

NORTH EAST TOWNSHIP WATER/SEWER AUTHORITY MEETING  
October 22, 2018  
7:00 PM

Meeting was called to order by Chairman Gordy Post at 7:00 p.m. In attendance were Bill Heald, Guy Steg, Tom Lowes, Bob Brown, Rick Hall, Engineer Jeff Kordes, Attorney Robert Jeffery, and Deb Miller.

There were no meetings in the months of August or September 2018.

In attendance from the public was Ben Pershing of 3968 S. Cemetery Road. Mr. Pershing addressed the Board regarding his \$7,200 hook up charge. He asked the Board if they would be willing to settle for \$.30 on the dollar as a payoff. He had heard that in some areas, municipalities would be willing to settle the debt in this manner.

Attorney Robert Jeffery strongly advised the Board to not compromise on the debt. He stated that eventually the lien will be satisfied, and it does not carry an exorbitant interest rate. In addition, it would set a very bad precedent. The individuals that paid their \$7,200 on time would be very unhappy.

Chairman Post added that the Township's records are all public. If the Township were to cut a deal it would make them liable to the other 230 plus residents who would come back to the Township and want a refund.

Vice-Chair Bill Heald stated that the Township is not in a position to lose revenue to pay back the Pennvest loan.

Chairman Post gave a little background on how the construction of the sewer project came about; referencing Welch's, the Borough's consent order to upgrade their system and \$600,000 fine, and the Township's requirement for an Act 537 plan and implementation of such plan.

Chairman Post thanked Mr. Pershing for coming before the Board, but informed him that the Authority would not be able to grant him the request.

Board member Robert Brown gave his official notification (through a motion) to retire from the Water/Sewer Authority. Bill Heald seconded the motion. All in favor, motion passed. Chairman Post thanked him for his years of service and wished him well.

CORRESPONDENCE:

North East Township has received a past due notice and 2<sup>nd</sup> late notice from Railroad Management Company IV LLC. This regards a 1991 agreement between Norfolk Western Railway Company and North East Township Water/Sewer Authority. The agreement stipulates that North East Township is to pay \$154/yr. for the construction, maintenance, etc. of a sewer line under the railway line. Railroad

Management's last bill to the Township was for \$499.55, and the Township remitted the \$154 as payment.

Attorney Jeffery has researched the agreement and can find no escalator clause. There was never an increase while the railroad was doing the billing until Railroad Management started billing.

The 2<sup>nd</sup> late notice states that if payment is not remitted, the agreement will be in default. As the \$154 was paid, there is no default.

Attorney Jeffery will draft a letter to Railroad Management and send them a copy of the agreement.

Chairman Post asked for a motion to approve the minutes from the July 16, 2018 meeting. Bill Heald made the motion to approve the minutes, as presented, with the second from Guy Steg. All in favor, motion passed.

Chairman Post now asked for a motion to approve bills. Bill Heald made the motion to approve all bills, with the second from Tom Lowes. All in favor, motion passed.

*OLD BUSINESS:*

Mazza Winery EDUs was revisited. Attorney Jeffery stated that there is no ROW to be found. The agreement calls for payment; therefore, feels it is time to enforce the agreement. Down the road, if a ROW is presented, then something may be able to re-negotiated at that time.

Board member Tom Lowes asked for clarification about the ROW. It was explained that Mr. Mazza's pressure sewer line installation runs across private property and there is no recorded ROW. The pressure line is beneficial to his establishment only.

It was determined that a letter will be sent to Mr. Mazza requesting payment for the additional EDUs.

Engineer Jeff Kordes updated the Board on West Law Road sewer line and Ridg-U-Rak sewer extension. The West Law Road line is done and certification to DEP has been sent in; however, haven't heard back from them yet.

The Part II Permit for Ridg-U-Rak was sent it, but it could take five months before they hear anything. A Highway Occupancy Permit was sent to PaDot and they had some questions regarding it.

Tom Lowes asked if the project can be done in winter. Engineer Kordes stated that drilling can be done; however, not a good idea to have exposed plastic piping during the winter.

*OTHER BUSINESS:*

The vacancy on the Water/Sewer Authority will be put on the Supervisor's November 5<sup>th</sup> meeting agenda. A Water/Sewer Authority committee can be selected to interview and recommend, but the appointment is made by the Supervisors.

Board member Rick Hall's term expires on December 31, 2018. Asked if he would like to stay on the board, he agreed to another five-year term ending December 31, 2023.

With all business addressed, Bill Heald made the motion to adjourn the meeting with the second from Tom Lowes. Meeting was adjourned at 7:49 p.m.

Submitted by  
Deborah Miller