

JACKSON TWP WATER AUTHORITY

NOVEMBER 17, 2009

WALTER DITCHCREEK, CHAIRMAN OPENED THE MEETING WITH A PRAYER AND THE PLEDGE OF ALLEGIANCE. Others board members in attendance were Robb Piper, Vice Chairman; John Wallet, Secretary; Ray Dodson, Treasurer; Don Hrapchak, Assistant Tres./Sec; Jim Potopa, Engineer; 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 also attended.

THE MINUTES DATED OCTOBER 26, 2009 WERE APPROVED AS PRINTED.

PUBLIC COMMENTS: None

ENGINEER'S REPORT: (Jim Potopa) the installation of the Ford's Corner tank roof was discussed. Since temperature is a factor and it is late in the season, everyone feels it would be best to wait until spring to repair the roof.

CPA'S REPORT: Dick Wilkinson distributed the 9-month Statement of Income. Water purchased is out of line by approximately \$14,000. JTWA budgeted \$150,000 and to date we have spent \$125,000, the CPA is concerned.

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

ATTORNEY'S REPORT: C.J. Webb will be present later in the meeting.

FOREMAN'S REPORT: (Karl Smith) Karl read his report. (attached)

Karl also included that he contacted Larry Custer from the Redevelopment Authority about putting the fire hydrants along the Wagner Road project into service. The project has several issues that need addressed before the line can be used by individual homeowners and turned over to JTWA. Karl informed Mr. Custer it is a safety issue. Mr. Custer assured Karl that the hydrants could be used and their used would not apply to the possession of the line.

OLD BUSINESS:

ON MOTION BY ROBB, SECOND BY DON AND APPROVED BY ALL TO PAY THE BILLS FOR OCTOBER. Payment of the invoice for yearly Sensus support (meter reading equipment) was tabled until next meeting.

John requested that Karl and David stop at the township office and check JTWA's mailbox when they are in that area to cut down on mileage.

NEW BUSINESS:

ON MOTION BY JOHN, SECOND BY RAY AND APPROVED BY ALL TO SEND A LETTER TO THE SUPERVISORS REQUESTING THE RE-APPOINTMENT OF DON HRAPCHAK TO ANOTHER 5-YEAR TERM.

ON MOTION BY WALT, SECOND BY JOHN AND APPROVED BY ALL TO INCREASE THE CASH DRAWER TO \$250 FROM \$100.

ATTORNEY'S REPORT: (CJ Webb)

A discussion occurred regarding Interim Financing and refinancing of GMAC loan with First National Bank (FNB), including the benefits and detriments of financing through FNB. One of the benefits with FNB would be that it avoids the Pennvest closing problem related to lien priority and time required to process the loan will be less. A discussion occurred regarding trying to refinance with another bank and the possibility that this could delay the Pennvest closing. FNB's closing of its local branch office and its possible requirement that municipal accounts remain at FNB was also discussed.

ON MOTION BY DON, SECOND BY JOHN AND APPROVED BY ALL TO ADOPT A RATE RESOLUTION (#11-2009-1) TO BE IN COMPLIANCE WITH THE RATE COVENANT SET FORTH IN THE LOAN DOCUMENTATION PRODUCED IN CONNECTION WITH PENNVEST LOAN ME #83118

The Board went into executive session at 7:50 pm to discuss possible litigation and personnel issues. The regular meeting resumed at 8:10pm with no action taking place.

ON MOTION BY JOHN, SECOND BY DON AND APPROVED BY ALL TO ADOPT RESOLUTION 11-2009-2 AUTHORIZING AND APPROVING JTWA TO ENTER INTO A SETTLEMENT AGREEMENT AND MUTUAL RELEASE BY AND BETWEEN MR. RICHARD & MRS. ROSE MARIE BODENSCHALTZ AND JACKSON TOWNSHIP WATER AUTHORITY WITH RESPECT TO REAL ESTATE LOCATED IN JACKSON TOWNSHIP AND FURTHER AUTHORIZING ANY ACTIONS BY AUTHORITY OFFICIALS WHICH ARE NECESSARY OR PROPER TO EFFECTUATING THE PURPOSE AND INTENT OF THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE, AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

ON MOTION BY JOHN, SECOND BY DON AND APPROVED BY ALL TO ADOPT RESOLUTION 11-2009-3 AUTHORIZING AND APPROVING JTWA TO ENTER INTO A SETTLEMENT AGREEMENT AND MUTUAL RELEASE BY AND BETWEEN MR. MARK & MRS. ANDREA SOSSONG AND JACKSON TOWNSHIP WATER AUTHORITY WITH RESPECT TO REAL ESTATE LOCATED IN JACKSON TOWNSHIP AND FURTHER AUTHORIZING ANY ACTIONS BY AUTHORITY OFFICIALS WHICH ARE NECESSARY OR PROPER TO EFFECTUATING THE PURPOSE AND INTENT OF THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE, AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

Water purchase agreement – ON MOTION BY ROBB, SECOND BY DON AND APPROVED BY ALL TO HIRE ATTORNEY BARBIN AT THE RATE OF \$175.00 PER HOUR TO REPRESENT JTWA IN ANY AGREEMENTS PERTAINING TO GAS WELL DRILLING AND THEIR NEED FOR BULK WATER.

Rich Wray informed the board that they are now proceeding with awarding the bids for the Swigle Mountain Project. He is also arranging the official Congressional announcement of the grants.

ON MOTION BY RAY, SECOND BY JOHN AND APPROVED BY ALL TO ADJOURN AT 8:20PM.