

East Allen Township Municipal Authority
Meeting Minutes – July 14, 2009

Place: East Allen Township Building, 5344 Nor-Bath Boulevard, Northampton Pa 18067.

I. Meeting called to order at 7:05 PM

Members Present: EATMA Board Secretary Ronald Wagner, EATMA Board Treasurer Robert E Nyce, EATMA Board Vice-Chairman Edward Bandics and EATMA Chairperson Charles Wert. Others present Authority Engineer Brad Youst, Authority Solicitor Kevin Kelleher, Authority Operator Kenneth Fulford, Authority Plumber Anthony Czonstka, and EATMA Office Secretary Donna Fenstermaker.

II. Approval of the Minutes

R. Nyce made motion to approve the minutes dated June 9, 2009. Seconded by R. Wagner, all in favor, motion carried.

III. Courtesy of the Floor

Present: Jeannie Judd-Wagner residing at 6951 Salinka Square Bethlehem Pa and B.J. Giangiulio PIRMA Insurance Representative Stephen Congilio residing at 8631 Beatrice Lane and Steven Michur 8612 Beatrice Lane.

B.J. was present to review and discuss renewal of the Authority's insurance policy. B.J. advised the Board that he would email all the information for B. Youst to review. Renewal date is September 1, 2009.

Ms. Wagner was present to discuss water service to their property located at 6808 Jacksonville Rd Bethlehem Pa and discuss an update on their proceedings. See attached memo from Ms. Wagner dated July 14, 2009. Ms. Wagner asked that if in the future a connection a main runs along the front of the property by Jade Lane and the Township requires connection to the line that since they will be an existing customer that they not have to pay tapping fees to connect. K. Kelleher advised the Board to table an answer to the question until a time that this would be mandatory.

Mr. Michur advised the Board that he was present to observe any proceedings on the Authority's behalf concerning the Beatrice Lane water system. K. Kelleher commented that Mr. Congilio and Mr. Michur are present on behalf of Beatrice Lane and that he has represented them both in court against the Beatrice Lane Homeowners Association. Mr. Kelleher noted for the record that this is not a conflict of interest on his behalf due to the fact that East Allen Township Municipal Authority does not own or operate the Beatrice Lane water system. Per Mr. Spengler's (attorney for the Beatrice Lane Homeowners Association) letter, he believes that the Authority can take over the water system with consent of less than the 11 homeowners transferring the water system. K. Kelleher does not agree and believes that all 11 homeowners must agree.

IV Financial Report: Treasurer's Report and Bill Approval List

1. Treasurer Report: R. Wagner made motion to accept the Treasurer Report with a minor correction on page 2 as presented. Seconded by E. Bandics, all in favor motion carried.

2. Bill Approval: R. Nyce asked K. Kelleher if expenses incurred for the Beatrice Lane water system are legitimate expenses. K. Kelleher responded that they are legitimate expenses based on the fact that they were services contracted with the services being fulfilled by the contractor, and the Authority is required to pay the bills. For the record K. Kelleher commented that it is not improper to pay the bills submitted at this time for services rendered on behalf of the Beatrice Lane water system. K. Kelleher also commented that it is a policy decision to incur any future costs on behalf of the Beatrice Lane water system. It was agreed to discuss the continued work on the Beatrice Lane Water System at the July 28th special meeting. Bandics made motion to pay the bills as presented. Seconded by R. Wagner; Yes: R. Wagner, R. Nyce, E. Bandics and C. Wert.

3. Financial Audit Report: R. Nyce made motion for C. Wert to sign the Financial Audit Report. Seconded by R. Wagner, all in favor, motion carried.
4. Water Rates: Discussion was held concerning the water rates. The Board agreed to have a special meeting to discuss budget, rates, surcharges and possible consolidation of the water systems for financial purposes July 28, 2009 at 6:30 p.m. so our water customers have the option to be present for the discussion. D. Fenstermaker was asked to advertise in the Home News w/e 7/24/09 after C. Wert receives confirmation that we could use the Township meeting room. R. Nyce advised D. Fenstermaker that he would put language together for the Home News advertisement. R. Nyce commented for the record that if necessary we will transfer funds from the PLIGIT account to the PNC account for the purpose of paying bills.
5. USDA Letter: R. Nyce made motion to authorize Chris Shutt USDA Rural Development to have access to any and all information in order to process our loan application through USDA. Seconded by E. Bandics, all in favor, motion carried.
6. Loans/Funding: R. Nyce asked the Board to review his spreadsheet explaining current funding versus consolidated funding for the meeting on July 28.

V. Plumber's Report: by Authority Plumber, Anthony Czonstka

1. Trader Joe's: A. Czonstka went to the location to check a problem with the water meter. Could not find the problem; B. Youst was contacted who in turn contacted the Norwood Company.
2. System Flushing: A. Czonstka was told not to do any Water System Flushing until further notice.

VI. Operator's Report: by Authority Operator Kenneth Fulford

1. East Allen Gardens: K. Fulford commented that there was a water outage at East Allen Gardens. There was power coming into the pump house therefore Mayer's was called in to check the pumps. The problem was that a squirrel got into the transformer and knocked out one of the phases. The Emergency Management System representative suggested that we put a generator in the pump house to avoid a water outage in the event of a power failure.
2. Shady Lane: K. Fulford advised the Board that Shady Lane well will be tested for MTBE on Thursday 7/16 and that Jason would be present for the sample draw. K. Kelleher commented that he contacted Ed Osterhuber and was told to contact Eric Shuppe to get more information concerning the ongoing case with the Jamesville gas leak and MTBE testing.
3. Environmental Protection Agency Letter: K. Fulford told the Board that we need to do two additional tests on the Airport Road System the closest location to the incoming water and the furthest location from the incoming location. Environmental Protection Agency commented that the sample can be taken from an outside faucet.
4. Route 512 Pump Station: K. Fulford informed the Board that there was a problem at the Route 512 pump station that the pumps stopped working and the high alarm notified K. Fulford. The pumps are under warranty and Jason will be meeting a representative at the pump station to fix the problem.
5. Phase Monitor: K. Fulford asked the Board to install Phase Monitors at the various water/sewer systems with 3 Phase electric. This will alarm K. Fulford if one of the Phases gets knocked out.

VII. Solicitor's Report: by Authority Solicitor, Kevin Kelleher

1. Shady Lane Tax Bills: K. Kelleher commented that we should pay the bills and once the pump house is completed and a reassessment is completed K. Kelleher will file for a tax exemption status.

VIII. Engineer's Report: by Authority Engineer, J. Bradley Youst

See attached Engineers Report.

1. Beatrice Lane: B. Youst asked the Board if he should continue to include Beatrice Lane in the paperwork for the grant/loan funding. C. Wert asked B. Youst if Hanover Engineering would defer costs incurred to process the paperwork to include Beatrice Lane in the grant/loan funding. B. Youst replied that he would discuss with Jim Birdsall. R. Nyce commented that all four Board Members

agreed that Hanover Engineering should pull Beatrice Lane Water System from all grant/funding applications and no discussion will be held concerning this water system.

2. Arcadia: B. Youst received confirmation Higgins will correct the location of the fire hydrant at the intersection of Silvercrest Rd and Route 512.

3. Grant: B. Youst commented that after speaking with Tony Masiano the Safe Water Grant money we are to receive will not be received until the Budget of the state of Pennsylvania is agreed upon.

IX. Old Business

1. Meter Gun: C. Wert commented that we need to discuss the purchase of a new meter gun. D. Fenstermaker was asked to contact Ron Woodring to find out how long it would take to get the gun once it is ordered and if the quoted price we received in April 2009 is still a valid quote.

X. New Business

XII. Adjournment

R. Nyce made motion to adjourn at 10:30 p.m. Seconded by E. Bandics; all in favor, motion carried.