

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – JANUARY 17, 2008

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting on Thursday, January 17, 2008 at 7:00 P.M. in the Authority conference room, duly advertised, as required, and with the following persons in attendance:

Board Members in Attendance:

Ms. Pat Altman	Mr. Larry Chrzan	Mr. Dan Hall
Mr. Charles Konkus	Mr. Anthony Marks	Mr. Robert Pioth
John Shepherd	Tim Watson	

Absent Board Members:

Mr. Sam Testa	Mr. Robert Zentner
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Others in Attendance:

John Campfield, Solicitor
Mark Poole, Consulting Engineer
Dan Goodwin, Consulting Engineer
Kevin Fisher, General Manager
Johanna Wtorkowski, Assistant Secretary-Treasurer/Recording Secretary

Mr. Pioth led the Pledge of Allegiance and moment of silence for troops overseas.

Public Comments: None – No visitors were in attendance.

Communications:

1. Mr. Pioth informed the Board Members that PMAA will be conducting its 2008 Board Member Training on Wednesday, March 5, 2008, at the Marriott Pittsburgh North, in Cranberry Township. Anyone who is interested in attending may register for the training class.
2. Mr. Pioth reminded Board Members who served in 2007 to submit their Commonwealth of Pennsylvania State Ethics Commission Statements of Financial Interests.

Secretary's Report – John Shepherd: Mr. Shepherd made a motion to approve the December 20, 2007 Meeting minutes as presented. Mr. Chrzan seconded the motion. The motion passed unanimously.

Treasurer's Report – Pat Altman: A motion to approve for payment Revenue Fund Requisition No. 84 in the amount of \$318,552.46 was made by Ms. Altman, and seconded by Mr. Chrzan. The motion passed unanimously.

General Manager's Report – Kevin Fisher: Mr. Fisher added one item to his written report that was distributed prior to commencement of the meeting, and which is attached to these minutes. An informational seminar is being offered jointly by PMAA and the Municipal Authority of Belle Vernon on January 30, 2008, at the Belle Vernon Fire Hall. The subject will be cooperation among Utility providers, and will also include a presentation on Utility System Security Emergency management NIMS certification, and PMAA activities updates on legislation, regulations, and insurance programs. Admission is free of charge.

Consulting Engineer – Mark Poole: Mr. Poole reviewed his written report dated January 17, 2008, which was presented to those in attendance. The complete report is attached to these minutes.

Wet Weather Improvements Project: A meeting was held with Mr. Fisher and HDR on January 17th to discuss finalization of the contracts. A final inspection will be scheduled with Pennvest and PA DEP, and then the project can be closed out. There are no contractor payments for consideration at this evening's meeting.

Long-Term Control Plan: There have been no comments received from PaDEP since submission of the Final Long-Term Control Plan in October 2007. Mr. Poole reported that he is preparing the semi-annual status report for the Ardara Area Consent Order and Agreement. The Authority is in compliance, because we were ahead of the game in planning.

WWTP Facilities Planning Study: A summary is to be submitted next week to Mr. Fisher for review.

Mr. Poole presented to the Board Members maps of WWMA's service area, which are intended to identify WWMA's service area within the member municipalities' respective service areas. Mr. Hall commended Mr. Poole on the quality of the maps.

Mr. Poole recommended that the Authority purchase electronic tax maps from the county that would contain all parcels within WWMA's service area, plus a one-half mile buffer. The approximate cost is \$2,417.00. Annual updates to the maps are approximately \$287.00. There may also be a possible processing fee for the updates. A motion to approve the purchase of electronic tax maps, at a price not to exceed \$2,500.00 without verbal authorization from the General Manager, was made by Ms. Altman, and seconded by Mr. Chrzan. The motion carried unanimously.

There was a discussion regarding the flow monitoring system and inspections of sewers to ascertain the extent of infiltration.

Solicitor's Report – John Campfield: Mr. Campfield reported that the Authority's SWAP rate that was calculated as a result of the Authority's decision to delay the effective date by two years, has increased from 78.175% to 78.686%, which is beneficial to the Authority. He stated that the closing for the amended SWAP agreement will occur on January 25, 2008. Attorney James Webster will distribute copies of the amended SWAP agreement to the Board.

Mr. Campfield recommended a change in Article II of the Sewer Use Rules and Regulations, to state that Land Development Plans shall be provided to WWMA within five (5) business days of the time of receipt by the municipality of an accepted application for land development. At the same time, the municipality shall provide to WWMA a copy of the sewage planning module, or Module Exemption together with the Sanitary Sewer Plans and profile drawings for the land development. Article III will be amended to reference the Pennsylvania Municipalities Planning Code. This will allow WWMA to determine at the planning stages of a development or subdivision whether the property is included in WWMA's service area. After Board discussion, a motion was made by Mr. Shepherd, and seconded by Mr. Chrzan, to approve the revised Sewer Use Rules and Regulations, in accordance with changes made tonight, to include pending plans that are currently under review, and to send the revised Sewer Use Rules and Regulations, along with a map of WWMA's service area to member municipalities. The motion carried unanimously.

Mr. Campfield reported that Penn Township has received from Maynard Kachonik engineering plans with amendments and stated that, from those, Penn Township will approve the amendment. He stated that most of the rights-of-way have been obtained.

Mr. Shepherd questioned the status of the 2005 Construction Fund Arbitrage issue. Mr. Campfield explained that, according to the Bond Council, the issue is the earned interest. The Bond Council said that it would be best to have the Trustee perform the arbitrage rebate calculations. Mr. Poole stated that he did not think that the issue of remaining funds was a problem.

Mr. Campfield requested the restatement of the number assigned to one resolution in 2007, and confirmation of the number assignment for two other resolutions. A motion was made by Mr. Hall, and seconded by Mr. Chrzan, to approve the following:

1. Confirm Resolution No. 2007-04, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN WESTMORELAND MUNICIPAL AUTHORITY AMENDING AND SUPPLEMENTING RESOLUTIONS NO. 2005-6 AND 2005-9; SETTING FORTH PROCEDURES FOR CHARGES FOR NON-RESIDENTIAL CAPACITY TAPPING FEES; PROVISIONS FOR THE BILLING AND COLLECTION OF SUCH FEES; AND MAKING OTHER PROVISIONS RELATIVE TO SUCH FEES.
2. Renumber from 2007-04 to 2007-06 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN WESTMORELAND MUNICIPAL AUTHORITY AMENDING, MODIFYING AND CHANGING PRIOR POLICIES OF THE AUTHORITY CONCERNING ATTENDANCE AT CONVENTIONS, CONFERENCES, SEMINARS AND MEETINGS ON BEHALF OF THE AUTHORITY; AND ESTABLISHING NEW POLICIES AND PROCEDURES FOR ATTENDANCE AT CONVENTIONS, CONFERENCES, SEMINARS AND MEETINGS ON BEHALF OF THE AUTHORITY.

3. Confirm Resolution No. 2007-05, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WESTERN WESTMORELAND MUNICIPAL AUTHORITY ESTABLISHING A SEPARATE RATE DISTRICT TO BE KNOWN AS THE CAVETTSVILLE-ARDARA AREA RATE DISTRICT, ESTABLISHING THE RATES FOR SUCH DISTRICT AND THE REMAINING SERVICE AREA OF THE AUTHORITY; AND AMENDING THE SCHEDULE OF RATES AND CHARGES FOR SEWER SERVICES, EFFECTIVE AS OF JANUARY 1, 2008, FOR THE CAVETTSVILLE-ARDARA AREA RATE DISTRICT.

The motion carried unanimously.

Reports of Committees:

- A. Grounds and Maintenance Committee – Dan Hall – Mr. Hall reported that the floor in the sludge processing room is still holding up quite well.
- B. Personnel Committee – No report.
- C. Finance and Budget Committee – There was no report. Mr. Chrzan commended former Board Member Mr. John Nabuda for the outstanding job that he has done for the Authority on the Finance and Budget Committee over the last ten years.
- D. Insurance Committee – Charles Konkus – No report. Mr. Fisher presented quotes from FWF Insurance Agency for an employee dishonesty policy and a Treasurer’s Bond. Mr. Ron Flick, the Authority’s FWF Insurance Agency representative, recommends adding this coverage to the Authority’s current liability insurance policy. After Board discussion, Mr. Fisher was instructed to obtain additional information. Mr. Fisher stated that he could schedule a meeting with Mr. Flick if any members of the Insurance Committee are interested in meeting with him.
- H. Sludge Committee – Due to Mr. Zentner’s absence, there was no report.
- I. Legal and Engineering Services Committee – Due to Mr. Testa’s absence, there was no report.

Change Orders and Pay Estimates: None

Mr. Pioth presented requisitions with the motions to approve as follows:

- A. Capital Improvements Fund Requisition No. 73, in the amount of \$3,200.00. Motion to approve was made by Ms. Altman and seconded by Mr. Chrzan. The motion passed unanimously.
- B. 2005 Construction Fund Requisition No. 2005-33 in the amount of \$3,716.07. Motion to approve was made by Ms. Altman and seconded by Mr. Chrzan. The motion passed unanimously.

Board Member Comments: A motion was made by Mr. Hall, and seconded by Mr. Watson, to authorize requests for proposals for bond council and auditing services. A roll-call vote was requested.

Ms. Altman – yes
Mr. Chrzan – yes
Mr. Hall – yes

Mr. Konkus – yes
Mr. Marks – yes
Mr. Pioth – yes

Mr. Shepherd – yes
Mr. Watson - yes

The motion passed, 8-0.

At this time, Mr. Gene Miklaucic, President, and Ms. Pam Siegert, Director of Data Services, of Spectrum Medical Services, Inc. joined the meeting to describe the drug and alcohol testing program. Ms. Siegert explained that, in mid-2004, she received a verbal instruction from WWMA's authorized contact person to temporarily suspend the non-DOT drug and alcohol testing program. She stated that the program has since been reactivated. After discussion, the Board agreed that the agreement with Spectrum should be amended to state that any future suspension of the drug and alcohol testing program be issued in writing by the Authority, and that confirmation by Spectrum must be submitted to the Board. Ms. Siegert and Mr. Miklaucic then explained to the Board the drug and alcohol testing procedures.

At this time, a motion was made by Mr. Konkus, and seconded by Mr. Chrzan to enter into an executive session to discuss personnel matters and matters of potential litigation. The motion carried unanimously. The time was 8:50 P.M.

Motion to return to the regular order of business was made by Mr. Konkus, and seconded by Mr. Chrzan. The motion carried unanimously. The time was 9:10 PM.

Mr. Hall requested that Mrs. Wtorkowski send letters to the member municipalities, regarding the Chapter 94 information request forms.

At this time, a motion was made by Mr. Hall, and seconded by Mr. Konkus to enter into an executive session to discuss personnel matters and matters of potential litigation. The motion carried unanimously. The time was 9:14 P.M.

Motion to return to the regular order of business was made by Mr. Shepherd, and seconded by Mr. Konkus. The motion carried unanimously. The time was 9:37 PM.

A motion to adjourn the meeting was made by Mr. Shepherd, and seconded by Mr. Konkus. The motion carried unanimously. The time was 9:38 P.M.

Secretary