

WEST BRANDYWINE TOWNSHIP MUNICIPAL AUTHORITY

Incorporated 1995

199 Lafayette Road, West Brandywine, PA 19320-1230

Josef G. Obernier, Sr.- Chairman

J. Richard Weaver, Jr.- Treasurer

Sandra G. Martin – Asst. Secretary/Treasurer

William R. McAdoo- Vice Chairman

Joseph S. Boldaz- Secretary

Meeting Minutes for March 12, 2015

Call to Order

The meeting was called to order by Chairman Obernier at 7:34pm.

Pledge of Allegiance

Roll Call of Board Members

Present for the meeting were Joseph Boldaz, Sandra G. Martin, William R. McAdoo, Josef G. Obernier, Sr., and J. Richard Weaver, Jr.

Others Present

Anita Ferez, Authority Administrator

Public Notification

Notification was made that the Municipal Authority convened in Executive Session on March 12, 2015 to discuss Series of 2009 Guaranteed Sewer Revenue Bonds Refunding Opportunity

Action on Minutes of Previous Meeting

A motion was made by Joe Boldaz to accept the minutes of the February 12, 2015 regular meeting, seconded by Bill McAdoo. All members were in favor.

Public Presentation - none

Public Comments - none

Correspondence/Communications (information to note and or act upon)

Information to Note:

1. Receipt of solicitation for manhole cover inserts (Eliminator Series 2600). *Noted*
2. Receipt of PMAA's February 2015 issue of "The Authority" publication. *Noted*
3. Receipt of correspondence from PAWC dated February 19, 2015 regarding change of address (from Coatesville to West Brandywine) for all future correspondence and invoices. *Noted*
4. PMAA 2015 Spring Management Workshop – April 7, 2015 at Hotel Hershey. *Administrator to consider attending.*
5. PMAA Region One 2015 Spring Dinner Meeting – April 16, 2015 at Crown Plaza, KoP. *Board members to let Administrator know if they want to attend.*

Information to Act Upon:

1. Receipt of correspondence dated February 16, 2015 from PAWC requesting completion of 2014 Wasteload Management Report Survey. *MacCombie's office was asked to complete.*
2. Receipt of email and memo dated February 17, 2015 from Public Financial Management, Inc. with regard to possible refunding opportunity of the 2009 Bonds. *Noted, discussed in New Business.*
3. Receipt of correspondence dated February 18, 2015 from John E. Good, Esquire with enclosed letter for form Extender Agreement for use in the 40 Graces Drive sewer hook-up project. *Noted*
4. Receipt of Annual Notification from Aqua Pennsylvania dated March 3, 2015 with enclosed Testing of the Backflow Prevention Device form that requires completion. *MacCombie's office was asked to complete.*

Reports

1. Secretary - none
2. Treasurer – as of February 27, 2015, Friendship Village account balance was \$31,359.24 and Kimberwick account balance was \$18,877.23.
3. Administrator – reported under individual items.
4. Engineer – MacCombie's office was requested to check oil levels at pump stations; discovered a freeze break in pipe at Reeceville Road station which required repair by TriCounty and interior lights were not working which required repair by Vietri.

Old Business

1. Correspondence received February 2, 2015 from U.S. Department of Commerce requesting submittal of 2014 Annual Survey of Local Government Finances. Upon further research, this survey is voluntary and has not been completed previously. *Noted*
2. Correspondence dated February 1, 2015 from PA American Water requesting completion of Identification of Potential Sources of Contamination survey as part of their source water protection plan. Upon further research, this item was intended for the Township and not the Municipal Authority. *Noted*
3. Bookkeeper – letter of employment offer signed by Sandra C. Brock. *Noted*
4. Modern Equipment – renewal of maintenance contract. Contract signed and returned with payment. *Noted*
5. Payment Agreement between the Township and the Municipal Authority regarding Open Space property – seeking guidance from solicitor on best avenue to proceed. *Upon consulting with solicitor, the appropriate legal avenue would be to file a Civil Complaint in the Court of Common Pleas. The dollar figure is beyond the limit for a District Justice claim. Also discussed in New Business.*
6. The Authority received a review letter from Herbert E. MacCombie's office regarding the Brandywine Meadows Final Plan Submission. The Authority is awaiting a finalized agreement before any action is made on this issue. *Item complete.*
7. Tri-County Water Services, Inc. continues to attempt to install meters at the remaining homes on Monacy and Connies Drive. *Noted*
8. The Authority is establishing its own website. Anita is working on this. *Noted*
9. Determination of worth for used equipment at Kimberwick site – determined in spring 2015. *Noted*

10. WBTMA and WBT v Pulte Homes of PA, LP – pending litigation. *Depositions complete for Ron Rambo, Joe Obernier and Jamie MacCombie; each awaiting transcripts for review.*
11. Air release valves at Friendship Village. *Gorman Rupp redesigned valves, Administrator to contact Dan Weaver to determine status.*
12. Netherwood Drive properties tied into public sewer – meeting held by Sandy Martin, John Cassels and Dale Barnett to determine homes tied in but not receiving sewer bills; Sandy Brock comparing recently secured permit applications with billing records. *Noted*
13. Frank Keegan’s grading issues (Culbertson Run Road) – to be taken care of in spring 2015. *Noted*
14. Hiring of Authority Engineer – interviews held on March 2, 2015; selection committee to make recommendation. *Noted*
15. Hiring of Authority Operator – receipt of four proposals; selection committee of Joe Boldaz, Sandy Martin and John Cassels to review. *Noted*
16. Resident who contacted Supervisor Smith with regard to not receiving quarterly sewer bills. *Noted*
17. Bond renewal – fact finding meeting held during executive session today, March 12, 2015. *Noted; also discussed under New Business.*
18. Infiltration on East Reeceville Road – Joe Boldaz and Tom Eells met to discuss solution. *The boulevard for the Pulte project shows draining of service water south to north toward East Reeceville Road, no live sewer. We have recorded easement agreements. Two options were proposed, install additional plugs or fill with concrete. Engineer feels concrete fill is better option.*
19. Notification and explanation of increased rates to residents. *Administrator is drafting letter to residents to accompany first quarter bills; will provide draft to board members for review and comment.*
20. Requirement of solicitor to attend monthly meetings. *Administrator spoke to solicitor who said he cannot attend Board’s monthly meetings due to a conflict in schedule. He suggested either (a) call him via cell phone during the meeting, (b) change meeting night, or (c) enlist another attorney to attend meeting.*
21. PAWC repayment option – the MA has elected the 12 month repayment option. *Noted; a question was raised concerning how these installment payments impact revenue flow and asked if the Board could report on that as we move forward.*

New Business

1. Recommendation for Engineer. *Sandy Martin called two references for Carroll Engineering and received glowing reviews. A motion to appoint Bill Malin and Carroll Engineering Corporation was made by Joe Boldaz, seconded by Sandy Martin. All members present were in favor. Administrator to notify Bill Malin. Commence review and negotiation of contract/agreement.*
2. Recommendation for Operator. *After pre-meeting held on February 12, 2015 and receipt of proposals from four potential firms, a matrix was compiled and consideration of costs were reviewed. A motion to appoint Miller Environmental, Inc. was made by Sandy Martin, seconded by Joe Boldaz. All members present were in favor. Commence review and negotiation of contract.*
3. Open Space Payment of \$37,000 from Township to Municipal Authority. *MA has a contract with the Township which is a legal land sale. Per Joe Obernier, Doug Smith states the Township will never pay the remaining balance. Sandy Martin inquired whether the Township could pay \$1.00 to satisfy the yearly payment obligation. The Township is currently suing the appraiser.*

Administrator to (a) find Agreement of Sale for property sold from MA to the Township, (b) request information on the cost to prepare and file suit, and (c) send letter to Township requesting payment. Ed Pristernik inquired about whether the MA has to repay monies if there was more than one payment made in a given year, to which the answer was no.

New Business from the Floor

1. Nate MacCombie brought up the fact that Mr. Sipple and/or his family have been utilizing the easement area to park equipment such as trailers and machinery. Administrator to contact Mr. Sipple and remind him of the language in the easement document and ask that he not utilize this area.

New Business from the Board

1. Chris Bamber from Public Financial Management, Inc. (PFM) spoke about a refunding opportunity that is currently available on the Series 2009 bonds. After a brief discussion with the public, some of which expressed concern, a decision was made by the Board to allow Mr. Bamber to continue with the next steps which would be to discuss with the Township and seek its agreement to continue to be a guarantee on the bond.

Public Comments (individuals not requesting to be on agenda)

Payment of Bills

1. Friendship Village Sewer District- \$83,269.33, and Ratified Payments of \$2,215.71 on 2/19/15.
2. Kimberwick Sewer District- \$118.00, and Ratified Payments of \$688.84 on 2/19/15.

After a discussion of deposition costs, specifically the difference in rate for services, a motion was made by Rich Weaver to ratify the payments made on February 19, 2015 and pay the remaining outstanding bills for Friendship Village Sewer District and Kimberwick Sewer District, seconded by Sandy Martin. All members present were in favor. Administrator is to check with solicitor regarding the legality of rates charged.

Dates of Upcoming Meetings

The dates of upcoming Board of Supervisors meetings (March 19, 2015 and April 2, 2015) and the next Municipal Authority meeting (April 9, 2015) were announced.

Adjournment

A motion to adjourn was made by Rich Weaver, seconded by Bill McAdoo. All members present were in favor. Meeting adjourned at 9:16pm.

Respectfully submitted,
Anita Ferenz, Administrator