

OXFORD AREA SEWER AUTHORITY

March 18, 2009

Chairman, Bob Yeatman, called the meeting to order at 7:30 p.m. The following Authority Members were in attendance: Robert Cantarera, Frank Lobb, Neil Pagano, Percy Reynolds, Philip Brenner and Joe Scheese. Also in attendance were Edward Lennex, Executive Director; Kathy Gray, Solicitor, Barley Snyder; Michele Braas, Rettew, Joel Brown and Tony der Kinderen.

Pledge Allegiance and Moment of Silence.

Motion made, seconded and passed to approve the minutes of January 21, 2009 as amended and February 18, 2009 as submitted. (J. Scheese, F. Lobb) N. Pagano and R. Cantarera abstained from approving the January minutes as they were not at the meeting.

PUBLIC COMMENT PERIOD: None.

TREASURER'S ITEMS:

General Fund Bills:

Motion made, seconded and passed to pay the prepaid bills in the amount of \$29,249.00 and the monthly bills in the amount of \$45,705.59. (N. Pagano, J. Scheese)

Revenue Requisitions:

Motion made, seconded and passed to approve Revenue Requisition #146 in the amount of \$50,000 to replenish working capital for the Operating Account. (N. Pagano, J. Scheese)

Motion made, seconded and passed to approve Revenue Requisition #147 in the amount of \$40,000 to replenish working capital for the Operating Account. (N. Pagano, J. Scheese)

Bond Redemption & Improvement Fund:

Motion made, seconded and passed to pay the Bond Redemption & Improvement Fund Requisition #173 to Barbara H. Ross in the amount of \$13,070.41 for April rent. (N. Pagano, J. Scheese)

Motion made, seconded and passed to pay Bond Redemption & Improvement Fund Requisition request #174 to Samuel L. Ross in the amount of \$6,190.43 for April rent. (N. Pagano, J. Scheese)

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Motion made, seconded and passed to pay the Bond Redemption & Improvement Fund Requisition #175 to RETTEW in the amount of \$3,597.861 for engineering costs related to Headworks Analysis. (N. Pagano, J. Scheese)

Total Bond Redemption & Improvement Fund Requisitions: \$22,858.70.

Escrow Accounts –

Motion made, seconded and passed to approve payment to RETTEW in the amount of \$126.23 (Check #120) for professional services related to Oxford Commons Shopping Center. (N. Pagano, J. Scheese)

Total Escrow Checks: \$126.23

Auditors –

Letter of Opinion on Effectiveness of Internal Controls discussed.

Audit Findings - Motion made, seconded and passed to approve the Auditor's Report. (J. Scheese, N. Pagano)

Public Comment Period- No one asked to make any comments.

The average daily influent was 465,260 with a maximum day of 527,828 for a total of 13,027,285.

The average daily effluent was 485,118 with a maximum day of 727,000 for a total of 8,247,000.

Lagoon Levels: #1 = 18.5", #2 = 16.3 ', #3 = 15.3 '

Pump Station Hours of Operation were:

6th Street = 201.1

Grant Street = 128.0

8th Street = 277.3

Q1 = 1.7

Locust Street = 3.5

Locksley Glen = 81.2

Wiltshire = 97.5

FACILITY EXPANSION COMMITTEE REPORT: None. Has not met.

OPERATIONS MANAGEMENT COMMITTEE REPORT: None. Has not met.

FINANCE AND BOND COMMITTEE REPORT: None. Has not met.

PERSONNEL COMMITTEE REPORT: None. Has not met.

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PENSION COMMITTEE REPORT: None. Has not met.

CHAIRMAN'S ITEMS:

Nothing.

DIRECTOR'S REPORT:

1. Ongoing project status reports

Consent Order: At this point, we must await the outcome of the Authority's grant funding request to know which course we will take. The Commonwealth Financing Authority will not make its final decision on the projects that will receive funding until May 15, 2009. Until then, Ed will work with RETTEW to prepare Sewage Facilities Planning Component 3 application to have it ready for filing if the grant funding should come through or if Brian Campbell would honor our current agreement and start construction on the Osborne Lagoon.

Osborne Lagoon: Refer to Act 537 Plan Section.

Act 537 Plan: Enclosed with your Board packet is RETTEW Project Proposal No. 09-07308-006 which would coordinate the filing of an updated Act 537 Plan Task Activity Report ("TAR"). The work covered by this proposal would coordinate the gathering of all information from the municipalities and OASA, preparation of the proper submittal to DEP, meet with DEP to discuss and prepare new TAR for the new Act 537 Plan future submittal. Motion made, seconded and passed to approve RETTEW Project Proposal No 09-07308-006. (J. Scheese, N. Pagano)

Motion made, seconded and passed to approve RETTEW Project Proposal No. 09-07308-007 Preparation of Sewage Facilities Planning Component 3 Planning Module Application. (J. Scheese, P. Reynolds)

Developers Agreement: No action has been undertaken.

Future Disposal Fields: Refer to the Consent Order.

Pretreatment Regulations: Nothing to report at this time.

I/I Study: Nothing to report at this time.

Emergency Action Plan: Nothing to report at this time.

Acquisition of Property: Nothing to report at this time.

Lincoln Village: Met to discuss the agreements. No report.

Funding Assistance: Nothing to report at this time.

Administration Building: Nothing to report at this time.

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FOP Development Group: Kathy Gray and Keith Mooney of Barley, Snyder, Michele Braas and Ed continue to evaluate the information being provided by the FOP Development Group and its consultants. From February 24-27, 2009, Ed was in Homer, Alaska to view the proposed VERTAD treatment system. Patrick McKay CEO FOP Development Group and Hugh Archer with Terra Aqua accompanied Ed on the field trip. Mr. Archer and Ed were both quite impressed with the effluent and biosolids quality. The treatment plant's effluent is discharged into the pristine Kachemak Bay which is a prime fishery for salmon, halibut and Pacific cod. The footprint of the facility was quite compact and would fit well on the land we currently own and have explored as the site of the future treatment plant.

Mr. McKay, Mr. Archer and Ed also had some very long discussions regarding the legal aspects of the project. Ed tried to make both men aware that the Authority had real concerns about adhering to all the legal requirements set forth in the Municipality Authorities Act and that some form of definitive written finding on the proposed treatment facilities must be received from DEP before the Authority could proceed with considering their proposal.

On March 11, 2009, Keith Mooney (Barley Snyder) and Ed attended a meeting in Philadelphia with Patrick McKay and Karrie Bercik (FOP), Baird Brown their attorney (Ballard Spahr), Gary Roeder (Terra Aqua) and Kathy Gray by speakerphone. There was a lengthy discussion regarding what types of service would be considered professional services and what fell under the guise of the Municipality Authorities Act and required bidding, prevailing wage and other statutory requirements. There was general agreement by all that a portion of the project would be subject to bidding and prevailing wage. FOP requested that the Authority consider entering into a non-binding Letter of Agreement to justify FOP and the Authority expending further resources.

Following the meeting, Ed sent an e-mail to Kathy, Keith and Michele, putting forth what he felt were the critical issues that needed addressed before he could see the Authority moving forward. Ed believes the draft Letter of Agreement covers most of the concerns raised but still does not adequately address the importance of DEP approval. Ed would recommend the Board authorize his signing of the letter but only after he feels the DEP issue has been properly

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addressed. Motion made, seconded and passed for Kathy to amend the letter as per discussion and for Ed to send it out. Also, adding that there is no deadline in the agreement. (J. Scheese, N. Pagano)

II. *Developer Activity*

Elkdale Green: No activity to report on.

III. **Operations Report**

-OASA Operations Report:

2/10/09 - took the wet well basket from Brookside to the weld shop for repairs.

2/12/09 - worked on replacement windows for the 8th Street Pump House.

2/18/09 - had Dolinger Electric check a breaker in the pump room that keeps tripping out.

2/23/09 - had some top soil hauled into the Osborne Farm to fill in ruts.

2/25/09 - PECO shut off our power at the plant for about 9 hours so they could switch our wires to a newly installed pole. Also got new transformers. The generator at the lift station supplied power to the influent pumps.

2/26/09 - had Al Banks from C.A. Turner demonstrate a line locator for us, we need it to help us mark out, with more accuracy, for PA #1 calls.

Received 97 loads of septage in for a total of 276,500 gallons for an average of 9,875 gallons per day.

Received 77 PA #1 calls in February, 7 of which were in conflict and required marking.

Currently have 15 days of storage.

IV. *Administration Report:*

Customer Correspondence: Nothing to report.

Personnel Issues: Nothing to report.

Resolution: Nothing to report.

Consulting Engineer: Nothing.

Executive Directors Activities:

February 20 - OMI Economic Development Committee Meeting

February 24-27, Homer, Alaska trip

March 11 - FOP Meeting

V. *Financial Report:*

A. Financial reports are included in the Board packets.

B. Septage Billing for February was \$7,742.00 representing 97

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loads accepted for a total of 276,500 gallons.

Motion made, seconded and passed to approve the Executive Director's Report as submitted. (J. Scheese, P. Reynolds)

RESOLUTIONS: Nothing.

LEGAL ITEMS: Nothing.

CORRESPONDENCE: None.

OLD BUSINESS: None.

NEW BUSINESS: A package of programs offered by PMAA is in each Board Members Packet for review. If anyone would like to attend, please let Ed know.

PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

ADJOURN: Motion made, seconded and passed to adjourn the meeting.

Respectfully Submitted,

Donna M. Patrick, Recording Secretary

CC: Authority Members
Kathleen Gray, Solicitor
Ed Lennex, Executive Director
Betsy Brantner, Borough Manager
Townships & Borough