

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

January 5, 2017  
Meeting Minutes

Officers & others present: John Keefe, Ed Hetzel, Dave Smith, Don Wilson, Doug Smith, consultant, William Lawrence, solicitor, Rebecca Kilmer, secretary

Public Sign-in sheet on file

6:00 P.M. John Keefe opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. Wilson motioned to approve December's meeting minutes as presented, Hetzel seconded, the motion carried.

Following review of December's financial report Smith motioned to approve, Wilson seconded, the motion carried.

Two invoices were presented, PLDW for legal services and DMS for engineering/consulting services. Wilson motioned to pay \$4812.50 to PLDW and \$5231.49 to DMS, Smith seconded and the motion carried. Kilmer requested a decision on memberships to either PMAA or PRWA. It was a consensus that membership to either organization was not necessary at this time.

A proposed budget worksheet for 2017 was given to the Board and following some discussion, the matter was tabled until next month. Kilmer and Doug Smith, consultant will work together to have a preliminary budget for the Board to review and approve at the February meeting.

Proposals by certified appraisers were given to the Board. After discussing the need of a certified appraisal as opposed to a market analysis, the Board decided that a market analysis should be our first step. Keefe motioned to give authority to Kilmer to spend a maximum of \$2000 for 3 market analysis and/or appraisal if needed, Smith seconded, the motion carried with all in agreement.

Engineers report was given by Doug Smith with some discussion. Meeting with Mrs. Wall, her nephew and lawyer was beneficial; the Act 537 Plan of 2016 is at DEP pending their approval. Doug has maintained contact with Jim Ridig, DEP agent to answer all questions. Note was made that Penvest has a low interest loan program for anyone regardless of income. The information will be on our website. The full Consultant's report is on file.

Keefe opened up questions/comments from the floor. Mrs. Balewski asked if we had approval from Penelec for use of some parts of their right-of-way and what our recourse

was if they denied us. As of yet Penelec has not been contacted. Mr. Shupp questioned the archeological study and exactly where it was required.

At this time there were no more public comments. The Board announced there would be an executive session and the public was dismissed. Bob Baker asked to be called if a motion was made upon reconvening. Kilmer agreed to call him.

The Board's executive session concerned acquisition of the 9.5 acre WWTP site.

The meeting then reconvened. Keefe motioned that based upon the market value, the Board may make an offer on the subject property. Smith seconded, all agreed and the motion carried.

Solicitor Lawrence requested that the Board approve consulting with a real estate lawyer at his firm, PLDW in order to draw up the option agreement for the subject property purchase. Wilson motioned to allow an attorney specializing in real estate to consult with Lawrence on drawing up the option agreement for subject property purchase, Hetzel seconded, all agreed, the motion carried.

At 8:10 pm, Wilson motioned to adjourn , Hetzel seconded and the motion carried.

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Rebecca Kilmer, secretary

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Date

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

February 2, 2017  
Meeting Minutes

Officers & others present: John Keefe, Ed Hetzel, Dave Smith, Don Wilson, Doug Smith, consultant, William Lawrence, solicitor, Teno West, PLDW, Rebecca Kilmer, secretary

Public Sign-in sheet on file

6:00 P.M. John Keefe opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. Wilson motioned to approve January's meeting minutes as presented, Hetzel seconded, the motion carried.

Following review of January's financial report Smith motioned to approve, Wilson seconded, the motion carried.

Invoices were reviewed. Wilson motioned to approve payment for all invoices when funds are available. Invoices to be paid are PLDW \$6073.50, DMS \$8062.00 and Tunkhannock Township for 2016 phone line \$447.00. Smith seconded and the motion carried with all in agreement.

The proposed budget for 2017 was discussed at length and following review of each expense category, Smith motioned to approve the budget as proposed, Hetzel seconded and the motion was approved.

At this point the three market analyses from three local realtors were reviewed for the purchase of the WWTP site. A suggested value was included in these reports and discussed by the Board. Lawrence suggested that the Board go into executive session to further discuss this matter.

The Board, Lawrence, West, Doug Smith and Kilmer went into executive session to continue the matter of purchasing the WWTP site.

Following an executive session, Smith motioned for Kilmer to create a draft letter with an offer to purchase the proposed WWTP site property of approximately 9.5 acres and to be hand delivered to owner of the subject property. Wilson seconded and the motion carried with all in agreement. It was agreed that Barziloski, chairman and Doug Smith, consultant deliver the proposal since they have already met with the property owner. Also mentioned was the need of approximately 1.2 acre easement at the time of construction.

Solicitor Lawrence then briefly spoke on the draft Options Agreement and the Mandatory Hookup ordinance. Before next month's meeting he asked that the exact metes and bounds

of the 9.5 acre property be determined in order to complete the Options Agreement and be ready for approval. Lawrence suggested that the Board should have a work session to address some concerns with the Mandatory Hookup ordinance.

Doug Smith suggested that a work session may be beneficial following the meeting with the owner of the proposed WWTP property. Such a meeting will be advertised to the public.

Teno West announced that his firm will be restructured. He assured the Board that many of the same people and policies would remain the same. He noted that the signing of a new agreement between LLTTJMSA and West Group Law PLLC will be necessary.

Consultant Smith reported on this last month's activities with DEP and answering all necessary questions and requests in order to reach DEP approval by the end of the month. The Environmental Report was completed and delivered before DEP would approve the updated 537 Plan. As of today, Smith had completed all requirements and received a stamped letter of delivery.

Vice Chairman Keefe asked if there were other comments or questions from the floor and with nothing more to discuss, Smith motioned to adjourn at 8:10, Wilson seconded and the motion carried.

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Rebecca Kilmer

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Date

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

March 2, 2017  
Meeting Minutes

Officers & others present: Veto Barziloski, John Keefe, Ed Hetzel, Dave Smith, Doug Smith, consultant, Teno West & William Lawrence, West group Law, Rebecca Kilmer, secretary

Public Sign-in sheet on file

6:00 P.M. Barziloski opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. Keefe motioned to approve February's meeting minutes with changes, Barziloski seconded, the motion carried. Changes were Smith seconding invoices to be paid and correcting the new law firm, West Group Law PLLC, to replace PLDW.

Following review of February's financial report Barziloski motioned to approve, Smith seconded, the motion carried.

Invoices were reviewed and the issue of inadequate funds was discussed. By ordinance Tunkhannock and Lemon Townships agreed to financially support the LTTTJMSA with an amount of \$125,000 of which only \$100,000 has been distributed to the Authority. Barziloski motioned to request from the Townships the remaining \$25,000 in order to pay the current invoices (PLDW of \$11,376.47 and DMS of \$5784.74), Keefe seconded and the motion carried with all in agreement.

A draft letter to be presented to the owner of the WWTP site was read and thought to be a good final draft. Barziloski asked Kilmer to set up an appointment that would coincide with our Consultant and the DEP approval letter. At this point, Barziloski and Doug Smith will then make a first offer to purchase the proposed WWTP site property.

Doug Smith, consultant reported on the past month's interaction with DEP and the attempt to meet all their requests in order to get the letter of approval from their office. His efforts will continue until the letter is received and application to USDA/RUS will continue the process.

After clarifying a few statements for the WC Examiner reporter, the Board went into executive session for a legal matter. Teno West spoke on the transition from PLDW to West Group Law, PLLC. The Terms and Agreement document was presented to the Board.

Keefe motioned to reconvene to regular meeting, Smith seconded and the motion carried.

Upon returning to regular meeting, Barziloski motioned to continue doing business with West Group Law, PLLC serving as the Authority's legal counsel, Keefe seconded, the motion carried. Chairman Barziloski signed the agreement.

At 7:40 p.m., Keefe motioned to adjourn, Smith seconded and the motion carried.

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Rebecca Kilmer

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Date

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

May 4th, 2017  
Meeting Minutes

Officers & others present: Veto Barziloski, Jr., John Keefe, Ed Hetzel, Dave Smith, Don Wilson, Doug Smith, consultant, Teno West & William Lawrence, West group Law, Rebecca Kilmer, secretary

Public Sign-in sheet on file

6:00 P.M. Barziloski opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. Keefe motioned to approve March's meeting minutes, Hetzel seconded, the motion carried. (No minutes from April because of meeting cancelation)

Following review, Keefe motioned to approve both March's and April's financial reports, Wilson seconded, the motion carried.

As a result of reviewing our bank account balance, Barziloski motioned to send a letter to the Lemon Township Supervisors requesting support funds of \$25,000. This request would carry the same terms as advanced funds already received from Tunkhannock Township Supervisors. (TT Ordinance # 41-2016 Bk #2 & Lake Carey Sewage Plan Update Agreement of May 2, 2016), Smith seconded and the motion carried. This financial support from Lemon Township is expected to carry the Authority through until Pennvest approves the Design loan application in July, 2017. (Also attached is LTTTJMSA Resolution # 2016-10-01 referring to the advanced funds by the Townships)

With the Pennvest Design loan application completed and submitted on May 4<sup>th</sup>, the Board asked what tasks should be accomplished until the loan is approved. Smith, consultant mentioned just a few points:

- Larson Design Group would create a new agreement with the 537 Plan revisions
- WWTP landowner could be approached with an Options agreement
- Updated 537 Plan of 2016 readied and put on our website [www.lemtunksa.org](http://www.lemtunksa.org)
- Letters of thanks sent to landowners of previous conveyance route, letter to SHPO advising them of the revised route
- Inform Billings Mill Road residents of the their available sewer service with the revision
- Inquire about the timeframe that funds will available once Pennvest has approved the loan

Considering our available funds, Keefe motioned that a partial payment of \$2000 should be paid to DMS for April consulting services. Smith seconded and the motion carried with all in agreement.

At this point Kilmer presented three documents to the Board for review and approval, all relating to the recently submitted Pennvest application.

- Wilson motioned to approve Resolution #2017-05-01 Designation of Agent for Pennvest Financial Assistance Application, Hetzel seconded, the motion carried.
- Keefe motioned to approve Resolution #2017-05-02 To Submit a Pennvest Application to Obtain Funds to Design the Lake Carey Sewer Project, Hetzel seconded and the motion carried.
- Hetzel motioned to accept the terms of a Letter of Responsibility from LTTTJMSA to Pennvest for borrowed funds, Smith seconded and the motion carried.

Barziloski asked for comments and questions from the floor. The question of which side of Billings Mill Road would be used for the conveyance line and a short follow up answer was provided.

At 7:40 pm, Keefe motioned to adjourn, Wilson seconded and the motion carried.

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Rebecca Kilmer, secretary

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Date

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

July 6th, 2017  
Meeting Minutes

Officers & others present: John Keefe, Ed Hetzel, Dave Smith, William Lawrence, West group Law, Rebecca Kilmer, secretary

Public Sign-in sheet on file

6:00 P.M. In the absence of Chairman Barziloski, Vice-chair Keefe opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. (June meeting was canceled). Smith motioned to approve May 4<sup>th</sup>'s meeting minutes as recorded, Hetzel seconded, the motion carried. Since the June meeting was canceled, a May activity report for information only, was sent to Board members via email.

Following review of the financial report for the past two months, Hetzel motioned to approve both May and June financial reports, Smith seconded, the motion carried.

Invoices to be paid were presented. Keefe updated the Board on the status of support funds for the Authority. He felt that following a joint Township meeting tentatively scheduled for July 17<sup>th</sup>, funds would be available to the Authority to continue operation. In light of insufficient funds in the Authority bank account, Smith motioned to pay D3 Web Design and table the remaining invoices until the fund request to the Townships was approved, Hetzel seconded and the motion carried.

At 6:50 pm, Smith motioned to adjourn, Hetzel seconded and the motion carried.

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Rebecca Kilmer, secretary

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Date

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

August 3rd, 2017  
Meeting Minutes

Officers & others present: Veto Barziloski, Jr., John Keefe, Ed Hetzel, Dave Smith, Don Wilson, Doug Smith, consultant, William Lawrence, West group Law, Alan Ziegler, LDG, Rebecca Kilmer, secretary

Public Sign-in sheet on file

At 6:00 pm Chairman Barziloski opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. Keefe motioned to approve July's meeting minutes as recorded, Smith seconded, the motion carried.

Following review of July's financial report with only one invoice paid, Wilson motioned to approve July's financial statement, Hetzel seconded, the motion carried.

At this point it was suggested that General Business of the agenda be addressed before addressing the list of invoices.

Keefe informed the Board that Lemon Township had their meeting on Tuesday, August 1<sup>st</sup> and the amendment to the Lake Carey Sewage Plan Update Agreement was signed. Ordinance #01-2017 authorized Lemon Township to amend the agreement between Tunkhannock Township and the Joint Sewer Authority. The Ordinance was signed by two of the three Supervisors. This Ordinance provided additional support funds to the Sewer Authority. At this time, Keefe made the motion to accept the amended agreement to the Lake Carey Sewage Plan Update Agreement between Lemon Township, Tunkhannock Township and the Lemon Township & Tunkhannock Township Joint Municipal Sewer Authority, Wilson seconded and the motion was passed with all in agreement.

Attention was returned to the financial section of the agenda. In light of the fact that the Sewer Authority would receive funds from Lemon Township (Ordinance #01-2017), Keefe motioned to pay all outstanding invoices at the time the Authority receives Lemon's check through the mail, Smith seconded and the motion passed.

For an extensive period of time the Pennvest offer and conditions were reviewed and discussed. At the time that Pennvest's legal department contacts Kilmer, a settlement date will be established and the process will begin by satisfying a specific checklist. This task will be completed by a combined effort of Alan Ziegler, LDG, Doug Smith, consultant, West Group Law and Kilmer. Completion of this checklist will lead to a settlement date and funds will be available to complete the design phase.

Alan Ziegler, LDG presented an updated Scope of Work and budget for the design Phase. Coupled with the issues concerning the Pennvest offer and the proposal Ziegler presented, the Board decided to hold off on authorizing Larson Design Group to begin the design project. Concerns were the inter-municipal Guaranty and the problem with timing of the Township meetings and necessary advertising of this ordinance.

At this point, Smith motioned to adjourn, Keefe seconded and the motion carried.

Meeting adjourned at 8:15 pm.

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Rebecca Kilmer

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Date

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

October 5th, 2017  
Meeting Minutes

Officers & others present: Veto Barziloski, Jr., John Keefe, Ed Hetzel, Don Wilson, Doug Smith, consultant, William Lawrence & Teno West, West group Law, Alan Ziegler, P.E., LDG, Rebecca Kilmer, secretary

Public Sign-in sheet on file

At 6:00 pm Chairman Barziloski opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. Keefe motioned to approve the August meeting minutes as recorded, Wilson seconded, the motion carried. (No September meeting)

Following review of August and September financial reports with listed paid invoices, Wilson motioned to approve both August and September financial statements, Hetzel seconded, the motion carried.

As required by Pennvest, a Resolution to Borrow (#2017-10-01) was drawn up for the Board's review. Keefe motioned to approve and adopt Resolution #2017-10-01 for the Design-only loan of \$642,500, Wilson seconded, all agreed and the motion carried.

Alan Zeigler, P.E. with Larson Design Group presented the Short Form of Agreement between LTTTJMSA and Larson Design Group for Professional services. Following a brief presentation and discussion, Keefe motioned to approve and sign the presented Agreement between LTTTJMSA and LDG for the purpose of designing the Lake Carey Wastewater Treatment Plant and Collection System, Wilson seconded and all agreed. The motion carried.

Lawrence, Solicitor reviewed an outline of future legal services needed for the project and informed the Board that the Stevens & Lee law firm, Bond counsel was retained to complete LGUDA tasks required for the Pennvest loan.

Points also mentioned:

- The WWTP site acquisition should be revisited;
- The issue of informing the residents in the service area once survey crews begin working;
- Letter to Billings Mill Road residents offering information on option to hookup at the time of system installation;

- Bank account has been opened for Pennvest funds only. Authorization documents were signed by Chairman, Vice-chair & Kilmer.

Barziloski asked if there were further questions or comments from the floor. With no response Keefe motioned to adjourn, Wilson seconded, all in favor.

The meeting closed at 7:00 p.m.

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Rebecca G. Kilmer

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Date

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

November 2<sup>nd</sup>, 2017  
Meeting Minutes

Officers & others present: Veto Barziloski, Jr., John Keefe, Ed Hetzel, Doug Smith, consultant, William Lawrence, West group Law, Rebecca Kilmer, secretary

Public Sign-in sheet on file

At 6:00 pm Chairman Barziloski opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. Keefe motioned to approve the October meeting minutes as recorded, Hetzel seconded, the motion carried.

Following review of October financial reports for both the General Account and the Design & Construction Account (Pennvest designated) with listed paid invoices, Keefe motioned to approve financial statements from both accounts, Hetzel seconded, the motion carried.

Two invoices, West Group Law which included the submitted invoice from Stevens & Lee for Bond Counsel and DMS consultant were tabled until December when Pennvest funds may be available.

Alan Zeigler, P.E. had forwarded the NPDES application to the Board for approval and signature. Hetzel motioned to accept and sign the NPDES application, Keefe seconded, all approved, the motion carried.

Doug Smith presented signature pages to the Board for his consulting agreement which will be forthcoming upon completion. All signature pages will be retained by the Authority until the full Agreement is presented to the Board. Considering this situation, Keefe motioned to approve DMS Agreement upon approved responses from Board members via email, Hetzel seconded and the motion carried. Kilmer will forward the full DMS Agreement to the Board for their review and checked decision at the time it is received.

Following request from the floor for questions and comments, the Board went into executive session to discuss the land acquisition for the WWTP site.

At the close of the executive session, the Board reconvened. Keefe motioned to adjourn, Hetzel seconded, the motion carried with all in agreement at approximately 8:10 p.m.

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Rebecca G. Kilmer, secretary

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Date

LEMON TOWNSHIP AND TUNKHANNOCK TOWNSHIP  
JOINT MUNICIPAL SEWER AUTHORITY

December 7th, 2017  
Meeting Minutes

Officers & others present: John Keefe, Ed Hetzel, Don Wilson, Doug Smith, consultant, Rebecca Kilmer, secretary

Public Sign-in sheet on file

At 6:00 pm Vice-Chairman Keefe opened tonight's meeting with the Pledge to the Flag

Previous meeting minutes were reviewed. Hetzel motioned to approve November meeting minutes as recorded, Keefe seconded, the motion carried.

Following review of both the General and Design bank accounts, Hetzel motioned to approve the November financial statements for both the General and Design accounts, Wilson seconded, the motion carried with all in agreement.

Invoices from Larson Design, DMS and West Group were reviewed. Kilmer brought it to the Board's attention that not all of DMS and West Group was Pennvest eligible. Larson's invoice is fully eligible. Wilson motioned to pay WGL, DMS & LDG invoices at the time Pennvest funds are available, Hetzel seconded and the motion carried. Further review of DMS invoices, Keefe motioned to pay \$444.00 non-Pennvest portion of DMS November's invoice, Hetzel seconded and the motion carried.

The Lochen & Chase, CPA agreement and terms for 2018 was briefly reviewed. Hetzel motioned to approve the Lochen & Chase, CPA agreement and terms, Wilson seconded and the motion carried.

Kilmer presented a communication email from UGI concerning the location of their line which will be serving the Tunkhannock Boro and the Authority's proposed WWTP site. Kilmer and the UGI agent have been communicating and the suggestion to set up a meeting between the Authority members and UGI would be most productive for the purpose of clearly understanding each other's goals.

At this point, questions posed by residents were discussed at length;

- Hetzel was asked, if a Lake Carey resident who has the equipment and ability to dig his own trench line, be allowed by the Authority; also, could the task be performed for neighbors;
- Indian Springs Road resident asked what a reserve tap would cost for his vacant property if it was installed at the time his residence hooked up;

- Kilmer also reported that she had contacted other Authorities on the issue of campers set up at the Lake which appear to be permanent. Their solution is to require a scheduled pumping and the receipt turned into the Authority. Disposal of grey water is also an issue. In the case that permanent campers are within the mandatory 150 ft. hook up, they would be required to pay the tapping fee and hook up.

At this point, the Pennvest Settlement call which took place on December 5<sup>th</sup>, was discussed and a copy of the updated Pennvest loan budget was provided for the Board's review. The updated budget decreased to \$628,400. Kilmer is ready to submit payment requests as soon as the loan closing is complete.

At 6:55 pm, Wilson motioned to adjourn, Hetzel seconded and the motion carried.

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Rebecca G. Kilmer, secretary

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Date