation work that has been ignored. Mr. McDowell is all for helping out the Townships and working together, but this is a different situation. Mr. McDowell also stated the pipe has a turn in the middle further complicating the efforts.

Relations between Bellefonte Borough and Incorporating Municipalities – During the last meeting, Mr. T. Miller indicated he believes our Authority needs to do a better job of getting along with our communities. Mr. W. Miller stated he respects Mr. T. Miller's goals and is in agreement with the importance of working together cooperatively. Mr. W. Miller then stated in the 17+ years he has been employed with our Authority he has never experienced any animosity with the daily operations between our Authority, Bellefonte Borough and the incorporating municipalities. We work very closely, on a day to day basis, with the employees of our surrounding municipalities and there has never been any hostility. He believes that is reserved for the few elected officials and those that they appoint. Mr. Hoffman indicated he has talked to Benner Township and knows that we have a healthy working relationship with them.

Hughes Street Sewer Extension – Following the last meeting, Mr. W. Miller contacted David Burns for assistance with determining the location of property pins due to the concerns of the residents at 503 Hughes Street. Mr. Burns provided insight on the location of a couple of property pins and Mr. W. Miller was able to locate them.

The question at the last meeting was what obligates us to extend the sewer to these properties? Mr. W. Miller reminded the Board that at the Authority's June 12, 2017 meeting, in which Matt and David Burns attended, the Board unanimously approved extending public sewer to these properties and the estimated cost for the project was stated to be \$10,000. Mr. W. Miller believes that our Authority should have the properties surveyed for approximately \$1,000-\$1,200 per day and the overall project cost will still remain under the \$10,000 estimated cost. The Board agreed to have the properties surveyed to obtain the proper easements. Mr. W. Miller indicated that if we are unable to obtain the last easement before the black top plant closes then the job will have to wait until next year to be completed.

Benner Township Water Authority – Mr. W. Miller indicated he was looking for direction on whether or not this Authority Board is still supportive of working with the Benner Township Water Authority (BTWA). The BTWA is currently in litigation with the PA Department of Environmental Protection (PADEP) and Bellefonte Borough over the spreading of bio-solids to a local farm, which our Authority personnel have been involved with the hearings due to our relationship with the operation and management of the BTWA's systems.

With the upcoming preparation of the BTWA's 2018 budget, they are looking for insight on the proposed rates since there has been discussion about possibly increasing those rates. After a lengthy discussion, the Board suggested informing the BTWA that our Authority is reviewing our rates due to our Authority breaking even with the services provided to the BTWA over the last ten years.

SBWJA Master Key Locks – Mr. W. Miller looked into purchasing secure (registered) keys as suggested during the last meeting and indicated this would significantly add to the cost; therefore, the locks will be re-keyed as planned.

OLD BUSINESS:

Pleasant Hills HOA Storm Drain – Mr. T. Miller thanked Mr. W. Miller and Mr. McDowell for their involvement with reviewing the storm drain. Mr. McDowell offered to meet with William MacMath or the Pleasant Hills HOA to review our concerns with the cleaning of the pipe. Mr. Galbraith stated he believes Mr. MacMath would be the person to contact since the Township has acknowledged responsibility of the drain. Mr. Heny stated the only correspondence our Authority received from Spring Township indicates the storm drain is the responsibility of the Pleasant Hills HOA, yet two Authority Board members insist Mr. MacMath has verbally acknowledged the Township's responsibility of this drain. Mr. Heny believes that if this drain is the Township's responsibility they need to indicate this in writing to our Authority before we consider completing the work.

Rate Study Request for Proposal (RFP) – The Authority has received two responses to our request for proposal to complete a rate study. Willdan Financial Services has submitted a lump sum or fixed fee proposal of \$31,500.00 and Rettew submitted a lump sum proposal of \$22,709.00. The Board discussed the proposals and also Gwin, Dobson & Foreman's recommendation of completing the work internally using the Authority's professional services. Several Board members stressed the importance of having a rate study completed and indicated it would best be handled by a professional due to staff's time constraints and the validity, if challenged.

Mr. Onufrak moved, seconded by Mr. Galbraith to approve the proposal to complete a Rate Study from Willdan Financial Services in the amount of \$31,500.00 due to their experience with completing similar studies. Mr. T. Miller asked for a roll call vote.

Joseph Galbraith – aye
Gregg Heny – nay
Dan Hoffman – nay
Dennis McDowell – nay

Chris McMurtrie – nay
Timothy Miller - aye
Ted Onufrak - aye
Dondi Smeltzer – nay

3 ayes, 5 nays, 1 absent. **The motion failed.**

Mr. McDowell moved, seconded by Mr. Heny to approve the proposal to complete a Rate Study from Rettew in the amount of \$22,709.00. Mr. T. Miller asked for a roll call vote.

Joseph Galbraith – aye
Gregg Heny – aye
Dan Hoffman – aye
Dennis McDowell – aye

Chris McMurtrie – aye
Timothy Miller - aye
Ted Onufrak - nay
Dondi Smeltzer – nay

6 ayes, 2 nays, 1 absent. **The motion carried.**

NEW BUSINESS:

2018 Board Meeting Schedule - The Board reviewed the 2018 Board Meeting Schedule as presented. **Mr. McMurtrie moved, seconded by Mr. Smeltzer to approve the 2018 Board Meeting Schedule as presented.** 8 ayes, 0 nays, 1 absent. **The motion carried.**

First National Bank Certificate of Deposit – Our Authority was recently contacted by Michael Shuey of First National Bank about a 13 month Certificate of Deposit special they were running until Wednesday, October 18, 2017. The 13 month CD required a minimum deposit of \$50,000.00 and would earn 1.75% interest. The Authority personnel provided First National Bank with the required monies to open the CD prior to the expiration of the special; however, the signature card to officially open the account needed approved and signed at the Board meeting. **Mr. McDowell moved, seconded by Mr. Heny to open a 13 month Certificate of Deposit at First National Bank in the amount of \$75,000.00.** 8 ayes, 0 nays, 1 absent. **The motion carried.**

COMMITTEE REPORTS:

Personnel & Community Relations Committee- Mr. Hoffman indicated the Personnel Committee met on October 16, 2017 to discuss wages and longevity incentives for the Authority employees. Mr. Hoffman requested an Executive Session be held to discuss personnel matters.

EXECUTIVE SESSION – Mr. T. Miller recessed the Board for an Executive Session at 8:23 p.m. to discuss personnel matters. Mr. W. Miller and Mrs. Gill were asked to leave the meeting. The meeting reconvened at 9:14 p.m.

Cost of Living Adjustment (COLA) for 2018 – Mr. Hoffman moved, seconded by Mr. Galbraith to set the Cost of Living Adjustment at 2.3% for all employees effective January 1, 2018.

Employee Longevity Incentive – Mr. Hoffman moved, seconded by Mr. Smeltzer to approve an Employee Longevity Incentive for all Non-Exempt employees upon his/her anniversary date effective January 1, 2018 as follows:

5 year anniversary	2% wage increase
10 year anniversary	2% wage increase
15 year anniversary	3% wage increase
20 year anniversary	3% wage increase
25 year anniversary	3% wage increase
30 year anniversary	3% wage increase

To be eligible for the longevity increase the Non-Exempt employee must meet all license requirements for their position. Any Non-Exempt employee that has already met one or more of the above referenced anniversary steps will be awarded the designated wage increase effective January 1, 2018. All additional steps will occur on the employee's anniversary date. 8 ayes, 0 nays, 1 absent. The motion carried. Mr. Onufrak asked the Authority personnel to draft language to incorporate the longevity incentives into the Authority's Personnel Handbook.

Mr. T. Miller stated there will be an Executive Session held at the next meeting to discuss any other bonuses and the Executive Director's evaluation. The Board asked Mr. W. Miller to have Mrs. Gill's evaluation completed for the next meeting.

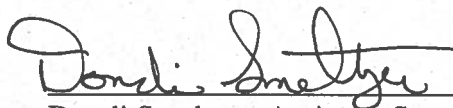
Facilities Committee: Mr. Hughes was absent.

Financial Committee: Mr. Onufrak had nothing to report.

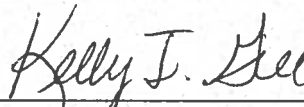
ADJOURNMENT:

Mr. Heny moved, seconded by Mr. Smeltzer to adjourn the meeting at 9:18 p.m. 8 ayes, 0 nays, 1 absent. The motion carried.

Respectfully submitted,



Dondi Smeltzer, Assistant Secretary



Kelly J. Gill, Recording Secretary

CC: Benner Township _____
Spring Township _____
Walker Township _____