

NORTH EAST TOWNSHIP WATER/SEWER AUTHORITY MEETING  
June 23, 2014  
7:00 PM

Meeting was called to order by Chairman Dave Montgomery at 7:00 p.m. In attendance were Julia Gorniak, Denny Culver, Engineer Doug Sceiford, Attorney Robert Jeffery, Tom Lowes, Bob Brown, Gordy Post, and Deb Miller. New Board members Rick Hall and Teresa Sculley were also present.

There were no meetings in the months of April or May 2014.

In attendance from the public was James Sheridan.

Chairman Montgomery opened the floor for public comment of which there were none.

Chairman Montgomery asked for a motion to approve the minutes from the March 24, 2014 meeting. Gordy Post made the motion with a second from Julia Gorniak. All in favor, motion passed.

CORRESPONDENCE:

Chairman Montgomery read a letter received from Ben Mosier thanking the Board for their thoughtfulness in sending him a retirement card. In that letter, Ben mentioned how much he enjoyed serving on the Board and working with everyone.

OLD BUSINESS:

Engineer Sceiford gave an update on the sewer project.

Contracts 1, 2, and 4 are complete except restoration. Greenland Construction's crew was here June 16<sup>th</sup>-19<sup>th</sup> and will be working Monday and Tuesday of this week. Paving is expected to take place June 30<sup>th</sup> through July 3<sup>rd</sup>. Bob Greenland will meet with Supervisor Gus Neff to review lateral crossings on Old Lake Road and East Law Road.

Contract 1 – Re-imbusement to the Authority of \$1,430.00 for Mr. John Thomas' lateral is still an open issue. To re-cap, Mr. Thomas said there was an agreement with Greenland Construction to use his property for a staging area; in return for placement of a lateral. However, Greenland Construction disagrees. Bob Greenland stated that at one time, Dan Greenland did approach Mr. Thomas regarding the use of his property, but Mr. Thomas wanted a large sum of money; therefore, the deal never went through. Dan Greenland has since passed away.

Greenland Construction was paid for this lateral through the Contract, and to date, the Authority has not been reimbursed.

Although Greenland Construction does not agree with Mr. Thomas' opinion, they have delivered five spare castings to the Township valued at \$1512.00; for which Greenland feels that they have now made restitution.

Denny Culver is in agreement and to call this matter square. Gordy Post feels the same way and there should be no more arguing about it.

Engineer Sceiford stated that John Thomas would like a letter releasing him from paying the \$1,430.00. That letter will be drafted and sent to Mr. Thomas.

Contract 4 – Board member Tom Lowes inquired if there was any more information regarding Jim Moore's claim. Engineer Sceiford stated that he hasn't heard anything. Tom asked if it doesn't get settled with Greenland Construction will it come back on the Township. Attorney Jeffery replied that if a suit is filed, it will more than likely be against everybody.

Attorney Jeffery summarized for the two new Board members that Mr. Moore alleges that there has been damage done to his property due to the sewer project. He is not sure if anyone has gone out to determine what needs to be done. It has been turned over to the insurance company and Attorney Jeffery believes that, at this time, the Authority doesn't need to do anything. The Township has adequate insurance coverage and they are also listed on Greenland's policy.

Tom Lowes also asked what is being done about the residents who refuse to pay and if there were any more liens filed. Attorney Jeffery replied that there were approximately 40 liens filed, and a few of them have been paid off. He explained that liens are good for 20 years and if they still remain unpaid a Notice Form can be filed to extend the lien another 20 years.

The lien can be foreclosed on; however, it becomes second to any mortgage and you typically won't get paid. Attorney Jeffery does not recommend any aggressive action against the liens.

Tom brought up the Hillcrest and Kenmar areas and reviewed for the two new Board members that these areas were originally included in the sewer extension project, but were later removed. There were no documented failures in those areas. He wanted to know if sewer were to be installed in the Hillcrest, area all by itself, would there be any grant money. Denny doesn't believe they will qualify and Dave stated that there needs to be 51% of the residents who are at poverty.

Engineer Doug Sceiford updated the Board on the Heberlein sewer extension on North Mill Street. There is currently a 2" private pressure sewer line in place. This 2" private pressure line is connected into a 6" private lateral that services the Swift residence. This 6" lateral is connected at the sewer manhole. The short section where the 2" private line is connected into needs to become a public line. Mr. Swift should be approached to dedicate that short section and have a Dedication Agreement drafted.

Engineer Sceiford asked the Board if the Water/Sewer is willing to take over the line. He feels that it should be a public line. Rick Hall asked if it was common practice to have a private line on a public

ROW. The answer was “not usually.” Rick Hall stated that as long as the line meets the Township specs, he feels that it should be taken over.

Teresa Sculley asked how it would affect other homes and would they have to hook up. Engineer Sceiford stated that there is no mandate on hooking into a pressure line.

Attorney Jeffery continued to explain that the Heberlein’s have signed a standard Developer’s Agreement and money has been placed in escrow to cover all engineer and legal costs associated with design of the sewer extension. The line will be constructed with materials that were previously used and approved on the existing pressure line.

After discussion, a motion was made by Tom Lowes to approve the Developer’s Agreement with a second from Rick Hall. All in favor, motion passed.

Payment No. 8 on Contract No. 3 to Chivers Construction was processed, less a holdback of \$10,000.00, to assure that restoration issues were addressed. In late May, a drive past the work site was performed to review restoration status. A list of items noted was given to Chivers Construction. They have since been up here working and feel that restoration is now complete for both their Contracts 3 and 6. Chivers would like the \$10,000.00 to be released. There is still some question on how the grass will grow on Shaddock Road; however, Chivers feels that this is a warranty item. Chiver’s representative, Don Dolph, indicated that they will return in the fall if grass is not grown.

Chairman Montgomery agrees that Chivers has performed on their Contract and has done everything that was asked. Engineer Sceiford stated that, at this time, there are no active complaints.

Chairman Montgomery posed the question to the Board to release the \$10,000.00 to Chivers Construction. Gordy Post made the motion to pay the \$10,000.00 with the second from Bob Brown. All in favor, motion passed.

Chairman Montgomery asked for a motion to approve all bills as outlined on the Agenda (attached). Julia Gorniak made the motion to approve all bills with a second from Denny Culver. All in favor, motion passed.

*OTHER:*

With all business addressed, a motion to adjourn was made by Gordy Post with a second from Rick Hall. Meeting was adjourned at 7:54 p.m.