

**MIDDLEBURG MUNICIPAL AUTHORITY**

**September 9, 2014**

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**MEMBERS PRESENT:** Dwayne Hackenberg-Vice Chairman, Sam Herman, Scott Brouse, Raymond Colestock, Doug Hassinger

**OTHERS PRESENT:** Dustin Zechman-Borough Foreman, Robert Slivinski-Solicitor, Brian Lauver, Judy Varner, Heidi Potter, Virginia Zeiber-Administrator, Paul Navazio-Mountainside Electric

Meeting was called to order by Dwayne Hackenberg, Vice Chairman at 6:00 P.M.

Doug Hassinger motioned to approve the agenda. Scott Brouse seconded and MOTION UNANIMOUSLY CARRIED.

Sam Herman motioned to approve the August minutes. Raymond Colestock seconded and MOTION UNANIMOUSLY CARRIED.

**Generator for Water Treatment Plant**-Bids for the generator at the water plant were opened with the following results:

Mountainside Electric-\$67,572

Howard Organization-\$70,300

L.E.Z. Electric Inc-\$73,976

Lecce Electric Inc-\$73,980

Paige Electrical Services-\$77,600

Hickes Associates, Inc-\$77,900

HRI, Inc-\$81,850

Strouse Electric Inc-\$88,232

Motion was made by Doug Hassinger to accept the bid from Mountainside Electric contingent upon review and approval by the Solicitor and Engineer. Sam Herman seconded and MOTION UNANIMOUSLY CARRIED.

**Judy Conrad Estate/Wilbur Hain delinquency issue**-The Conrad/Hain property, which is on Dinius Avenue and is involved in this delinquency, is under the Judy Conrad Estate but has belonged to her son, Wilbur Hain IV since Judy's passing. The Authority installed the building sewer to the property but no payment was made for the tap fee or installation. A lien had been placed on the property and a letter was written by Solicitor Slivinski requesting payment(s). No response was received from Wilbur so Solicitor Slivinski then started to file for Sheriff sale but found out the property was up for tax upset sale.

In the meantime, the tenant, Freda West, came to the office and asked Bev about setting up a payment schedule for the delinquency, which totals amount of \$4153.10. Freda stated she was also getting the tax money from Wilbur and taking it to the courthouse today to stop the tax upset sale. She said she is given a break in the rent so she and her husband would be willing to make payments on the delinquency in order to stay living there. Wilbur is known for not paying attention to his mail and he just told Freda about the delinquency. Bev explained that she would have to speak to the Solicitor because according to the letter, a payment schedule was to be set up by July 25<sup>th</sup>. Solicitor Slivinski said a decision should be made by the Authority so Bev invited Freda to attend tonight's meeting.

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Payment arrangements have been set before with property owners. Bev gave Authority members a copy of everything owed at this time. She explained the interest column is adjusted accordingly when payments are made. Scott Brouse asked if Freda has expressed interest in the \$226.00 payments in the original letter. Bev did not know if Freda had actually seen the letter. \$226.00 payments would have spread the payment schedule over about eighteen months, keeping in mind the monthly variation in the interest. Freda then entered the meeting.

The options the Authority has would be to have the amount paid in full, monthly payments or put the property up for Sheriff sale. Ginny stated she was always told the Authority is not a loan agency and the amount due should be paid in full. Solicitor Slivinski stated that is true but he believed that to deal more with current charges for water and sewer. This case is somewhat out of the ordinary and in the past, the Cathermans were given the opportunity to pay a sum up front and then monthly payments until paid in full.

Freda West expressed that she is willing to make payments. Scott asked how much in a monthly payment she could afford. Freda is willing to do what she has to in order to stay at the house. Solicitor Slivinski asked if paying in full is an option. Freda stated that was not an option at the moment but she could maybe have it paid off by June. Her husband gets a settlement payment every six months.

Solicitor Slivinski presented a copy of an agreement which could be used in this case. It would need to be signed by Wilbur Hain, since he is the owner of the property. Freda stated that she would take the agreement to him, get it signed and bring it to the office with the first payment. Doug Hassinger motioned to allow payments of \$250.00 for Freda West until everything is paid in full. The first payment would be due by the end of September. Raymond Colestock seconded and MOTION CARRIED UNANIMOUSLY.

Bev explained to Freda that when she has someone on a payment schedule, after a payment is made she adjusts the total sheet to date and sends an updated billing to the person. It makes it easier for everyone to keep track of what is still owed.

**Connie Steiner tap fee**-This item involves an apartment on the property which was hooked up to sewer without the Authority's knowledge and no tap fee paid. Solicitor Slivinski sent Connie a letter and application for a tap fee of \$650.00, requiring that payment be made. Connie was given a break in that it is believed the tap into the system was made before the tap fee was changed from \$1500.00 to \$650.00. Solicitor Slivinski stated the \$650.00 would be honored if the matter was addressed promptly. No one has heard from Connie so Solicitor Slivinski stated the next thing would be to enter a lien for \$1500.00. The property is to be sold so if not before, the recovery of the amount would be at the time of the sale. Doug Hassinger motioned to have a lien placed on the Connie Steiner property. Raymond Colestock seconded and MOTION UNANIMOUSLY CARRIED.

### **LDG REPORT**

**CDBG Well Project**-A letter was received from the commissioners stating they were going to quit paying out CDBG funds for the well project until the Authority has a better idea if the project is going to move forward. Dave believes the reasoning is that if the well project does meet the deadline, the Authority will have to pay back all the CDBG funds that have been used toward the project to that date.

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If the funds are not used, the Authority would then not have to pay them back. Either way, it would come out of Authority revenue so there would really be no benefit. There are two invoices, one from Eichelberger and one from GeoServices, which need to be paid from Authority revenue. If the CDBG funds would be released, they would then refund the Authority. The Authority is being made to feel like they are stalling the project but their hands are tied. Ginny has been in contact with Senator Gordner and Representative Keller. They are waiting for Dave to give the word to go ahead with pushing DCED to get an extension for the project to November 2015.

The 72 hour pump test for the well was completed on Friday and the samples have been expedited. The water is sampled to see if there is any algae and or surface water in it. Dave is a little concerned about it because depending on the results, it would require the well water to be treated just as it is at the filtration plant. All the parameters they do for new source sampling will tell the quality of the water-ph adjustment, iron, manganese, etc. Once those tests are back, a determination can be made to go ahead with the project or not. If the project can move forward, then Larson will get in touch with SEDA COG and come up with a strategy to have Senator Gordner help with getting a time extension on the project. Dave believes the test results will be back this Thursday.

The schedule was to have the DEP permit application for the well submitted by early September. Hopefully that can now be done by late September. The application is ready but the hydrogeological report must be done by GeoServices. GeoServices has done what they can but now need the test results. Getting the project done by July is really cutting it too close at this point so Dave would like to get the time extension. Ginny questioned why not go to Senator Gordner now. Dave wants to get the results of the tests and make sure the Authority is going ahead with the project before getting Senator Gordner involved. Depending on the results of the testing, that water would have to be treated, just as the water at the reservoir is. If that would be the case, the costs of the project would just be too great but that will be determined by the results of the testing. Ginny reminded everyone that should the project not move forward, the Authority will need to pay all the used CDBG funds back.

Dwayne Hackenberg ask why that determination could not be made earlier. Dave explained that one does not want to take water out of the well immediately. A 72 hour pump test will show more as to what the water in the well will really be like. The SRBC drug their feet with what they needed to do and the 72 hour pump test was hampered by the weather. One good thing time wise is that SRBC approved grandfathering the well. That will limit the amount of water that can be taken out of the well unless one goes back to SRBC for a permit. They are allowing 69 gallons per minute at this point. Larson is working to get the DEP permit to allow 95 gpm which is the safe yield of the well. Careful consideration would need to be given to going back to SRBC for a permit because that opens up all the other DEP permits for the water system. That would mean Dustin would need to submit monitoring for every water source and it would need to be very accurate.

Doug Hassinger questioned if this well would not go through, why a dam could not be installed at the reservoir. Dave is concerned about the surface water supply in that area plus the cost would be too great. Dwayne agreed and felt doing another well could wind the Authority up in the same situation as what they are experiencing now. Dave felt everyone should just wait until the results are in because the geologist does not think that surface water in the new well will be an issue.

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Dave recommended only paying a portion of the GeoServices invoice presented for payment. The total invoice is about \$13,000.00 and Dave is recommending paying \$1,618.75. The first page is related to Task IV activities which are included in the agreement. There will probably be additional costs next month for the testing so they will have to go back to SEDA COG and write an amendment to the contract to cover those costs. Scott Brouse motioned to make payment to GeoServices in the amount of \$1,618.75. Doug Hassinger seconded and MOTION UNANIMOUSLY CARRIED.

The Eichelberger invoice in the amount of \$12,443.60 is for the pump test and should come out of the CDBG funds, when they are reimbursed. The only thing different in this invoice is they bid on 2000 feet of discharge line at \$3.05 per foot. They actually installed 2300 feet of the line, so the cost of the 300 feet will be in addition to what was bid. Raymond Colestock motioned to approve payment to Eichelberger in the amount of \$12,443.60. Doug Hassinger seconded and MOTION UNANIMOUSLY CARRIED.

Water Allocation Permit-There is no update at this time.

Grace Covenant project-Grace Covenant came back to Larson with updated flow numbers of 1898 gallons per day. According to the capacity of the systems, Grace Covenant should be able to be served by water and sewer. Tapping fees are assessed at \$18,000 for water service and \$11,520 for sewer service. Some of the services provided at the church are going to move over to the new building and a tap was never paid originally so Dave believes the tap fees are calculated correctly. The only question is what kind of fire protection will be needed. Dustin informed everyone that a hydrant testing is scheduled for tomorrow. The results of that testing will give the information needed to determine if the Authority can meet Grace Covenant's fire protection needs. Doug Hassinger motioned to approve the tap fees and sewer and water service for the Grace Covenant project. Scott Brouse seconded and MOTION UNANIMOUSLY CARRIED.

Nutrient credits-The WWTP continues to do a good job at meeting the nitrogen and phosphorus limits, however, some nutrients credits will need to be purchased. They will amount to 3700 to 4200 nitrogen credits and 250 to 300 phosphorus credits. After several phone calls, Dave believes the best place to purchase nitrogen credits is from Gregg Township for \$1.90 per credit. Phosphorus credits are somewhat scarce but Milton Regional Authority has them at a price of \$2.50 per credit. Dave requested approval to enter into an agreement with those two agencies for the range of credits the Authority would need. A delivery ratio would need to be factored in also. After all tests results are in, the agreement could be made concrete. Raymond Colestock motioned to have Dave enter into an agreement with Greg Township for nitrogen credits at \$1.90 per credit and phosphorus credits with Milton Regional Authority for \$2.50 a credit. Doug Hassinger seconded and MOTION UNANIMOUSLY CARRIED.

NPDES Permit Application-This application will be submitted to DEP by the end of September.

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**Cameras at the water plant**-Dustin Zechman, Borough Foreman, was able to get in touch with Rusty Kauffman about the cameras at the water plant. Rusty thinks he can change the programming to operate on motion detection at a ball park figure of about \$50.00. Dustin also got the game cameras and installed them.

**Jason Winey/Troutman sewer lateral**-The Borough crew dug up the sewer line and found that Jason does have a separate building sewer. It did not run through the meat market but they shared the same lateral at the street. The separation was made so the back up problem should now be resolved.

**Radio Read meters**-The radio read meters and equipment have been received. Training has also been done.

**Pauline Buchanan issue**-Dustin has talked to Pauline Buchanan about the bump in front of her house. She is not happy and is going to continue to fight till something is done. The Borough is having some paving done and when Dustin met with Brian Haight from Penn Dot yesterday, he mentioned this problem to Brian. Brian thought that Meckleys, who are doing the paving, could do mill and overlay the area Pauline is questioning for about \$200.00, if Penn Dot will allow. Dustin has to get in touch with the permit department to see if Penn Dot will allow it to be repaired in that fashion. It is the Authority's responsibility because its utilities are in that area and if the Authority would put it out for bid, it would cost several thousand. If allowed, the work may not be done until near the end of the paving season. Motion was made by Sam Herman to put a cap on the amount of the repair at \$300.00. Doug Hassinger seconded and MOTION UNANIMOUSLY CARRIED.

**George Long property**-The George Long property is being sold to Joshua and Rebekah Smith. Years ago, George sold off the house, that was part of the property, to the Shockeyes. Because George is selling the property, he asked Dustin to have the water turned back on to the office and hut. The garage is on its own water and sewer service. The hut, office and house share the same water service. When Dustin wants to read meters or turn the water service on or off, he has to gain entrance to the house. The hut does not have sewer service.

The water line goes through the basement of the house to feed the office and the hut. There was a leak in the hut so Dustin had to gain access to the house several times and also crimp the line to the hut. Something has to be done or it will freeze when winter comes. The house and office building share the same sewer line as well. Fortunately, the people who are buying the property and those who live in the house know each other, so it did not create any problems with accessing the house.

From what George reported to Bev, he is going to continue to cut wood until at least 2016. Moyers Garage is going to continue to operate from the garage. Smiths operate a chicken catching service and are to be parking trucks there, plus Mrs. Smith operates a business such as selling on Ebay or something similar. The bottom line is this water and sewer service is an issue either way.

Dustin reminded everyone that in previous cases such as this, the Authority ran a lateral to the curb line and the property owner was responsible to tie it in from there. The water service would have to come off Furnace Road and down West Willow Avenue to service the office building. The sewer main is on West Willow Avenue but there is no sewer service to the hut.

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There was also discussion concerning tap fees. Dustin stated there should have already been tap fees paid by a prior owner. Water is not run through a house so the water was most likely tapped into the house and then someone got the idea to run it to the other buildings. Most likely one tap fee was paid, which did not constitute the other buildings. Bev asked Dustin if he had met the new owners, which he has not. Her reason for asking was considering the type of business the Smiths are in, if the Smiths were aware of what is happening, would they choose to hook up the water to none, one or both buildings? Dustin said they do want water.

Dustin also had been with Marty's Plumbing and they cannot find the water line that services the hut. They know it goes from the house and through the office building but they cannot find the water line itself in that building. Raymond recommended notifying the Smiths that separate taps need to be made to the buildings so free water is not being given. Dustin said the water is being separately metered in the house.

It was suggested that a letter be sent telling the new owners that laterals will be installed and then they will need to tap into the system at their expense. Bev suggested that Dustin meet with them to go over the situation and discuss options. Raymond Colestock motioned to send a letter to the Smiths explaining the water and sewer issues. Sam Herman seconded and MOTION UNANIMOUSLY CARRIED.

Commonwealth Financing Authority grant-Dave reported that the Commonwealth Financing Authority met and the generator and pipe to the reservoir project was not chosen for a grant.

Doug Hassinger motioned to adjourn at 7:10 P.M. Scott Brouse seconded and MOTION CARRIED.

Beverly Inch  
Municipal Secretary