

WESTERN WESTMORELAND MUNICIPAL AUTHORITY

REGULAR MONTHLY MEETING – FEBRUARY 21, 2008

The Board of Directors of the Western Westmoreland Municipal Authority held a regular monthly meeting on Thursday, February 21, 2008 at 7:00 P.M. in the Authority conference room, duly advertised, as required, and with the following persons in attendance:

1. Roll Call:

Board Members in Attendance:

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

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

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

3. Public Comments: None – Visitors in attendance:

Patti Dobranski, Tribune-Review
Peter Holm-Norwin Star

4. Annual Reorganization:

A. Appointment of Officers:

Mr. Pioth turned the meeting over to Authority Solicitor Mr. John Campfield for the annual reorganization.

Mr. Campfield called for nominations for the office of Chairman. Mr. Konkus nominated Robert Pioth, and Ms. Altman seconded the nomination. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0.

Mr. Campfield then turned the meeting over to Chairman Pioth.

Mr. Pioth called for nominations for the office of Vice-Chairman. Mr. Chrzan nominated John Shepherd, and Ms. Altman seconded the nomination. Mr. Shepherd declined the nomination, stating that personal commitments may prevent him from attending some of the meetings. Mr. Chrzan then nominated Charles Konkus, and Ms. Altman seconded the nomination. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0.

Mr. Pioth called for nominations for the office of Secretary. Mr. Chrzan nomination Anthony Marks, and Ms. Altman seconded the nomination. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0.

Mr. Pioth called for nominations for the office of Treasurer. Mr. Chrzan nomination Robert Zentner, and Mr. Konkus seconded the nomination. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0. Ms. Altman thanked the Board for providing her with the opportunity to serve as Treasurer for the past year, and she thanked Mr. Pioth for signing checks on the occasions of her absence during the past year. Mr. Pioth thanked Ms. Altman for her contributions to the Authority as Treasurer during the past year.

Mr. Pioth called for nominations for the office of Assistant Secretary-Treasurer. Mr. Chrzan nomination Johanna Wtorkowski, and Mr. Zentner seconded the nomination. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0.

B. Appointment of Solicitor:

Mr. Pioth called for nominations for the Authority's Solicitor, which is currently Campfield & Ferraro. Mr. Zentner made a motion to retain Campfield & Ferraro, and Mr. Chrzan seconded the motion. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0.

C. Appointment of Consulting Engineer:

Mr. Pioth called for nominations for the Authority's Consulting Engineer, which is currently HDR Engineering Co. Mr. Chrzan made a motion to retain HDR Engineering Co., Inc., and Ms. Altman seconded the motion. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	No
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 9-1.

D. Appointment of Auditor:

Mr. Pioth called for nominations for the Authority's Auditor, which is currently Sarp and Company. Mr. Fisher reported that he had requested two proposals for auditing services. Mr. David Danar, of David Danar and Associates, in Murrsville, declined, stating that their accounting firm did not have the certification to perform governmental audits. A proposal was requested of Cypher and Cypher, which is located in Canonsburg. They did not provide a proposal. Mr. Hall expressed his displeasure that Mr. Fisher had not attempted to obtain quotes sooner, and that he only approached two auditing firms. Mr. Konkus agreed with Mr. Hall. Mr. Zentner made a motion to retain Sarp and Company, and Ms. Altman seconded the motion. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	No
Charles Konkus	No	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	No	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 7-3.

E. Appointment of Trustee:

Mr. Pioth called for nominations for the Authority's Trustee, which is currently US Bank. Mr. Zentner made a motion to retain US Bank, and Mr. Chrzan seconded the motion. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0.

F. Appointment of Bond Counsel:

Mr. Pioth called for nominations for the Authority's Bond Counsel, which is currently Houston Harbaugh. A proposal that was submitted by Lynch and Lynch was reviewed by the Board. Mr. Zentner made a motion to appoint Lynch & Lynch as Bond Counsel, stating that he was disappointed that he had previously not been reappointed. Mr. Hall seconded the motion. Mr. Shepherd stated that he felt Houston Harbaugh's fees were reasonable. Mr. Campfield explained that there is an issue on which Attorney Webster is currently working, and stated that the Board may wish to retain Houston Harbaugh as Bond Counsel until this issue is finalized. Mr. Hall made a motion to appoint Houston Harbaugh as the Authority's Bond Counsel for a period of one month, and to allow Mr. Webster to provide a proposal for services. The motion was seconded by Mr. Chrzan. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0.

G. Appointment of Financial Advisor:

Mr. Pioth called for nominations for the Authority's Financial Advisor, which is currently Commonwealth Securities and Investments, Inc. Mr. Chrzan made a motion to retain Commonwealth Securities and Investments, Inc., and the motion was seconded by Ms. Altman. Mr. Hall stated that he would like to table this appointment for one month. Mr. Campfield explained that an appointment may be changed at any time during the year. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	No
Charles Konkus	No	Anthony Marks	No	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 7-3.

H. Appointment of Depository Banks:

Mr. Pioth called for nominations for the Authority's Depository Banks, which are currently National City Bank and Citizens Bank. Mr. Chrzan made a motion to retain National City Bank and Citizens Bank, and the motion was seconded by Mr. Zentner. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	No	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 9-1. It was decided that the Finance and Budget Committee will look into other banking options.

I. Nominations for Committee Chairpersons:

Mr. Pioth called for nominations for Chairman of the Grounds and Maintenance Committee. Mr. Chrzan made a motion to nominate Dan Hall, and the motion was seconded by Ms. Altman. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 10-0.

Mr. Pioth called for nominations for Chairman of the Finance and Budget Committee. Mr. Zentner made a motion to nominate Larry Chrzan, and the motion was seconded by Ms. Altman. Mr. Hall nominated Charles Konkus. Mr. Pioth explained that Mr. Konkus cannot accept the nomination, because he is an officer. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	Yes
Charles Konkus	Yes	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	Yes	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The original motion passed, 10-0.

Mr. Pioth called for nominations for Chairman of the Insurance Committee. Mr. Chrzan made a motion to nominate Tim Watson, and the motion was seconded by Mr. Konkus. The motion passed unanimously.

Mr. Pioth called for nominations for Chairman of the Sludge Committee. Mr. Chrzan made a motion to nominate John Shepherd, and the motion was seconded by Mr. Konkus. Mr. Shepherd stated that he did not want to be Chairman of the Sludge Committee, and asked

whether it was necessary to have a Sludge Committee. Mr. Campfield explained that the by-laws would have to be amended to eliminate the need for a Sludge Committee. Mr. Pioth explained that there were few remaining vacancies for Committee Chair positions. Mr. Shepherd then accepted the nomination. The motion passed unanimously.

Mr. Pioth called for nominations for Chairman of the Legal and Engineering Services Committee. Mr. Zentner made a motion to nominate Sam Testa, and the motion was seconded by Mr. Chrzan. The motion passed unanimously. Mr. Shepherd requested that Mr. Hall be assigned to the Legal and Engineering Services Committee.

Mr. Pioth called for nominations for Chairman of the Personnel Committee. Mr. Chrzan made a motion to nominate Pat Altman, and the motion was seconded by Mr. Shepherd. The motion passed unanimously.

Mr. Pioth called for a motion to approve the engagement letter from Sarp and Company for completion of the 2007 audit. Mr. Marks questioned the wording of the engagement letter. Mr. Campfield explained that it is a standard letter that is required in the course of an independent audit, and that the engagement letter states what the auditor's scope of the audit will include and what the responsibility of management is. Mr. Campfield explained that by signing the engagement letter, the Authority Board is acknowledging responsibility for the items mentioned in the letter. Mr. Marks asked whether the Authority must disclose to the auditor in writing the recent findings concerning a former board member. Mr. Fisher explained that it would be discussed, in a form that is provided by the auditor during the management discussion portion of the audit. A roll call vote was requested.

Pat Altman	Yes	Larry Chrzan	Yes	Dan Hall	No
Charles Konkus	No	Anthony Marks	Yes	Robert Pioth	Yes
John Shepherd	No	Sam Testa	Yes	Tim Watson	Yes
Robert Zentner	Yes				

The motion passed, 7-3.

5. Communications:

A. CHAR Report: Mr. Zentner referenced an item in the February 7, 2008 CHAR Report, regarding the appropriation of state funds to promote private industry, and he commented that infrastructure is being ignored. Mr. Hall added that a reference to the amount that is being spent on combined sewer overflows should be incorporated into the letter. A motion was made by Mr. Zentner, and seconded by Mr. Shepherd, to authorize Mr. Fisher to send a letter to Governor Rendell regarding the appropriation of funds to improve infrastructure. The motion passed unanimously.

Mr. Pioth informed the Board that Water Environment Federation (WEF) is offering a conference from May 18-21, 2008, at the David L. Lawrence Convention Center, in Pittsburgh. Mr. Poole mentioned that this Collections Systems Conference will be highlighting combined sewer overflow issues, which is pertinent to the Authority. The conference registration is \$525.00 per person. Mr. Hall mentioned that previous WEF Tech conferences were very good.

- B. Mr. Pioth asked Board Members if they received a copy of the amended Swap Agreement. He stated that he felt the Authority should not terminate the agreement at this time.
- C. Mr. Campfield reported that the Authority has received correspondence regarding termination of the Swap Agreement. In January, the Authority postponed the effective date of the Swap Agreement, because if the agreement had commenced on the original date, the Authority would have been realizing negative cash flows. A letter was received by Mr. Henry Fisher, stating that, if the Authority terminated the Swap Agreement now, it could realize some money, and be out of the Swap Agreement. Mr. Campfield stated that he contacted Mr. Kintner, of DerivActive, the firm that is monitoring the interest rates on behalf of the Authority. Mr. Kintner stated that he does not recommend terminating the Swap Agreement at this time. Mr. Campfield referred to a resolution that was prepared by James Webster at the request of Henry Fisher that states that the Swap Agreement would be terminated if the interest rates realize a net gain of a specified amount. Mr. Campfield stated that he has been unable to obtain from anyone a good number to specify in the resolution. Mr. Campfield explained that, according to Mr. Kintner, the Authority would lose money if it terminated the Swap Agreement now; there is no need to pass the resolution at this time; and the Authority does not have a number to include in the resolution. He explained that DerivActive could monitor for the Authority the Swap Agreement from a termination viewpoint, and, if the Authority gave DerivActive a specific target number, without adopting the resolution, DerivActive could notify the Authority when the market reaches the specific target. Mr. Campfield stated that Mr. Kintner feels that the Authority would benefit in the long-term by remaining in the Swap Agreement. Mr. Pioth suggested that the Finance and Budget committee research this issue, and arrive at a specific amount for termination. A motion was made by Mr. Hall, and seconded by Mr. Shepherd, to authorize Mr. Campfield to write a letter to Commonwealth Securities and Investments, Inc., asking for a target number for terminating the Swap Agreement, or for a reason why they cannot provide the Authority with a target number, with the recommendations provided in a brief summary. The motion passed unanimously.

At this point, Ms. Altman requested that the Treasurer's report be given, because she had to leave the meeting. She stated that all checks have been signed, and all bills have been paid. She then excused herself from the meeting. The time was 8:38 P.M.

D. Correspondence Regarding Abby Place, in Penn Township:

Mr. Fisher referred to a letter from Penn Township Sewage Authority regarding Abby Place. He stated that, although Abby Place is located within the Ardara Service, Penn Township is planning to install a pump station to direct the flow from the Ardara System back into their system, contrary to the Service Agreement. Mr. Fisher explained that the Authority has responded to their letter, in which it stated that Penn Township cannot arbitrarily remove customers from WWMA's service area. Mr. Fisher also requested additional engineering information regarding this development. Mr. Fisher has not yet received a response. Mr. Hall commented on the wording of the Authority's response, stating that, in the future, the wording should be changed from "alterations" of the Service Agreement to "violations."

E. Correspondence Regarding Trafford Issue:

This item will be discussed during the executive session.

6. Secretary's Report – Anthony Marks: Mr. Marks presented the minutes of the January 10, 2008 special meeting for approval. Mr. Konkus made a motion to approve the minutes of the January 10, 2008 Special Meeting as presented. Mr. Shepherd seconded the motion. The motion passed unanimously.

Mr. Marks presented the minutes of the January 17, 2008 regular meeting for approval. Mr. Konkus made a motion to approve the January 17, 2008 Meeting minutes as presented. Mr. Marks seconded the motion. The motion passed unanimously.

7. Treasurer's Report – A motion to approve for payment Revenue Fund Requisition No. 85 in the amount of \$185,760.59 was made by Mr. Zentner, and seconded by Mr. Chrzan. The motion passed unanimously.
8. General Manager's Report – Kevin Fisher: Mr. Fisher added some additional items to his written report that was distributed prior to commencement of the meeting, and which is attached to these minutes. He requested approval of an agreement between the Authority and Spectrum Medical Services, Inc. for the Authority's drug and alcohol testing program. The agreement has been modified to state that the agreement may be modified only by resolution of the Board. A motion to approve the contract as written with Spectrum Medical Services, Inc. was made by Mr. Testa, and seconded by Mr. Chrzan. A roll call vote was requested.

Larry Chrzan	Yes	Dan Hall	No	Charles Konkus	Yes
Anthony Marks	No	Robert Pioth	Yes	John Shepherd	Yes
Sam Testa	Yes	Tim Watson	Yes	Robert Zentner	Yes

The motion passed, 7-2.

Mr. Fisher announced that there will be a Chlorine Security Summit on March 19, 2008, at the Sheet Metal Local #12 Union Hall in Harmarville, PA. The summit will include discussions on converting to calcium hypochlorite. Mr. Fisher stated that he would like to attend this summit. A motion was made by Mr. Hall, and seconded by Mr. Chrzan, to authorize Mr. Fisher to attend the Chlorine Security Summit on March 19, 2008. The motion passed unanimously.

Mr. Fisher announced that a one-day seminar on the new NFPA 70E regulations will be held on April 1, 2008. The seminar will include arc flash protection. He recommended that the Authority send the Authority's Foreman, Alan Spoonhoward; the Authority's Electrician, Joe Bell; and himself to this seminar. A motion was made by Mr. Chrzan, and seconded by Mr. Zentner, to authorize Mr. Fisher, Mr. Spoonhoward, and Mr. Bell to attend the NFPA 70E seminar on April 1, 2008. The motion passed 8-0. Mr. Konkus abstained from the vote, stating that he is an outside salesman for Scott Electric, who is co-sponsoring the seminar.

Mr. Fisher stated that, after the Insurance Committee meeting of February 7, 2008, he received two quotes for pollution liability coverage. The first quote is \$9,881.00 per year. The second

quote is for \$6,900.00 per year, or \$15,400.00 for a three-year period. Each quote includes coverage of \$1,000,000.00. Mr. Fisher is waiting for another quote. Mr. Fisher is also waiting for quotes for flood insurance coverage, as well. The coverage will be separated between building and contents. Mr. Marks stated that, if any of the buildings contain asbestos, the Authority should have pollution liability insurance, because of the regulations regarding removal of asbestos. Mr. Fisher stated that he is still waiting for additional information.

Mr. Fisher asked the Board to ratify the renewal of the liability insurance policy with FWF Insurance Agency for the period from February 17, 2008 through February 16, 2009, and to include an increase in the first party coverage for the automobile policy from \$100,000.00 to \$500,000.00, at an additional premium of \$328.00. A motion was made by Mr. Zentner, and seconded by Mr. Chrzan, to ratify the renewal of the liability insurance coverage, and to approve the premium increase of \$328.00 for an increase in the first party coverage for the automobile policy. The motion passed unanimously.

9. Consulting Engineer – Mark Poole: Mr. Poole reviewed his written report dated February 21, 2008, which was presented to those in attendance. The complete report is attached to these minutes.

Long-Term Control Plan: There have been no comments received from PaDEP since submission of the Final Long-Term Control Plan in October 2007. He does not anticipate comments in the near future.

The plant NPDES permit is up for renewal. The application will be submitted in June. HDR will be working with Mr. Fisher on the testing that is required. The Authority must contact the lab about the influent and effluent testing that is required. Since the Authority accepts leachate from the landfill, it is required to run the entire gamut of NPDES parameters. Mr. Fisher will coordinate the sampling.

Outfall 002 Meters: Once the meters are installed, HDR will send a letter to PA DEP, requesting a minor amendment to the Part II Permit.

System Meter Location Plan: This will be an ongoing issue.

Semi-Annual Consent Order and Agreement (COA): The semi-annual COA status report was prepared and submitted to PaDEP, in accordance with the requirement of the COA.

WWTP Facilities Planning Study: HDR is completing the study. Mr. Poole has been going over some alternatives with Mr. Fisher. Mr. Poole requested that the Legal and Engineering Services Committee schedule a meeting prior to the next regular board meeting to discuss the alternatives.

Trafford Issue: This issue will be discussed during the executive session.

Ardara Issues: The digital tax maps have been received, and installed at HDR. They must be installed as a layer on the Authority's GIS system.

Chapter 94 Report: Mr. Poole reported that Mrs. Wtorkowski sent the information request letters to the member municipalities, and stated that the Authority is awaiting their responses. If all of the responses are not received by next week, reminder letters will be sent.

The Ardara report, which is a standard report, must be submitted to ALCOSAN by March 7, 2008.

Mr. Marks questioned the implementation of the tax map overlays. Mr. Campfield explained that the Authority provided maps to the member municipalities, indicating WWMA's service area. The tax map overlays will assist the Authority in identifying properties within WWMA's service area. Mr. Poole pointed out that the county tax map overlays are not always accurate.

10. Solicitor's Report – John Campfield: Mr. Campfield reported that the items that have not already been discussed will be discussed during the executive session.

11. Reports of Committees:

A. Grounds and Maintenance Committee – Dan Hall – No report.

B. Personnel Committee – No report.

C. Finance and Budget Committee – Mr. Chrzan – No report.

D. Insurance Committee – Mr. Watson

1. Ratification of payment of general liability and automobile insurance first party coverage: This was covered during the General Manager's Report.
2. Employee Dishonesty Policy: Mr. Fisher requested that the Board approve the addition of employee dishonesty coverage to the Authority's liability insurance coverage. Mr. Hall questioned the Authority's responsibility under the provisions of the by-laws to pay legal fees that may be incurred and fines that may be assessed to an officer of the Board for wrongdoing. Mr. Campfield explained that if a Board member acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the Authority, the board member could seek reimbursement for legal fees from the insurance company. Mr. Marks asked if the term "criminal" is a standard boiler-plate term as it is stated in the by-laws. Mr. Campfield responded that he has seen this terminology at other municipalities. Mr. Hall asked if a board member who has been fined by the Ethics Commission can come back to the Authority, present a bill for legal fees and fines, and expect the Authority's insurance company to pay for it. Mr. Campfield stated that he did not think that a board member would prevail in such an instance. He explained that the Board would have to make a determination as to whether the Board Member had any reason to believe that his conduct would be unlawful.

A motion was made by Mr. Chrzan, and seconded by Mr. Zentner, to approve the addition of an employee dishonesty policy to the liability insurance coverage, with a limit of \$100,000.00, at an annual premium of \$465.00.

3. A motion was made by Mr. Testa, and seconded by Mr. Chrzan, to approve the addition of a Treasurer's Bond to the liability insurance coverage, with a limit of \$100,000.00, at an annual premium of \$444.00. The motion passed unanimously.

E. Sludge Committee – Mr. Shepherd – No report.

F. Legal and Engineering Services Committee – Mr. Testa – No report.

12. Change Orders and Pay Estimates: None

13. Requisitions:

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

- A. Capital Improvements Fund Requisition No. 74, in the amount of \$9,302.01. Motion to approve was made by Mr. Zentner and seconded by Mr. Chrzan. The motion passed unanimously.
- B. 2005 Construction Fund Requisition No. 2005-34 in the amount of \$5,349.62. Motion to approve was made by Mr. Zentner and seconded by Mr. Testa. The motion passed unanimously.

14. Board Member Comments:

Mr. Pioth stated that the Authority has a good Board right now, and he would like to see the Authority be more proactive. Mr. Pioth thanked the Board for reappointing him as Chairman.

Mr. Marks stated that at last month's meeting, he informed the Board that he was appointed because of the dissatisfaction of Penn Township with the Authority. He stated that this dissatisfaction is now outrage. He explained that it is Penn Township's opinion that the purpose of WWMA is to be subordinate to the member municipalities, and they feel that WWMA requires subordination of the member municipalities. Mr. Marks stated that his primary allegiance is not to the financial and technical advancement of the Authority, because those issues are the responsibility of the General Manager. He stated that the input that he has received indicates that Mr. Fisher is doing a good job as far as representing the interests of WWMA's Board. Mr. Marks stated that he intends to go to the Penn Township Commissioners and the Sewage Authority, and ask representatives during public meetings for specific questions, in writing, to be presented to the WWMA Board. He does not want them to discuss the issues in a side-bar. He will ask that they exclude any conduct of any prior Board Members and current Board Members in association with seminars and continuing education, for several reasons:

- 1.) He was not involved in the actions of prior Board Members.
 - 2.) He is not interested in character assassination.
 - 3.) The Attorney General is looking at this issue, and there is no sense in duplicating efforts.
- He stated that he will approach this Board once he receives Penn Township's list of questions, and ask for a vote that the WWMA Board addresses them. He stated that, if the WWMA Board chooses to not answer the questions, our silence will be deafening, which is unfair. He stated that he has also seen that there are actions on behalf of the member municipalities that

have been both detrimental and counterproductive to the operations of this Authority. We must make an effort to address the issues, in order to avoid an adversarial situation. Mr. Pioth said that he guaranteed that the Board would not allow an adversarial situation to occur. Mr. Marks said that he has had a long conversation with Mr. Fisher that was truly enlightening.

Mr. Pioth commented that, in the short time in which Mr. Marks has been looking into things, he can guarantee that Mr. Marks has found a lot of things that he was not expecting regarding this Board, that things are not as the public perceives them to be, and that the media at times has a hard time giving the Authority a fair shot. Mr. Pioth stated that he feels the Board would have no problem addressing Penn Township's concerns.

Mr. Hall stated that he has taken the position that if someone is in WWMA's service area, and it defies common sense to provide wastewater treatment to them, then it should be done in the most effective way. At the point in time when the growth in the community has expanded to the point where it is possible to bring those revenues back into the system, then that should be done. Mr. Fisher responded that the Authority would need to look at the alternatives. Mr. Pioth stated that the Authority cannot continue to give up revenues from within WWMA's service area.

At this time, Mr. Chrzan excused himself from the meeting. The time was 9:39 P.M.

15. A motion was made by Mr. Konkus, and seconded by Mr. Testa to enter into an executive session to discuss personnel matters and matters of pending or potential litigation. The motion carried unanimously. The time was 9:40 P.M.

A motion to return to the regular order of business was made by Mr. Konkus, and seconded by Mr. Testa. The motion carried unanimously. The time was 10:38 PM.

A motion was made by Mr. Konkus, and seconded by Mr. Testa, to authorize Mr. Campfield to send a letter, as discussed, to North Huntingdon Township Municipal Authority. The motion passed unanimously.

A motion was made by Mr. Shepherd, and seconded by Mr. Testa, to authorize the Legal and Engineering Service Committee to meet with Trafford Borough representatives to discuss the issue concerning the line and tap-in. The motion passed unanimously.

16. A motion to adjourn the meeting was made by Mr. Testa, and seconded by Mr. Shepherd. The motion carried unanimously. The time was 10:42 P.M.

Anthony Marks
Secretary