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Conyngham/Sugarloaf Joint Municipal Authority Board met for a **Regular Session** on **Tuesday, May 22, 2018 at 7:01 p.m.** in Conyngham Borough Council Chambers, Municipal Building, 215 Main Street, Conyngham, PA. The meeting was called to order by Vice-Chairman Wittig, the Pledge of Allegiance was recited, and roll call was taken.

**Present:** John Cotsack, Marguerite Woelfel, Jack Wittig, Peter O'Donnell (Solicitor), Ed Gregory (Manager), Rich Harrison (Engineer), Erika Cook (Recording Secretary)

**Absent:** Marc Eble

**Citizens:** Joseph Natale, John M. Nonnemacher, Tim Ference, Michael J. Leib

**Public Comment on Agenda Items:** None

**Invited Guests:** Joseph Natale, 12 Twain Circle, Sugarloaf, experienced a sewer back-up in his home. Mr. Natale called his father-in-law, John Nonnemacher, to come assist him and they ultimately called a plumber in for professional service. John Doyle Plumbing found that the main sewer line was blocked. Mr. Natale called the CSJMA Office and Mr. Gregory had the line jetted. Mr. Natale asked if the Board, with respect, if they would cover the cost of his \$500 plumbing bill since the block was in the main line. Vice-Chairman Wittig asked if he had a copy of the bill and directed it be given to Mrs. Cook to prepare a check to be approved at the June 26, 2018 meeting. Mr. Natale thanked the Board for their time and was excused from the meeting.

#### **Motion**

Motion to Approve Minutes from the April 24, 2018 Regular Meeting – Cotsack. Second – Woelfel.

**Questions on the Motion:** None.

#### **ROLL CALL VOTE:**

Cotsack	-	Affirmative	Eble	-	Absent
Woelfel	-	Affirmative	Wittig	-	Affirmative

#### **Treasurer's Report:**

**Item 1:** Treasurer Woelfel presented the Board with the Financial Report ending April 2018 prepared by Mrs. Cook. A copy of the report is on file and available for review. The Board discussed transferring funds from the Revenue account to the PLGIT Investment account which does need to be voted on. Solicitor O'Donnell suggested getting a recommendation from Frey & Co about how much to transfer.

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**Motion**

Motion to Approve Financial Report – Cotsack. Second – Woelfel.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Cotsack</b>	<b>-</b>	<b>Affirmative</b>	<b>Eble</b>	<b>-</b>	<b>Absent</b>
<b>Woelfel</b>	<b>-</b>	<b>Affirmative</b>	<b>Wittig</b>	<b>-</b>	<b>Affirmative</b>

**Item 2:** Treasurer Woelfel presented the Board with the Accounts Payable Report. A copy of the report is on file and available for review.

**Motion**

Motion to Approve Bills for Payment totaling \$56,085.58 – Woelfel. Second – Cotsack.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Cotsack</b>	<b>-</b>	<b>Affirmative</b>	<b>Eble</b>	<b>-</b>	<b>Absent</b>
<b>Woelfel</b>	<b>-</b>	<b>Affirmative</b>	<b>Wittig</b>	<b>-</b>	<b>Affirmative</b>

**Solicitors Report:**

**Item 1:** Solicitor O'Donnell provided an update on the status of the On-Lot Sewage Ordinance proposed to both Conyngham Borough and Sugarloaf Township as part of the Act 537 Plan. Per Solicitor Karpowich, Conyngham Borough has approved the ordinance as proposed. Solicitor O'Donnell is still waiting to hear from Solicitor Ferdinand from Sugarloaf Township. Vice-Chairman Wittig stated that Solicitor Ferdinand was recently out of town. Solicitor O'Donnell will reach out to Solicitor Ferdinand again.

**Item 2:** Solicitor O'Donnell told the Board the one-year contract with Frey & Co for CPA services has been fully executed and a copy is on file at the CSJMA Office. The one-year contract with Environmental Services Corp for sludge hauling has also been fully executed and a copy is on file at the CSJMA Office.

**Item 3:** Solicitor O'Donnell will also ask Solicitor Ferdinand about the 11 deed transfers for the water and sewer lines located in The Meadows. It is in the Authority's best interest to get this completed.

**Item 4:** Vice-Chairman Wittig asked Solicitor O'Donnell about the Supon EDU topic. There were two Resolutions passed by Conyngham Borough Authority regarding the expiration of an EDU. The Resolutions dictate an expiration date of the EDU depending on whether construction has begun or not. Neither Resolution clears up the issue of having open EDUs on the Quarterly Allocation Report. There was discussion about who regulates and controls the



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issuing of the EDU. CBA would regulate the EDUs for Conyngham Borough, but Sugarloaf Township would regulate their own as the Township was technically a customer of CBA. Now that it is a Joint Authority, CSJMA should be able to regulate all EDUs. Mr. Harrison reminded the Board that the Chapter 94 Report keeps track of all EDUs. After some more discussion, Solicitor O'Donnell suggested having an Executive Session to discuss the topic as there might possibly be litigation in the future. CSJMA will need to develop a system in the Rates, Rules and Regulations on how to handle this process in the future.

**Engineer's Report:**

**Item 1:** Mr. Harrison updated the Board on the status of the Act 537 Plan. PNDI approval has been received but Entech is still waiting to hear back from PHMC. Once this approval is received, along with the on-lot ordinance approval from Sugarloaf Township, the next step is to advertise. The advertisement must include the impact on rates for residents, which it is advised to advertise twenty-year cost. It is better to estimate on the high side so there are no surprises to the residents. Mrs. Cook will set up a meeting with the Board members, Entech Engineering, and Frey & Co CPA to discuss the financial planning portion of the Act 537 Plan. Mr. Harrison said the TAR is still waiting for approval at DEP. Vice-Chairman Wittig said he talked to Scott Novatnak at DEP who said once the plan is approved, DEP may possibly make some EDUs available.

**Manager's Report:**

**Item 1:** Mr. Gregory presented the Managers Report to the Board. A copy of the report is on file and available for review.

**Item 2:** Mr. Gregory mentioned that he is not thrilled with Environmental Services Corp doing the sludge hauling. The company's equipment does not seem to be able to handle the load capacity and the employees are not following directives from the CSJMA operators. Treasurer Woelfel asked who used to do the sludge hauling and it was Biros Septic & Drain. Brief discussion over the price difference was had. Mr. Gregory does not want to opt out at this point but will keep the Board updated on the situation.

**Old Business:**

**Item 1:** The EDU topic was discussed earlier in the meeting.

**Item 2:** Meiser & Earl provided a proposal for the Well Docket renewal process. The total is \$18,500.00 but is subject to change depending on SRBC's review of the renewal. Some general discussion was had about whether the hydrogeologist is considered Professional Services regarding bidding thresholds. After some research, Solicitor O'Donnell feels comfortable that hydrogeologist services are considered Professional Services. The Board suggested approving the proposal on the condition of the cost will not exceed \$18,500.00. If the cost is higher, prior approval must be received from the Board before Meiser & Earl proceeds.

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**Motion**

Motion to Approve Well Docket Renewal Proposal from Meiser & Earl at a cost not to exceed \$18,500.00 without prior Board approval – Woelfel. Second – Cotsack.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Cotsack</b>	-	<b>Affirmative</b>	<b>Eble</b>	-	<b>Absent</b>
<b>Woelfel</b>	-	<b>Affirmative</b>	<b>Wittig</b>	-	<b>Affirmative</b>

**New Business:**

**Item 1:** Chairman Gallagher submitted his letter of resignation to the CSJMA Board Members. Per Vice-Chairman Wittig, the resignation does not have to be formally accepted tonight but he requested a motion be made to accept the resignation.

**Motion**

Motion to Accept Joseph Gallagher's Resignation – Woelfel. Second – Cotsack.

**Questions on the Motion:** None.

**ROLL CALL VOTE:**

<b>Cotsack</b>	-	<b>Affirmative</b>	<b>Eble</b>	-	<b>Absent</b>
<b>Woelfel</b>	-	<b>Affirmative, with Regret</b>	<b>Wittig</b>	-	<b>Affirmative, with Regret</b>

**Item 2:** Mr. Cotsack advised the Board that he saw two people walking down the WWTP road near the plant last Sunday, so he called the Conyngham Police to come check out the property. Chief Harris advised two people to leave the property. Mr. Cotsack asked about putting up "No Trespassing" signs on the fence around the plant. Per Solicitor O'Donnell, once the signs are posted, there is no duty to undiscover trespassers. Mr. Gregory will order the signs.

**Public Comment:** Michael J. Leib, 51 Center Hill Rd, Sugarloaf, said that the meeting was very informative regarding EDUs. He owns two lots in Willow Brook that have active buyers but need EDUs. Mr. Leib is willing to do whatever he can to assist in the future regarding this topic. As Vice-Chairman Wittig stated, the EDU issue is still being reviewed and researched. Mr. Gregory reminded the Board of the letter received about two years ago from DEP stating the treatment plant is hydraulically and organically overloaded and no more connections were to be allowed. However, if an EDU is listed on the Quarterly Allocation Report, DEP considers it available for use.



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Vice-Chairman Wittig mentioned the potential Well #8 on the Karchner property. The existing concrete well on the property produces 65 GPM or approximately 100,000 gallons per day which may not be enough. He will set up a meeting with Mr. Karchner to discuss. Vice-Chairman Wittig will also talk to Meiser & Earl regarding some other potential well sites that were located near the Sugarloaf Township Office as alternatives to the Karchner property. The existing concrete well on the Karchner property is located close to the property line and there might be options for a better location.

Vice-Chairman Wittig asked if the rock has been ordered for the Reservoir and about the fencing. Mr. Gregory has ordered the fence and will order the rock this week.

Motion to Adjourn at 8:11 PM – Cotsack. Second – Woelfel. No Roll Call – Unanimous.

**ATTEST:**

  
Secretary