

AUGUST 13, 2009

The Jackson/East Taylor Sewer Authority held its regular monthly meeting on August 13, 2009 at the Authority Office. George E. Burkey opened the meeting with the flag salute. Members present were George E. Burkey, Robert Templeton, Mary Ann Hicks, Barry Casella and Wendell Gillen.

An Executive Session was held after the last meeting on July 9, 2009 to discuss possible litigation.

PUBLIC COMMENT ON AGENDA ITEMS: None

CORRESPONDENCE:

Gillen read a letter from Cummins Bridgeway dated July 29, 2009 regarding the Generator Maintenance Agreement.

Motion was made by Gillen, seconded by Templeton, to approve the minutes of the July 9, 2009 meeting as presented. Motion carried unanimously.

FINANCIAL REPORT: (As of July 31, 2009)

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|---------------------------------|--------------|
| General Fund Balance: | \$62,630.86 |
| Revenue Temporary Fund Balance: | 298,837.94 |
| Tap Fee Account Balance: | 312,506.55 |
| Certificates of Deposit: | 125,543.40 |
| Money Market Account Balance: | 124,433.24 |
| Pennvest Loan Balance: | 9,903,857.88 |

Motion was made by Gillen, seconded by Casella, to approve the Treasurer's Report as presented. Motion carried unanimously.

SOLICITOR'S REPORT:

Attorney Alex Svirsko stated that the GPS of the sewer system will be a great asset for Cambria County and the Sewer Authority once completed. Svirsko would like an Executive Session after the regular meeting to discuss possible litigation. Svirsko reviewed Guyer Brothers letter regarding substantial completion and the generator problem, and he would like to make some changes to the letter before it is sent on to Guyer Brothers. Changes to the letter should include a time limit, any additional expenses that may exceed the retainage, the specs call for the pumps to run simultaneously, the generators are not repaired as stated and there is no mention of the pump warranty. Svirsko was on site at the Adams Avenue issue and would like to discuss this in Executive Session. Svirsko reviewed the pre-construction video of Golian's property but could not identify the location where the problem exists.

ENGINEERS' REPORT:

Dan Carbaugh stated that D.J. Wisor has tarred and chipped Pudliner Lane and that their contract

is complete and will start the one year warranty. Wisor is in contact with one resident regarding flowers that were destroyed. Guyer Brothers has some work remaining; some complaints, drains for hatches, pump stations items, valves wrenches that are owed and miscellaneous cleanup. A meeting was held with Guyer Brothers regarding the generators only pumping one pump at a time. The generator is not designed to start two pumps at a time. Palco had problems and called in John Deere who stated that the motors are not big enough. At the meeting it was discussed that the generator will run one pump and with the flows not being that great right now, let the residents hook into the system and Guyer Brothers will work with their Sub-contractor Palco to rectify the generator problem. Guyer Brothers suggested that we accept substantial completion but hold their retainage until the generators are operating properly and that they will take the responsibility for any additional cost to the Authority. Guyer's will submit this offer in a notarized letter to the Authority. Palco sized the generator at 4.6 liter motor; however, Kohler gave us a package with a 2.4 liter motor. When the Authority switched from propane to diesel to run the generators the addendum pushed for a 4.6 liter motor. Guyer will also take care of the transfer switch. The dialer software will show all the different screens that were demonstrated. Greg Madia stated that they will work on the dialers to do what the Authority wants. Burkey would like for the dialers to call one person at a time not everyone at the same time. The first person who gets the call should be able to acknowledge the call and get to the problem without notify the other worker or board members. A ten minute interval is too long between calls from the dialers. The dialers were a hold up on the new project because the Authority was waiting for all twelve dialers so that all the dialers would be the same. The new main line on First Avenue would not pass the air test in one area only to find out that one of the laterals that Kukurin had installed was egg shaped. The Authority is going to need to correct this lateral. Carbaugh submitted Requisition #12 for approval in the amount of \$207,009.31. BCS will begin Pump Station Rehab with Station #6 on August 17, 2009. BCS will start setting up the by-pass pumping. Brian Moore will be the Inspector on the Pump Station Rehab work. Kim Carbaugh, our summer intern, organized the files and will return to download the GPS information into the computer for Contract #3 and 4 and make copies on to CD's. It would only take about five more weeks for the interns to complete the GPS of the entire system. Templeton wanted to know who authorized the manhole to be moved to the ditch line from the shoulder of the road on Cherrywood and feels that the Authority should not have to pay for this change order until the Authority gets an explanation. Carbaugh stated that this was discussed at a job conference and that he would have to talk to Bill Henry about the change.

INSPECTOR'S REPORT:

Tim Burkey stated that he and Brian Daughenbaugh installed the new lateral on Kagey Street. The flow meter in East Conemaugh was not working. The company stated that the boards were under warranty and fixed the flow meter here at the office. A new cable is needed for the flow meter, which Burkey will order. The cable is not water proof; however the cable lasted ten years. BCS has completed some preliminary work for the Pump Station Rehab work. The generators at the two new pump stations are not working properly and there is a problem with the

transfer switch. The sub-contractor for the generators stated that the generators are working to the maximum. The dialers are working but not near the way the Authority needs them to work. A leak was found on First Avenue where the lateral is egg shaped which will need to be repaired. One new grinder pump is installed and another grinder pump is almost ready to be used. Burkey wanted to know if they should be compensated by Guyer Brothers for their time spent at the Pump Stations to help get the generators working properly. The old backhoe that the Jackson Township Water Authority allowed the Authority to use was returned.

OLD BUSINESS:

Mary Ann Hicks stated that she feels the Authority Board needs to follow the advice from our Solicitor in regards to not lending the GPS equipment to any outside entity.

NEW BUSINESS:

One Bid was opened for the Backhoe. A bid of \$27,450.00 from Cambria Tractor was the only bid received and opened along with a bid bond. Motion was made by Templeton, seconded by Casella, to have our Solicitor review the bid and then accept the bid for the Case backhoe at a price of \$27,450.00. There is no warranty on the backhoe. The bid states that Cambria Tractor will replace the tires and blade. Motion carried unanimously.

Motion was made by Gillen, seconded by Casella, to approve the current bills in the amount of \$15,657.08. Motion carried unanimously.

Motion was made by Hicks, seconded by Gillen, to approve the time sheets for period ending 07/10/09, 07/24/09 and 08/07/09. Motion carried four to one with G. Burkey abstaining.

Motion was made by Casella, seconded by Gillen, to accept the annual generator maintenance agreement with Cummins Bridgeway in the amount of \$4,172.51. Motion carried unanimously.

Motion was made by Templeton, seconded by Casella, to table the request to waive the late fee for state workers. Motion carried unanimously.

Motion was made by Templeton, seconded by Gillen, to approve payment of Requisition #12 in the amount of \$207,009.31 except any work completed along Cherrywood Lane regarding the movement of the manhole in the ditch until further explanation from the Engineer. Motion carried unanimously.

The dialer issue has been resolved. The Authority will receive the software that was demonstrated.

Burkey opened the floor for Public Comment.

PUBLIC COMMENT:

Dick McDowell wanted to know if the Authority is losing money by not being able to tap the residents into the system because of the generators. Burkey told him that the Authority could not

tap residents into the system until the dialers were operational, which was a Board decision to go with the dialers instead of the sensaphones. The dialers are now in and we can start to tap residents into the system with the generator only running one pump.

Motion was made by Hicks, seconded by Burkey, to accept Substantial Completion from Guyer Brothers Inc. for Contract #1 except for the generator issue that will be addressed in a notarized letter from Guyer Brothers which will be attached. Changes to the letter should include a time limit of sixty (60) calendar days, any additional expenses that may exceed the retainage, the specs do call for the pumps to run simultaneously, the generators are not repaired as stated and there is no mention of the pump warranty. Notices to tap into the system can be sent out to the residents that flow into the two stations. Motion carried unanimously.

Motion to adjourn at 8:15 P.M. by Casella. Seconded by Templeton. Motion carried unanimously.

Respectfully submitted,

Nancy M. Oleksa
Administrative Assistant