

ANNVILLE TOWNSHIP AUTHORITY
AGENDA
August 23, 2016

Announced Visitor(s): None

1. Call to Order
2. Public Comment
3. Minutes – July 26, 2016
4. Sewer Fund Report
5. Accounts Payable
6. Superintendent's Report
 - Surcharges
 - Plant Sign
7. Solicitor's Report
 - Legal Actions Against Significantly Delinquent Customers
 - Methanol Pump
 - Recommended Revision to Policy No. 2016-002 – Member Appearance by Telephone
8. Engineer's Report
 - Revised Agreement for Engineering Services with Gannett Fleming
 - PENNVEST Nutrient Credit Request Letter
9. Clerk's Report
 - Delinquent Report
 - Pennsylvania Municipal Authorities Association (PMAA) Membership
 - Additional Software License for Billing System
10. Adjournment

**MINUTES OF THE ANNVILLE
TOWNSHIP AUTHORITY**

August 23, 2016

The August Regular Monthly Meeting of the Annville Township Authority was held starting at 5:30 PM on August 23, 2016 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Hugh Rooney, Chairperson; Barry Ludwig, Vice Chairperson; David Myers, Secretary; Keith Seward, Treasurer; and Anthony Perrotto, Assistant Secretary/Assistant Treasurer. Also in attendance were Nicholas T. Yingst, Township Administrator and Authority Clerk; Leslie J. Powell, Superintendent of the Wastewater Treatment Plant (WWTP); and Timothy D. Sheffey and Corey Lamoureux, Office of the Township Solicitor.

Chairperson Rooney called the meeting to order and led those present in the Pledge of Allegiance to the flag of the United States of America.

PUBLIC COMMENT: Chairperson Rooney provided an opportunity for public comment and no public comments were noted.

MINUTES: MOTION by Mr. Ludwig, second by Mr. Seward to approve the minutes of the Regular Meeting held July 26, 2016 as presented. Motion carried unanimously.

SEWER FUND REPORT: The Authority reviewed the Sewer Fund Report for the period ending July 31, 2016. Looking ahead to the portion of the meeting in which a new sign at the WWTP was to be considered, Mr. Perrotto asked if there would be an adequate surplus at year-end to address the amount this expense would exceed the amount allocated for it in the budget. Mr. Yingst indicated he anticipated the year-end surplus would be adequate to fund this budget overage.

ACCOUNTS PAYABLE: The Accounts Payable list for August 2016 was reviewed. Mr. Perrotto inquired about Check No. 10940 to Ascensus and Check No. 10957 to Hireright, LLC. Regarding Check No. 10940, Mr. Yingst indicated this pertained to a quarterly administrative fee paid to the company that oversees the Township's deferred compensation plan. Regarding Check No. 10957, Mr. Powell indicated this pertained to background checks for Commercial Driver's Licenses (CDLs). With no further discussion noted, **MOTION** by Mr. Perrotto, second by Mr. Ludwig that the list of vendors to be paid (Cash Disbursements Journal) for the Sewer Fund, which list is filed with other Authority records, be approved by the Authority for submission to the Board of Commissioners for payment. Motion carried unanimously.

SUPERINTENDENT'S REPORT: Mr. Powell reported that the WWTP is operating very well. He began by reviewing the Monthly Report, noting it was in a different format than past reports per the request of the Authority, and Chairperson Rooney indicated his appreciation for that. Mr. Powell reviewed the septic hauler numbers and noted that he would likely be requesting that a few hauler rates increase for 2017 as he continues to try and have all haulers pay the same rates. He then reviewed the Status of Pending Projects Report, a copy of which is attached hereto and made a part of these minutes, and the following items were discussed in detail:

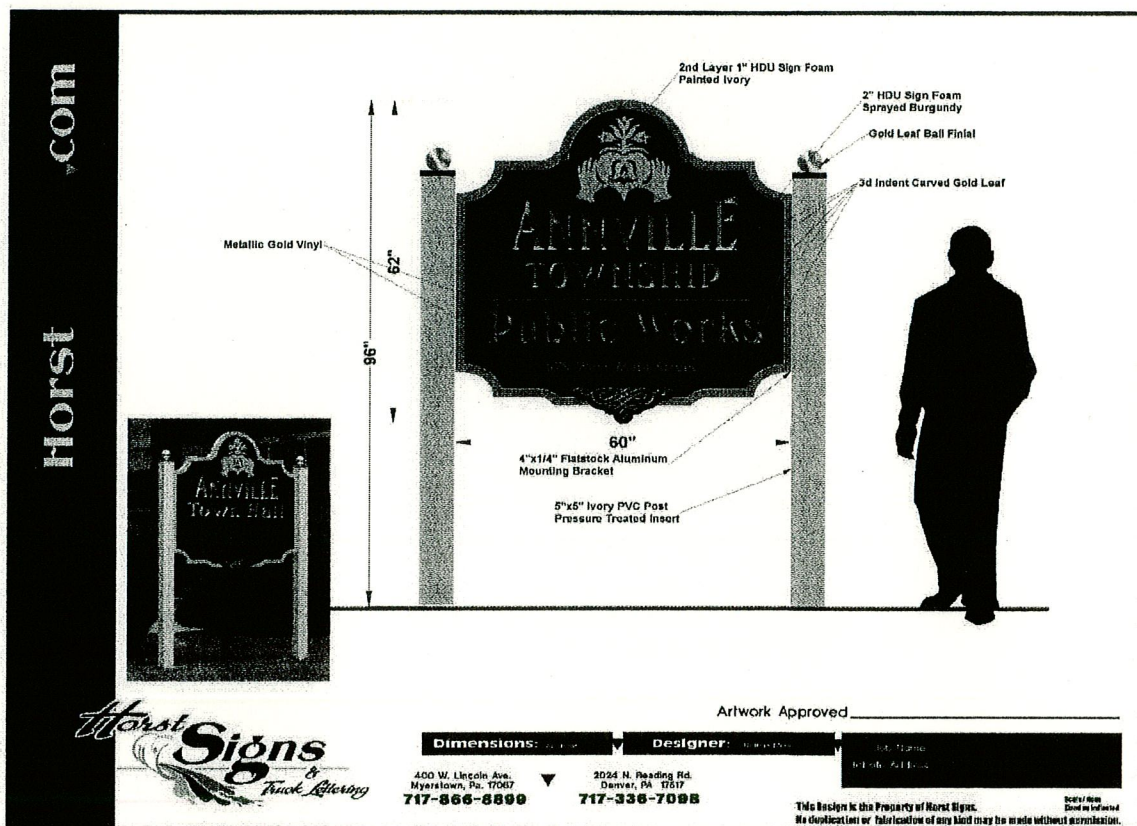
Surcharges: Mr. Powell discussed the results of the latest samplings for Annville-Cleona High School (ACHS), Kindred Place, and the Annville Grille. It was noted that, due to the results, Kindred Place would not be assessed a surcharge on its September 1, 2016 sewer bill, while both

ANNVILLE TWP. WASTEWATER TREATMENT PLANT

STATUS OF PENDING PROJECTS

August 24, 2016

- (1) **SURCHARGE** We sampled ACHS, Kindred Place, Annville Grille; results attached. Also sampled Salsa's, Corvette Grille, and Batdorf; no results available at this time.
- (2) **HAULING** Hauled 29 loads, 110,200 gals to Hoffman farm
- (3) **PLANT SIGN** I put in the budget \$2,000 last year for a sign at plant. I checked with Horst signs (this is the same company that did the sign at Town Hall--I would like to keep the design the same) and the cost for the new sign installed will be around \$5,000 with county sign permit. I called around to some other sign places (Brown's, Boyer's) for them to make a sign up; since they do not have the pattern of the sign at Town Hall it would cost more than \$5,000. This was just a phone quote.



Respectfully Submitted,
Les Powell Chief Operator

ACHS and the Annville Grille would be assessed surcharges on their next bills. Mr. Yingst indicated that copies of these sampling results were mailed to ACHS and Kindred Place the prior week and Annville Grille's results would be mailed in the next few days when more current water usage numbers were available. Several members of the Authority noted the high surcharge for ACHS and discussed this with Mr. Powell. In particular, Mr. Myers expressed his surprise that the water sampling results would be so high during summer vacation. Mr. Perrotto suggested that, as ACHS was funded by taxpayer dollars, perhaps a district office administrator or school board member should be notified of this. Mr. Sheffey noted that a new superintendent and business manager had recently been hired by the school district and Mr. Powell agreed to reach out to the district office to ensure it was aware of these sampling results.

Plant Sign: Mr. Powell presented a proposal from Horst Signs for the design and installation of a sign at the entrance to the WWTP. He indicated he wished for the sign to be consistent in design with the sign currently in front of Town Hall and, as Horst Signs also designed that sign, it was the company that could design a similar sign for the front of the plant at the lowest cost. Mr. Powell expressed his surprise at the cost of such signs, noting that \$2,000 had been budgeted for this expense in 2016. Per his review of the sign design, Chairperson Rooney noted it read "Annville Township Public Works" and asked why that language, as opposed to "Wastewater Treatment Plant", had been proposed. Mr. Yingst indicated that several years ago the Highway Department and WWTP employees had been combined under the broader designation of Public Works. It was also noted that additional language would result in either a larger (and thus, more expensive) sign or smaller (and less legible) text, and it was suggested that any text specific to the WWTP might result in rate payers attempting to pay sewer bills at the plant. Chairperson Rooney asked if any other members of the Authority had thoughts about the proposed sign or its text. Mr. Ludwig indicated he was comfortable with the proposed design of the sign as long as it did not require maintenance by staff, and both Mr. Powell and Mr. Yingst indicated they did not anticipate this would be the case, due to the lack of maintenance needed on the sign in front of Town Hall. Mr. Myers and Mr. Perrotto then discussed some aesthetic aspects regarding the sign with Mr. Powell. With no further discussion noted, **MOTION** by Chairperson Rooney, second by Mr. Ludwig to recommend to the Board of Commissioners that it authorize the design and installation of a sign at the entrance to the WWTP by Horst Signs, subject to any additional language changes recommended by the Board of Commissioners, at an estimated cost of \$5,000 including the costs for obtaining a sign permit. Motion carried unanimously.

SOLICITOR'S REPORT: The Authority was informed of the following items:

Legal Actions Against Significantly Delinquent Customers: Mr. Sheffey provided brief updates on several liens for unpaid sewer and trash fees.

807 East Walnut Street: Regarding the lien against the former Smith-Loser property at 807 East Walnut Street, Mr. Sheffey reported the new property owner has indicated he will pay for the amount owed on the lien and the check has been issued and mailed. Mr. Sheffey noted he has not yet received this check, despite three emails to the new owner regarding this matter.

508 West Queen Street: Regarding the lien against the Howard property at 508 West Queen Street, Mr. Sheffey provided a brief update on the issuance of correspondence to the bank and the executor of the estate.

1296 East Main Street: Mr. Sheffey reported Mr. Yingst shared with him that the Williams property at 1296 East Main Street had a significant balance of unpaid sewer and trash fees. Mr. Sheffey indicated the owners of the property were deceased and the value of the property was likely less than what was owed on it. After discussion with the members of the Authority and noting that Mr. Sheffey had sent out the initial demand letter per consultation with Mr. Yingst, **MOTION** by Mr. Ludwig, second by Mr. Perrotto to authorize the Solicitor's Office to file a lien against the abovenamed property for unpaid fees pertaining to sewer and trash services. Motion carried unanimously.

BSW Holdings: Regarding the lien against the properties on North King Street and West Church Street that are owned by BSW Holdings, Mr. Sheffey reported that with the latest monthly payment from BSW Holdings the principal balance of this lien is now below \$1,800.

Properties Listed for Tax Sale: Mr. Sheffey reported that a tax sale will be held on September 12, 2016 by the Lebanon County Tax Claim Bureau. He noted there are several properties in Annville Township that are listed for sale with significant delinquent sewer and trash balances—namely the Brandt property at 117 North Lancaster Street, the Hicks property at 36 East Main Street, and the Forbes property at 144 Water Street. Mr. Sheffey briefly explained how a tax sale works and as such why it did not make sense to file a lien on these properties in advance of it, but that it may make sense to do so if these properties are not sold at tax sale. **MOTION** by Chairperson Rooney, second by Mr. Ludwig to authorize the Solicitor's Office to file a lien against the abovenamed properties for unpaid fees pertaining to sewer and trash services if said properties are not sold at the September 12, 2016 tax sale. Motion carried unanimously.

Methanol Pump: Mr. Sheffey reported that he has not yet received a response to the letter he sent to Geiger Pump & Equipment Co. indicating the Authority desired to be paid for the cost of the replacement pumps from Watson Marlow. He then inquired if the members of the Authority wished to take any additional action regarding this matter and shared the possible options with them. After a time of discussion, **MOTION** by Mr. Ludwig, second by Chairperson Rooney (1) to authorize the Clerk of the Authority and the Solicitor's Office to communicate to the Authority Engineer the Authority's wish the Engineer contact Geiger and encourage Geiger's prompt response to Mr. Sheffey's letter and cooperation concerning its contents or for Gannett Fleming to compensate the Authority for costs associated with replacement pumps; and (2) to authorize the Solicitor's Office to take the necessary steps to pursue a judgment against Geiger for the cost of replacement pumps if the Solicitor's Office deems it to be appropriate. Motion carried unanimously.

Revision to Policy No. 2016-002 – Member Appearance by Telephone: Mr. Lamoureux presented a recommended revision to Authority Policy No. 2016-002 pertaining to the participation in monthly meetings by telephone by those members unable to be physically present. He indicated that he reviewed the Authority's current policy regarding this in comparison to similar policies currently used by other bodies and believed that the presented

revisions better adhere to regulations such as the Pennsylvania Sunshine Act. **MOTION** by Mr. Perrotto, second by Mr. Seward to adopt revised Policy No. 2016-002, Annville Township Authority Member Appearance by Telephone, as presented. Motion carried unanimously and a copy of this revised policy is attached hereto and made a part of these minutes.

Request for Executive Session: Mr. Sheffey requested that an Executive Session be held after the adjournment of the Regular Meeting to discuss a personnel matter.

Rex Moore, President of the Board of Commissioners, arrived at the Regular Meeting at 6:06 PM.

ENGINEER'S REPORT: The Authority addressed the following items:

Revised Agreement for Engineering Services with Gannett Fleming: Mr. Yingst reported that Gannett Fleming responded to Mr. Sheffey's concerns regarding the Standard Terms and Conditions (STC) appended to the proposed revised agreement for engineering services by significantly revising the STC in accordance with those concerns. Based upon these substantial revisions, both Mr. Yingst and Mr. Sheffey thought it would be appropriate for the Authority to approve the proposed revised agreement with the revised STC. **MOTION** by Chairperson Rooney, second by Mr. Ludwig to approve the Agreement with the revised Standard Terms and Conditions for engineering services with Gannett Fleming as presented and to authorize its execution by the appropriate members of the Authority. Motion carried unanimously.

PENNVEST Nutrient Credit Request Letter: Mr. Yingst reported that Gannett Fleming had created a letter to PENNVEST requesting consent to amend the current funding agreement, thus entitling Annville Township to generate proceeds of 50% on any nutrient credits sold. Pursuant to a question from Mr. Ludwig, Chairperson Rooney explained that up until this point all proceeds from the sale of nutrient credits would go to PENNVEST; he noted, however, that this had changed and authorities could now request to share with PENNVEST in any proceeds generated. With no further discussion noted, **MOTION** by Chairperson Rooney, second by Mr. Seward to recommend to the Board of Commissioners that it approve the PENNVEST nutrient credit letter as prepared by Gannett Fleming and authorize its execution by the appropriate Township officials. Motion carried unanimously.

CLERK'S REPORT: The Authority was informed of the following items:

Delinquent Report: Mr. Yingst informed the Authority of the measures taken by the Township Office over the past month to collect on delinquent accounts. He noted that since the July 26, 2016 Authority meeting 17 accounts were posted for shutoff; this was comprised of ten customers who were under a payment contract but had not paid and seven customers not under a payment contract with the Township. He also noted that one account had its water service shutoff due to nonpayment and that this customer then paid the balance owed. Mr. Yingst concluded by reporting that over the past four weeks more than \$4,500 had been received from significantly past-due customers, including \$2,000 from BSW Holdings and \$500 from the Allen Theatre.

ANNVILLE TOWNSHIP AUTHORITY

POLICY NUMBER 2016-002

ANNVILLE TOWNSHIP AUTHORITY MEMBER APPEARANCE BY TELEPHONE

PURPOSE: The Annville Township Authority (ATA) and its members meet on a monthly basis in the Commissioner's Room of the Annville Township Hall located at 36 North Lancaster Street, Annville, Pennsylvania, 17003. The ATA recognizes that, from time to time, factors such as weather conditions, or illness make it difficult for its members to be physically present at the monthly meetings. The ATA further recognizes that advances in technology have made it possible for individuals to interact with others at remote locations through the use of teleconferencing and videoconferencing.

The Sunshine Act, 65 Pa.C.S.A. §701 et. seq., has been interpreted to permit a member of a governing body of a public agency to participate in public meetings, including deliberations in voting on official actions, by use of a telephone conferencing system.

The ATA, therefore, desires to enact a policy which would allow members to appear at the meetings by telephone, and allow that appearance to be treated as being present for quorum purposes. Their appearance by telephone will be noted in the minutes for the respective meeting.

POLICY: Any ATA member who is unable to physically appear at a monthly meeting may request to appear by telephone for said meeting. The member who desires to participate in the meeting by telephone shall notify the Township Administrator as early as possible in advance of the meeting in question. A member of the ATA shall be deemed to be present at the meeting, and shall be entitled to participate in the meeting, if:

1. Such member is able to hear everything that is said at the meetings by the public and other members of the ATA; and
2. The public and other members of the ATA are able to hear everything that is said by the member who is not physically present at the meeting.

In the event that it is determined by the Chairperson of the ATA, or the individual in charge of the monthly meeting, that the member who is present by telephone cannot be heard by all persons who are physically present at the meeting or all persons who are physically present at the meeting cannot be heard by the member who is present by telephone, then the teleconferencing shall be terminated and only those persons who are physically present at the meeting shall be permitted to participate therein.

The meeting may continue if a quorum exists among those persons, including those physically present and those at other locations, who can hear everything said by persons at all remaining locations.

The appearance of the ATA member who appears by telephone will be noted in the minutes. The ATA member appearing by telephone shall have the ability to vote on motions, or any other official actions, presented at the meeting and be treated as being present for quorum purposes.

Only one member will be permitted to appear by telephone at each meeting. In the event a quorum can only be achieved by additional ATA members appearing by telephone, they will be permitted to do so for that limited purpose.

EFFECTIVE DATE: August 23, 2016, being a revision of the policy dated April 19, 2016

ADOPTED: August 23, 2016

Pennsylvania Municipal Authorities Association (PMAA) Membership: **MOTION** by Chairperson Rooney, second by Mr. Ludwig to ratify the submission of an application for a free 2016 membership for the Authority in the PMAA. Motion carried unanimously.

Additional Software License for Billing System: Mr. Yingst informed the Authority that the Township Office is currently operating with only one user license for administering the sewer and trash billing system. He noted that, while this has been intended to save on costs, it has at times made it cumbersome to answer customers' requests and administer the system according to its capabilities. Mr. Yingst then presented a proposal from the manufacturer of the billing software, Harris Local Government, for adding a second software license. **MOTION** by Chairperson Rooney, second by Mr. Perrotto to recommend to the Board of Commissioners that it authorize the purchase of an additional software license for the utility billing system at a cost of \$1,250 and the additional costs associated with adding a second license to the annual maintenance and support contract as presented and execution of this proposal by the appropriate Township officials. Motion carried unanimously.

MOTION by Mr. Ludwig, second by Mr. Myers to approve the reports as presented at this meeting. Motion carried unanimously.

There being no further business to come before the Authority, **MOTION** by Mr. Ludwig, second by Mr. Myers to adjourn the meeting. Motion carried unanimously and the Regular Meeting was adjourned at 6:15 PM.


(Assistant) Secretary