

## **AUGUST 14, 2008**

The Jackson/East Taylor Sewer Authority held their monthly meeting on August 14, 2008, at 7:00 P.M. at the Authority Office. George E. Burkey called the meeting to order with the flag salute. Members present were George E. Burkey, Robert Templeton, Mary Ann Hicks and Barry Casella. Wendell Gillen was absent.

**PUBLIC COMMENT ON AGENDA ITEMS:** None

### **CORRESPONDENCE:**

Burkey read a letter from the Johnstown Redevelopment Authority dated August 1, 2008, to Jackson and East Taylor Townships regarding the Townships not responding to the Progress Update Report that was due in June 2008.

Burkey read a letter from Cummins Bridgeway dated August 4, 2008 regarding the Generator Maintenance Agreement.

Burkey read a fax from Trombold Equipment dated August 14, 2008 regarding whether the Authority wants to repair two grinder pump cores that are in their possession.

Motion was made by Hicks, seconded by Templeton, to approve the minutes of the July 10<sup>th</sup> and July 24<sup>th</sup> 2008 meeting as presented. Motion carried unanimously.

### **BOND COUNSEL:**

Attorney Paul A. Lundeen from Rhoads & Sinon LLP of Harrisburg has accepted to serve as bond counsel to the Authority in connection with the bridge financing of the sewer system extension and other improvements through PennVest. The PennVest Loan is scheduled to close on October 22, 2008 so all the necessary paper work must be to PennVest by the end of September. Attorney Lundeen addressed the Board and explained in detail numerous resolutions that need to be executed by the Authority.

Motion was made by Casella, seconded by Templeton, to adopt Resolution 2008-06 authorizing and approving the issuance of a sewer project note in the maximum principal amount of \$500,000.00 to Slovenian Savings and Loan Association of Conemaugh, PA. Motion carried unanimously.

Motion was made by Hicks, seconded by Templeton, to adopt Resolution 2008-07 authorizing the issuance of a 2008 Sewer Revenue note in the maximum principal amount of \$3,447,747.00 to PennVest and accepting the grant from PennVest in the maximum amount of \$623,253.00 to finance the construction of additions and improvements to the Authority's sewer system. Motion carried unanimously.

Motion was made by Templeton, seconded by Casella, to adopt Resolution 2008-08 requiring that this Authority adopt an "official intent" to reimburse itself from the proceeds of bonds or

notes for certain expenditures made in connection with the Project prior to the date of issuance of such bonds or notes. Motion carried unanimously.

Motion was made by Casella, seconded by Hicks, to adopt Resolution 2008-09 authorizing and approving an agreement and the form thereof between the Township of East Taylor and this Authority, whereby this authority will covenant to own and to operate certain sanitary sewerage collection transportation, treatment and or disposal system facilities required for rendering sanitary sewage service in and for portions of said township, and whereby said township will make certain covenants and agreements with respect to the sewer system to be owned and to be operated by this authority authorizing and directing execution and delivery of said agreement in behalf of this authority and authorizing and directing other necessary and proper action. Motion carried unanimously.

Motion was made by Burkey, seconded by Templeton, to adopt Resolution 2008-10 authorizing and approving an agreement and the form thereof between the Township of Jackson and this Authority, whereby this authority will covenant to own and to operate certain sanitary sewerage collection transportation, treatment and or disposal system facilities required for rendering sanitary sewage service in and for portions of said township, and whereby said township will make certain covenants and agreements with respect to the sewer system to be owned and to be operated by this authority authorizing and directing execution and delivery of said agreement in behalf of this authority and authorizing and directing other necessary and proper action. Motion carried unanimously.

**FINANCIAL REPORT:** (As of July 31, 2008)

General Fund Balance:	\$70,346.56
Revenue Temporary Fund Balance:	310,921.81
Certificates of Deposit:	242,125.60
Tapping Fees:	129,182.89
PennVest Loan Balance:	10,411,245.91

Motion was made by Casella, seconded by Templeton, to accept the financial report as presented. Motion carried unanimously.

**SOLICITOR'S REPORT:**

Attorney Alex Svirsko stated that he would like an Executive Session to discussion acquisition of real estate before the Board enacts the resolution.

**ACCOUNTANT'S REPORT:** Dennis Kotzan was absent.

**ENGINEER'S REPORT:**

Bill Henry of Keller Engineers gave the Authority the Cherrywood area pre-construction DVD videos from Guyer Brothers. Henry stated that Keller Engineers should receive the pre-closing letter from PennVest on Monday August 18th. Keller Engineers would like to schedule the pre-construction conference with the contractors on August 25, 2008 at 2:00 P.M. at our office at

which time they would like to give the contractors the notice to proceed. Svirsko stated that the Slovenian Savings & Loan Association Bank Loan Agreement must be closed before we can give the contractors the notice to proceed.

**INSPECTORS'S SREPORT:**

Tim Burkey stated that he and Brian Daughenbaugh have been in contact with Daversa Contracting regarding a bore under Rt. 271 for Frank Kusher. Burkey would like the Boards approval on using the HDPE pipe under Rt. 271 which will have no casing. Bill Henry did not know anything about the HDPE pipe. Templeton has worked with HDPE pipe and never had a problem, but recommended that Burkey contact PennDot and make sure they will allow that type of pipe under the state road. The Authority will need to apply for the PennDot Permit which will state what is to be completed. Surely if PennDot is not satisfied they will let the Authority know. Burkey presented the Board with prices on backhoes and a new backhoe would cost approximately \$70,000.00. Cambria Tractor has a few used backhoes and recommended that the Authority rent the backhoe to see if they like it, then the rental fee would come off the price of the backhoe. Cambria Tractor has a 2002 backhoe for \$39,500.00, and a financial package. Burkey discussed the pros and cons of the E-One and Myers grinder pumps. The E-One has a single seal, the repairs are more difficult to do, the cost is around \$1,800.00 per core and the controls are inside. The Myers has two seals, the repairs are easier to get to, the cost is around \$1,300.00 per core and the controls are on the house. The Summer Interns have completed the GPS on Contracts #5 and #6 and downloaded to the computer. The Interns also completed the manhole sheets for Contract #5 and #6 by entering the tax-map number and addresses between each manhole listed. The Summer Interns did a great job. The Authority got the new gas meter and the insurance covered the loss of the first meter.

**OLD BUSINESS:**

Motion was made by Templeton, seconded by Casella, to recommend that the contractors purchase 15 Myers Grinder Pumps for the new project as long the cost savings are the same or less then what was bid. Motion carried unanimously.

**NEW BUSINESS:**

Motion was made by Burkey, seconded by Casella, to approve payment of the current bills in the amount of \$28,188.63. Motion carried unanimously.

Motion was made by Hicks, seconded by Templeton, to approve the time sheets for the period ending 7/11/08, 7/25/08 and 8/08/08. Motion carried three to one with G. Burkey abstaining.

Motion was made by Burkey, seconded by Casella, to disregard the request by Mark Wyrwas to extend the sewer line. Burkey felt that if Mr. Wyrwas was serious about the request he would have attended the meeting as suggested. Motion carried unanimously.

Motion was made by Hicks, seconded by Casella, to accept the maintenance agreement from Cummins Bridgeway for the pump station generators at a cost of \$4,447.37. Motion carried unanimously.

Motion was made by Burkey, seconded by Templeton, to send a letter to the Johnstown Redevelopment Authority on behalf of Jackson and East Taylor Townships explaining what our Summer Interns have accomplished and how many lineal feet are in the system. Motion carried unanimously.

Motion was made by Templeton, seconded by Casella, to have the two grinder pump cores repaired by Trombold Equipment at a cost of \$978.61 and \$1019.04 each with the one year warranty to start when the pump is installed. Motion carried unanimously.

Motion was made by Hicks, seconded by Burkey, to make Slovenian Savings and Loan Association one of the Authority's Depositories. Motion carried unanimously.

Motion was made by Casella, seconded by Templeton, to open a construction account with Slovenian Savings and Loan Association. Motion carried unanimously.

**PUBLIC COMMENT:**

William Heidenthal of Adams Avenue, who was not in attendance, stopped and asked Burkey to "Thank" the Board Members and Mrs. Oleksa for their assistance in helping him get a 1% loan through RUS.

George Ozimok of Adams Avenue wanted to know if he could tie in his garage which is separate from the house into the system. In the past, if it was a separate building and depending on its use, it had to have a separate tap. The Board will check the Rules and Regulations.

Harold Holsopple of Leidy Lane stated that he is concerned about the unknown factor to where his tap will be located with the underground electric lines on his property. How is he going to dig his lateral with these underground electric lines, he does not want to be responsible for them. Could the contractor dig past the electric lines to make it easier for him to tap? Also if the contractor damages his piping in the ground whose responsibility is it to fix them. Bill Henry told Mr. Holsopple that if the contractor damages his pipes the contractor will have to repair them.

Robin Zahoran of Pudliner Lane asked if the line could be extended and she is concerned that the proposed line is going through their leach bed. Bill Henry will look at the maps after the meeting and the Board will discuss extending the line in Executive Session.

Board went into Executive Session at 9:40 P.M. Came out of Executive Session at 10:15 P.M.

Motion was made by Hicks, seconded by Templeton, to adopt resolution 2008-11, authorizing the filing of a declaration of taking and all necessary action for the acquisition thereof for Contracts No. 1 and 2 for the Cherrywood/Brazil Lane Project. Motion carried unanimously.

Motion was made by Casella to adjourn at 10:16 P.M. Seconded by Hicks. Motion carried unanimously.

Respectfully submitted,

Nancy M. Oleksa  
Administrative Assistant