

JACKSON TWP WATER AUTHORITY

OCTOBER 27, 2009

ROBB PIPER, VICE - CHAIRMAN OPENED THE MEETING WITH A PRAYER AND THE PLEDGE OF ALLEGIANCE. Others board members in attendance were John Wallet, Secretary; Ray Dodson, Treasurer; Don Hrapchak, Assistant Tres./Sec; Dick Wilkinson, CPA; CJ Webb, Solicitor; Karl D. Smith, Authority Foreman; and Debra Buksa, Billing Secretary. Rich Wray, consulting engineer for the Swigle Mountain project and Amanda Deibler from the Nanty Glo Journal also attended.

ON MOTION BY DON, SECOND BY RAY AND APPROVED BY ALL TO APPROVE THE MINUTES DATED SEPTEMBER 22, 2009.

ON MOTION BY RAY, SECOND BY DON AND APPROVED BY ALL TO APPROVE THE MINUTES DATED SEPTEMBER 29, 2009.

ON MOTION BY DON, SECOND BY RAY AND APPROVED BY ALL TO APPROVE THE MINUTES DATED OCTOBER 8, 2009.

PUBLIC COMMENTS: None

ENGINEER'S REPORT: None

CPA'S REPORT: Dick Wilkinson distributed the 8-month Statement of Income. Water purchased is out of line due to several leaks.

ON MOTION BY DON, SECOND BY RAY AND APPROVED BY ALL TO ACCEPT THE CPA'S REPORT.

ATTORNEY'S REPORT: C.J. Webb requested an executive session at the end of meeting regarding potential litigation concerning several issues.

FOREMAN'S REPORT: (Karl Smith) Karl reported that he and David installed 40 MXU units this month. They have also been working on Route 271 replacing and extending the water line. They installed a fire hydrant too. They spent the day cleaning up and will need to flush, clean, and charge the line. The final step will be to change the taps over. Robb instructed the guys to mulch the site until seeding can be done in the spring.

Lumadue construction (Wagner Road Project) delivered meters, meter setters and pits. They are not right. Karl informed Rich Wray (project engineer) and Larry Custer (project financier) of this matter. Mr. Wray informed the Board that the contractor has an undetermined number of issues unresolved. Lumadue has 30 days from inspection date: September 23, 2009, to respond before further payment is made.

Rich Wray updated the Board as to the status of the Swigle Mountain Project.

A. Administrative / Funding review

a. Pa Dep DBE – requested original contract on DBE certifications from bid

- b. Jayne Blake from Pennvest requested Davis-Bacon Wage Determination Act information –mailed
 - c. Pennvest proposed settlement 11/20/09 with BAME
 - d. Award process of construction contracts not initiated due to items 1 & 2 above
- B. Tank Site –
- a. changes have been made to the site resulting from numerous emails and discussion held on October 21, 2009
 - b. surveying conducted on October 23, 2009
 - c. exhibits generated October 21, 2009 – continued discussion

OLD BUSINESS:

Ford's Corner Tank roof - the hatch has been delivered. There was some discussion concerning the application of the rubber roof and if temperature would be a factor. Karl feels that it would be best to wait until the spring.

Replacement of pipe along Rt. 271 – replacement and extension of the line is complete. Temporary cleanup has been done and will be finalized come spring. Ray voiced his concern that there could be possible damage done to the large Spruce trees' root system along the line. Karl insured that he avoided any large roots and did his best to protect the trees.

ON MOTION BY JOHN, SECOND BY DON AND APPROVED BY ALL TO PAY THE BILLS FOR SEPTEMBER.

NEW BUSINESS:

956 Ford's Corner Road – Mrs. Krupa, mother to Brittany Russell asked that JTWA put this account in her daughter's name. The account is in the name of John Sims (under agreement to by from property owners John & Warren Capenos) JTWA's policy is that we are to be contacted by the owner before any changes are made. Mrs. Russell and Mr. Sims have supplied an agreement but this does not satisfy JTWA's policy since the actual property owner is not involved in the new agreement. JTWA stands by the current policy.

Water purchase agreement – Chris Knudsen has contact JTWA and would like to purchase water for the drilling of a gas well along Kepple Road on Lynn McCann's property. The agreement he presented was very broad and was not in the best interest of the authority. *ON MOTION BY JOHN, SECOND BY RAY AND APPROVED BY ALL TO HAVE THE SOLICITOR WORK ON A MORE SUITABLE AGREEMENT BETWEEN PETROLEUM DEVELOPMENT CORP AND JTWA.* JTWA would be willing to negotiate with Petroleum Development concerning a water line extension.

Closing of local FNB Branch - the board voiced their disappointment and requested that the secretary draft a letter to the bank stating this.

The Board went into executive session 7:45 pm to discuss possible litigation. The regular meeting resumed at 8:27pm with no formal action taking place.

ON MOTION BY DON, SECOND BY RAY AND APPROVED BY ALL TO ADJOURN AT 8:29PM.