

JACKSON TWP WATER AUTHORITY
(JTWA)

MARCH 22, 2011

WALTER DITCHCREEK, CHAIRMAN OPENED THE MEETING WITH A PRAYER AND THE PLEDGE OF ALLEGIANCE. Others board members in attendance were John Wallet, Secretary; Ray Dodson, Treasurer; Robb Piper, Vice-Chairman; Don Hrapchak, Assistant Sec./Tres ; Dick Wilkinson, CPA; Rich Wray, Engineer; Karl D. Smith, Authority Foreman; and Amanda Deibler, reporter from the 'Nanty Glo Journal'.

PUBLIC COMMENTS: None

THE MINTUES OF THE FEBRUARY 22, 2011 MEETING WERE APPROVED AS PRINTED.

ENGINEER'S REPORT: (Rich Wray) Swigle Mt. Road: DT Construction has not returned PA DEP Re-imburement. The change order had been denied by the engineer with a letter being sent to the bonding company. The contractor has failed to provide a return to work order as promised within 10 days of February 24, 2011.

The project survey work for Swigle Mt. Road will be completed within the next two weeks.

DT Construction requested to return on 3-29-11 to pay the sub-contractor.

Ray Dodson questioned the engineer about setting up a meeting with Ebensburg Water Authority to discuss the water rate for the Swigle Mt. line.

Chickaree Hill: The water line has been abandoned by Lumadue Construction. Cambria County Redevelopment Authority will be advertising for bids for a pressure reducing station and customers above this station will be able to be tapped in. The restoration work will be completed by another contractor.

CPA'S REPORT: (Dick Wilkinson) The 1-month Statement of Income was distributed and reviewed. ***ON MOTION BY DON, SECOND BY RAY AND APPROVED BY ALL TO ACCEPT THE 1- MONTH STATEMENT OF INCOME.***

FOREMAN'S REPORT: (Karl Smith) Report attached. Tap fees and the new law for installation of sprinkler systems into newly constructed homes were discussed.

PAYMENT OF FEBRUARY'S BILLS: ***ON MOTION BY JOHN, SECOND BY DON, AND APPROVED BY ALL TO PAY THE BILLS FOR FEBRUARY 2011.***

CORRESPONDENCE: list attached

CJ Webb, Solicitor, arrived at approximately 7:30 p.m.

NEW BUSINESS:

ON MOTION BY JOHN, SECOND BY ROBB, AND APPROVED BY ALL TO DEFER TO ANOTHER TIME THE MUTUAL INSPECTION BUREAU'S YEARLY INSURANCE VALUATION

OLD BUSINESS:

ON MOTION BY ROBB, SECOND BY DON, AND APPROVED BY ALL TO ACCEPT THE "HUMAN RESOURCES POLICY" AFTER REVIEW AND APPROVAL BY THE SOLICITOR, C.J. WEBB. THE POLICY CAN THEN BE SIGNED WITH NO FURTHER ACTION OR MOTION.

An insurance premium refund check in the amount of \$ 205.31 was received from Ebensburg Insurance Agency.

The Board agreed to table the discussion on the copier/printer until the April meeting until we receive more quotes and input from Debra Buksa, JTWA secretary.

SOLICITOR'S REPORT: None

EXECUTIVE SESSION WAS CALLED AT 7:45 PM TO DISCUSS POSSIBLE LITIGATION RELATED TO THE SWIGLE MOUNTAIN ROAD PROJECT, AND ENDED AT 9:07 PM WITH THE REGULAR MEETING RESUMING AT THIS TIME.

The Board made it a matter of record that (1) contractor failed to provide the promised return to work schedule by February 15, 2011 as promised by the contractor and that (2) the contractor failed to return and complete the pump station within ten (10) days of the February 24, 2011 notice from JTWA's engineer.

A discussion occurred regarding the possibility of approving payment to USEMCO in the amount of \$39,137, contingent upon DT Construction failing to pay USEMCO all monies due and owing on March 29, 2011. The discussion addressed whether JTWA could pay USEMCO fifty (50%) percent of the contract amount on March 29, 2011 and beginning June 29, pay the remaining fifty (50%) percent balance to USEMCO in monthly payments of 12 equal payments until paid in full. The payment to USEMCO from JTWA would only be made if DT Construction fails to make payment directly to USEMCO on March 29, 2011.

MOTION BY JOHN, SECOND BY ROBB AND APPROVED BY ALL TO AUTHORIZE THE FOLLOWING:

(1) APPROVE PAYMENT OF REQUISITION NO. 16 TO USEMCO IN THE AMOUNT OF \$39,137;

(2) CONTINGENT UPON DT CONSTRUCTION FAILING TO PAY USEMCO ALL MONIES DUE AND OWING ON MARCH 29, 2011;

(3) WITH THE TERMS OF THE AGREEMENT BEING THAT JTWA WILL PAY USEMCO 50 PERCENT OF THE CONTRACT AMOUNT ON MARCH 29, 2011 AND BEGINNING JUNE 29, PAY THE REMAINING 50 PERCENT BALANCE TO USEMCO IN MONTHLY PAYMENTS OF 12 EQUAL PAYMENTS UNTIL PAID IN FULL;

(4) WITH THE UNDERSTANDING THAT THE PAYMENT TO USEMCO FROM JTWA WILL ONLY BE MADE IF USEMCO COMPLETES THE WORK ON MARCH 29, 2011, AND DT CONSTRUCTION FAILS TO MAKE PAYMENT TO USEMCO ON MARCH 29, 2011;

(5) AND WITH THE UNDERSTANDING THAT IN THE EVENT THAT USEMCO RECEIVES ANY PAYMENTS FROM DT CONSTRUCTION, OR ANY ENTITY ON BEHALF OF DT CONSTRUCTION, INCLUDING, NOT LIMITED TO THE DT CONSTRUCTION'S BONDING COMPANY, USEMCO WILL REIMBURSE JTWA THE AMOUNT OF ANY PAYMENT(S).

ON MOTION BY ROBB, SECOND BY DON AND APPROVED BY ALL TO ADJOURN AT 9:37PM