

A meeting of the Board of Directors of the Municipal Authority of the Borough of Portage was held on Thursday, September 1, 2016, at 7:00 p.m., in the Conference Room at 606 Cambria Street.

Those in attendance were:

Dave Miorelli, Vice-Chairman  
Mark Castel  
John Gartland  
Steve Koval  
Jerome Yetsko

Also present were: Ron Cadwallader, Superintendent; Attorney William Barbin, Solicitor; Joe Beyer, The EADS Group; Mike Barton, Forester; Ron Portash, Mainline Newspapers; Mike Jubina, Resident.

**I. CALL TO ORDER**

Mr. Miorelli, Vice-Chairman, called the meeting to order at 7:00 p.m., which was followed by the Pledge of Allegiance and Roll Call.

**II. RECOGNITION OF GUESTS**

Mr. Miorelli recognized Mr. Portash, Mainline Newspapers.

Mr. Miorelli recognized Mr. Jubina. Mr. Jubina commented that he did not have anything to address to the Board.

**III. CORRESPONDENCE**

Mr. Miorelli shared the following correspondence received:

- PMAA Region 6 Fall Meeting. Guest speakers will be Representative Brian Barbin along with representatives from the PMAA. The cost of the program is \$30 per person which includes dinner; and it will be held at the Johnstown Mirage (top of the Incline).
- PWEA Utility Asset Management Summit to be held November 14 and 15, 2016 at the Penn Stater Conference Center. The Summit is being sponsored by the PA Rural Water; and the cost is \$300 per person.

Mr. Miorelli commented that, if any Board member is interested in attending one of the meetings above, they should contact with Mr. Cadwallader or Mrs. Ringler.

**IV. APPROVAL OF MINUTES**

ON MOTION OF MR. KOVAL, SECONDED BY MR. GARTLAND, THE BOARD UNANIMOUSLY AGREED TO DISPENSE WITH THE READING OF THE AUGUST 4, 2016 MINUTES BEING THAT THEY WERE DISTRIBUTED IN WRITTEN FORM AND UNANIMOUSLY ACCEPTED THE MINUTES AS PRESENTED. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

## V. AGENT'S EXPENDITURES

As it relates to the Agent's expenditures, Mr. Yetsko questioned what the expenditures included, to which Mr. Cadwallader replied that a breakdown was included in the information distributed to the Board prior to the meeting. Mr. Cadwallader noted that the expenditures included purchase of the pizza for the assistance provided in paving, certified mail sent, etc.

ON MOTION OF MR. GARTLAND, SECONDED BY MR. KOVAL, THE BOARD UNANIMOUSLY APPROVED THE AGENT'S EXPENDITURES FOR AUGUST 2016 IN THE AMOUNT OF \$246.62. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

## VI. INVOICES

Aflac	\$ 226.22
Allegheny Supply	54.86
Badger Meter, Inc.	250.00
Billings Lumber Co.	22.50
Cambria Mailing Services Inc.	154.17
Charley Corp Inc.	9.50
Copy Tech Office System Inc.	126.37
Country Hearts and Flowers	50.00
EADs Group	24,845.12
Environmental Service Laboratories, Inc.	200.00
Foster F Wineland, Inc.	98.70
FWF Insurance Agency, Inc.	18,055.00
Groff Tractor & Equipment	62.19
Hach	253.89
Helsel Excavating	1,824.13
John Gartland	50.00
Kline Kimlin	6,425.00
L/B Water Service, Inc.	2,517.85
Mark Castel	50.00
Mary L Elchin	144.00
McCall Motors, Inc.	2,811.20
Michael Barton	1,260.00
Portage Auto Parts	43.31
Portage Post Office	141.00
Portage Service Center	792.00
Ray Oil & Gas Co	214.95
RDM – Johnstown, LLC	810.00
Ronald J Cadwallader, Jr	20.00
Sharon Squillario	50.00
Stager's Store	278.32
Stephen F. Koval	50.00
Univar USA, Inc.	3,385.29
Verizon Wireless	161.80
Walmart Business	65.57
WB Mason Co. Inc.	396.61
William G. Barbin, esq.	1,350.00
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	\$67,249.55

### **Paid Bills**

Aflac	\$ 226.22
Penelec	1,674.81
Peoples Natural Gas Company	16.53
Visa – 1 <sup>st</sup> Summit	419.48
Comcast	290.91
Groff Tractor & Equipment	242.29
Highmark Blue Shield	7,312.08
Jobeth Mandichak	100.00
Lowe's	25.00
Pro Disposal, Inc.	142.00
Verizon	439.57
WB Mason Co Inc.	86.14
REA Energy Cooperative Inc.	1,149.61
Sheetz Fleet Service	193.82
Staples	106.98
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	\$12,425.44

ON MOTION OF MR. GARTLAND, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY AGREED TO ACCEPT AND PAY INVOICES IN THE AMOUNT OF \$105,130.90 (REGULAR BILLS, \$67,249.55; PAID BILLS, \$12,425.44; PennVEST, \$3,896.36 AND \$5,508.55; USDA, \$16,051.00). BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

### **VII. TREASURER'S REPORT**

ON MOTION OF MR. YETSKO, SECONDED BY MR. GARTLAND, THE BOARD UNANIMOUSLY AGREED TO DISPENSE WITH THE READING OF THE AUGUST 2016 TREASURER'S REPORT AS IT WAS PREVIOUSLY DISTRIBUTED IN WRITTEN FORM AND UNANIMOUSLY ACCEPTED THE REPORT WITH A BALANCE OF: BEGINNING CASH, \$1,481,679.80; CASH IN, \$315,062.78; CASH OUT, (\$316,452.15); ADJUSTMENT (INTEREST/MISC.), \$0; ENDING CASH, \$1,480,290.43. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

Mr. Barton joined the meeting at this time.

### **VIII. SUPERINTENDENT'S REPORT**

Mr. Miorelli noted that Mr. Cadwallader's report was distributed to the Board members prior to the meeting; and he asked the Board if there were any questions regarding the report.

As it relates to the ATV trails and Blue Knob's recent run, Mr. Cadwallader informed the Board that Blue Knob is going to finish up shortly with the repairs that need to be made. Relative to the recent ATV run, Mr. Cadwallader noted that there was no garbage left and the area was all cleaned up. On the repairs as discussed at the last meeting, Mr. Cadwallader explained that there was a problem with the dozer as it broke down; and as soon as it is fixed, Blue Knob will get back in the area and finish up what needs to be done. Mr. Miorelli commented that he did review the area. He thought that we were going to place limestone; however, there is the blast furnace slag in the area. Mr. Barton explained that the slag is only being placed on the road;



and the limestone is being placed on the stream crossings. Mr. Cadwallader noted that the slag on the roads packs down rather nicely, to which Mr. Barton commented that the slag was used only in the areas away from the streams.

Mr. Jubina questioned if Mr. Barton reviewed the trails, to which Mr. Barton replied that he did. Mr. Barton explained that a lot of the areas are not finished yet and some are pretty rough because of the tracks falling off of the dozer. Mr. Barton reviewed with Mr. Chappell the trails that were not completed; and once the repairs are done on the dozer, Mr. Chappell will get back into the area in October to get them completed. Mr. Jubina commented that he talked with Mr. Chappell; however, Mr. Jubina does feel that, if it is felt that some of the trails are done, Mr. Jubina does not feel that they are. Mr. Barton noted that there are some areas that are a little rough. Mr. Jubina commented that he understands that they are only to be running down by the old sawmill, to which Mr. Cadwallader interjected that there is a small portion that Blue Knob is on the Authority's property and they do not run near the dams any longer. Mr. Jubina commented that he was referring to a trail near Herman's, to which Mr. Barton replied that this area has not been addressed as yet by Mr. Chappell (he went over it but did not finish it). Mr. Jubina pointed out that every time Blue Knob has a run, they have to run a dozer over the area; and Mr. Chappell is not going to be able to do it all of the time. Mr. Barton stated that the worst trail from Turbin #10 at the bottom is in phenomenal good shape compared to what it was; and this was the trail that was causing all of the problems at the dam. Mr. Barton noted that Mr. Chappell did a tremendous job on this road; and this was the road that Mr. Barton was most concerned about. He commented that Mr. Chappell did the stream crossings and everything above the plant, which resulted in those roads being closed off with trees. Therefore, the roads that were affecting the water and the watershed have been completed and have been completed well. In October, it will take Mr. Chappell another two weeks to complete what he needs to do. Mr. Barton emphasized that he agreed with what Mr. Jubina was saying; however, the most important thing in terms of what Mr. Barton and the Authority was concerned about has been addressed and has been addressed well. Mr. Jubina commented that the concern is that there was nothing done to the area in the beginning, and now there is nothing to put back on the road, to which Mr. Barton replied that he does understand Mr. Jubina's concerns.

Mr. Cadwallader informed the Board that, on Monday, August 29, he, along with Brian Cadwallader, Todd Feathers and Attorney Barbin, attended a hearing with representatives from Kukurin before Judge Prebish. Attorney Barbin noted that we are awaiting the decision of Judge Prebish in that he has five days to make a decision. Mr. Cadwallader commented that Kukurin does have the right to appeal Judge Prebish's decision to Cambria County Court, to which Attorney Barbin interjected that the Authority does as well depending on what the decision is.

As it relates to the Don Brunett property and the right-of-way, Mr. Cadwallader reported that Mr. Brunett has everything dozed out. There is one area on the top of the property that has to be addressed, but other than that the area is cleared. Mr. Cadwallader commented that Mr. Brunett will have to taper in some areas in order to keep the rain out.

Regarding the deed for the new property for the pipe yard, Mr. Cadwallader stated that the new property has been deeded to the Authority; and the Authority's former property is now deeded to the Ambulance Association. Mr. Miorelli questioned the status of the piece of property that the family wanted to purchase, to which Mr. Cadwallader presented to the Board the subdivision for the piece of property, noting that it would be up to the Board to sell the piece of property or not. Mr. Cadwallader noted that the family did pay the bill for the subdivision plan that was prepared by Mr. Brown; so the plans would need signed by the Authority in order for them to be presented to the Planning Commission. Via the subdivision plan, Mr. Cadwallader explained to the Board



the piece of property in question. Mr. Koval questioned if the Authority will have adequate access to the property, to which Mr. Cadwallader replied affirmatively. Mr. Beyer questioned if the Township will record it as such on the new map, to which Mr. Cadwallader replied affirmatively.

Mr. Koval questioned if the sale of the property to the family would affect the pipe yard, to which Mr. Cadwallader replied negatively pointing out that it is only .143 acres. Mr. Yetko questioned if the family could build an additional residence on the property, to which Attorney Barbin replied that the way the plans are written up it is a subplot and they could not. Mr. Koval questioned if the Authority would be selling the piece of property to the family, to which Mr. Cadwallader replied that that would have to be a decision of the Board and a sale price would have to be determined. Mr. Koval questioned if we have any type of appraisal or value of the property, to which Mr. Cadwallader replied negatively. Mr. Cadwallader explained that the family was given a price previously by Mr. Rimini of the Ambulance Association. He pointed out that, when this price was presented to the family by the Ambulance Association, it was an estimate of the fair market value per acre that was taken off of the internet. Attorney Barbin pointed out that \$2,000 per acre is a reasonable price for undeveloped land in this area. The cost of 1/10 of an acre would be \$200, so the Board could consider a cost of \$300, which would include any costs the Authority would incur. Mr. Barton noted that at \$2,000 per acre, the cost for the piece of property would be \$286.

Mr. Cadwallader questioned if it would be the Board's desire to delay signing the subdivision plans until we determine if the family wants to purchase the property, to which Attorney Barbin replied that the Board could approve the subdivision plans contingent on the family's decision so that the plans can be signed prior to the next meeting. Mr. Cadwallader indicated that, at the current time, the family is on vacation; and once they return, Mr. Cadwallader can speak with them.

ON MOTION OF MR. KOVAL, SECONDED BY MR. YETSKO, THE BOARD AGREED TO SIGNING OF THE SUBDIVISION PLANS, CONTINGENT UPON THE AGREEMENT OF THE FAMILY ON THE SALE OF THE 1/10 OF AN ACRE OF PROPERTY AS DESCRIBED ABOVE AT A SALES PRICE OF \$300. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

Mr. Cadwallader noted that there are two items included under New Business relative to the annual renew of the Link Site Care Agreement and the quote from Link for the Cisco Smartnet Renewal for the Cisco switch. As it relates to the Site Care Agreement, Mr. Cadwallader commented that this is the agreement for the maintenance upgrade for the computers which is conducted bi-monthly, the cost of which would be \$5,010, which is the same as last year. The Cisco Smartnet Renewal has to do with the switch that takes all of the computer information and places it on the mainframe. When the switch was originally purchased, it had a three year maintenance agreement; and the agreement is now up. The price for a one-year agreement would be \$99 annually; and if this amount is paid and you need a new switch, you will have a new switch within 24 hours and it is only ¼ of the cost. Mr. Castel questioned if these costs are just average costs or just something we have done in the past, to which Mr. Cadwallader replied that Link does take care of all of the computers and conducts the bi-monthly updates. Attorney Barbin explained that this is just a service on the switch so it would not require a bidding process. However, generally you can avoid bidding when it is a highly technical skill and you are relying on the person's technical skill; and, Link would fall into this category and would be an exception to the bidding process.



ON MOTION OF MR. KOVAL, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY APPROVED THE ANNUAL CISCO SMARTNET RENEWAL FOR THE CISCO SWITCH (LINK) AT A \$99 ANNUAL COST. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

Attorney Barbin questioned if the Link Site Care Agreement was the annual maintenance agreement for the computer system, to which Mr. Cadwallader replied affirmatively. Mr. Cadwallader noted that the \$5,010 annual fee is the same as last year. Attorney Barbin questioned if Link maintains the billing software, to which Mr. Cadwallader replied that, if it is on our end, Link will address it; however, if it is a concern with the billing software, the billing software company would address it.

ON MOTION OF MR. CASTEL, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY APPROVED THE ANNUAL LINK SITE CARE AGREEMENT AT AN ANNUAL COST OF \$5,010. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

As it relates to Cemetery Road, Mr. Cadwallader that all of the blacktopping will be addressed next week. The hydrant has been pulled; and the Township will come in along with Grannas Brothers to do the blacktop. The old piece of line has been taken out and everything has been disconnected. In addition, Mr. Cadwallader noted, everything has been topsoiled and seeded. The only that need to be addressed is for Messrs. Koban and Kunko; however, the line has already been placed across the road.

Mr. Cadwallader informed the Board that the Borough was digging for the storm drain and one of the hydrants blew out, so it had to be pulled out of the ground. When it was pulled out, there was actually a crack at the bottom of it, so it will have to be replaced. The cost of a new hydrant is \$2,770; and there are monies included in the budget for hydrant maintenance (\$4,000 was budgeted for this line item, and \$286.69 has been utilized). The Board agreed that, since there are monies in the budget for the purchase of the hydrant, Mr. Cadwallader should move forward with the purchase.

Mr. Cadwallader commented that Mrs. Ringler included an item under Good of the Order for her attendance at a class in Altoona in October for the renewal of her notary license at the cost of \$360. She also requested the use of her personal vehicle. Mr. Yetzko questioned the policy on the use of an employee's personal vehicle for company business, to which Mr. Cadwallader replied that if the company vehicle has to be used he will arrange for that. Mr. Miorelli replied that under the compensation law, Mrs. Ringler would not be able to use her personal vehicle. Mr. Yetzko commented that all employees must adhere to the policy of not using their personal vehicle for company business. Mr. Gartland questioned if this is an annual renewal, to which it was noted that it is usually a three-year renewal. Mr. Cadwallader noted that this was the closest class for Mrs. Ringler to attend.

ON MOTION OF MR. KOVAL, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY APPROVED THE ATTENDANCE OF MRS. RINGLER AT THE NOTARY RENEWAL CLASS IN ALTOONA IN OCTOBER AT A COST OF \$360 WITH THE USE OF THE AUTHORITY'S VEHICLE AND NOT HER PERSONAL VEHICLE. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.



As it relates to the Mountain Avenue project, Mr. Cadwallader reported that the income surveys were sent out; and as of today, there were five out of the 18 surveys sent back. Mr. Yetsko commented that the County has sent out the surveys to the residents on Farren Street.

Mr. Cadwallader indicated that he wanted to inquire of the Board if the Board would give consideration to looking at other retirement plans such as a 401(k). Mr. Miorelli questioned if the employees pay any amount into the retirement plan, to which Mr. Cadwallader replied that employees are allowed to invest up to 17% in the plan. Attorney Barbin questioned if the current plan is a defined contribution plan, to which Mr. Cadwallader replied affirmatively, stating that it is an MMO plan through PMRS. Mr. Yetsko questioned what the reason for this request was, to which Mr. Cadwallader replied that he was asking for himself in that he does not feel that we are making anything off of the current plan. Mr. Cadwallader stated that he was merely requesting if the Board would consider looking at a different plan. Mr. Koval suggested that Mr. Cadwallader gather further information for the Board to consider since the Board would be discussing the budget for next year soon. Attorney Barbin questioned what the amount was that the Authority currently contributes to the plan, to which Mr. Cadwallader replied that it is 3%. Attorney Barbin indicated that, if we would look at a 401(k) plan, we would be looking at the Authority contributing 4% - 5% into the plan. He commented that it might be simpler if the Board would consider the Authority increasing their contribution into the current plan. Mr. Cadwallader stated that he brought this up to the Board because he looked at a 401(k) and he thought it was better than what the current plan is; and this is the only reason he brought this up to the Board. Mr. Miorelli commented that the only reason he was asking if the employee pay into the plan is that, if you do not pay into it, you would not have a pension.

Attorney Barbin questioned if, under the defined contribution pension plan where the Trustees are set up, the employees have an option of reviewing the investments, to which Mr. Cadwallader replied that the employees have never had anyone come in to review the investments. When the plan was implemented, it was many years ago. Attorney Barbin explained that the whole pension plan is a function of the Trustees of the plan and not necessarily the Board. The plan can be moved to different places and you can look at different places to handle the pension fund. Attorney Barbin noted that you do not get better results from a 401(k) than you do on a pension. He commented that he is not a financial expert, but there may be some local people that could be approached to perhaps find a better repository for the defined pension contributions, understanding that you want to be very conservative on the investments. Attorney Barbin noted that the Trustees should be able to direct the investments; and you could have a more aggressive role with the current company or potentially change it to a better company. He indicated that someone would have to do a lot of research on this. Mr. Cadwallader questioned if he could have the current pension company come in to meet with the employees and the Board, to which Mr. Koval replied that he would think this would be beneficial. Mr. Koval commented that he has never talked to anyone about the pension, and he is sure the employees have not either. Mr. Miorelli stated that there should be someone telling the employees what is going on, to which Mr. Cadwallader replied that there is an annual report distributed which shows the contributions and what the total is. Attorney Barbin noted that there are also fees taken out as administrative fees. Mr. Yetsko questioned if the employees can invest more of their own money into the plan if a change is made, to which Mr. Koval replied that the employees can but there is a cap of 17%. Mr. Cadwallader noted that the Authority is currently contributing 3% and he is contributing 3% to his plan. Mr. Yetsko commented that if the employees change their contribution, then the Authority would have to do the same, to which Mr. Koval interjected that this would depend on what the Authority would choose to do. Attorney Barbin pointed out that what the Authority contributes currently is now a real high percentage; therefore, if the Authority would consider increasing it, it would only be if the employees agreed to match it, which could encourage the employees to invest more. Mr.



Yetsko commented that he would think this should be considered at budget time. Mr. Koval stated that perhaps Mr. Cadwallader should contact the current pension company to set up a meeting in the near future. Mr. Cadwallader noted that he could have PMRS come in to talk with the Board. Mr. Castel stated that perhaps we should have another financial investor at the meeting to listen to the discussion as well. Mr. Cadwallader questioned if the current auditor for the Authority is a financial advisor, to which Attorney Barbin replied negatively. Mr. Miorelli advised that Mr. Cadwallader should research various alternatives for the Board to consider at budget time.

Mr. Miorelli noted that, at the Martindale plant, there is a saddle clamp with a piece of plastic on one of the main lines above the filter. He was told that there was a piece rusted out and another piece was placed. However, Mr. Miorelli commented, where the saddle clamp is, it is right over one of the main electrical panels; and he is very concerned about this. Mr. Miorelli indicated that perhaps we should consider having a mechanical company come in to look at this and possibly replace the entire line going across. He pointed out that, if this breaks, we are going to have tripled the cost and the plant could be out of business for a while. Mr. Cadwallader explained that, there is a piece of C900 present. He further explained that, when they built the plant, they brought in all steel pipe and welded it all together. Over the years, it has rusted because this is where the zinc ortho was. Mr. Miorelli stated that we should at least get it out and away from the electrical panel. Mr. Cadwallader commented that it comes across off of all three filters, meets in the middle, and then goes out to the clear well. Mr. Miorelli questioned if the Engineer could look at this, to which Mr. Cadwallader replied that he and staff could look at what is there, cut the piece out that is going out the wall, build it on the floor, shut the plant down for a while, take the piece out and put it back in with the mechanical joints. Mr. Miorelli indicated that something needs done because he is not comfortable with the present situation. Mr. Cadwallader explained that, when they built the plants back in the 1980's, they came in with an abundance of a lot of everything. They used galvanized, black iron, and plastic; and they welded joints, bolted joints, had mechanical joints, etc. Mr. Cadwallader commented that he will go up and measure and get prices to bring to the Board for the next meeting to address the situation. He stated that he can look at putting ductile in which will withstand everything, or we could look at plastic.

Mr. Miorelli stated that he has also been asked if we have a lot of unpaid water bills, to which Mr. Cadwallader replied that there currently are some delinquent accounts. Mr. Miorelli further questioned if these customers are charged a penalty, to which Mr. Cadwallader affirmatively that when approached regarding the delinquent account, the customers have the option to pay the bill or sign an agreement and set up payments. If the customers do not abide by the agreement, or customers do not make arrangements to either pay the bill or set up an agreement, their water can be shut off and they would have to pay in order to have it turned back on. Mr. Miorelli questioned, could we have something set up that, if the customers do not pay their bill, we can hit them hard with some type of penalty until it is paid, to which Mr. Cadwallader replied that, if the water is shut off, it is not turned back on until the bill is paid in full. Mr. Miorelli questioned if we are enforcing this, to which Mr. Cadwallader replied affirmatively. Mr. Yetsko questioned if we have any customers that owe \$400 - \$500 that are not shut off, to which Mr. Cadwallader replied that he would have to check into this. Mr. Cadwallader informed the Board that the cards notifying customers of shut offs were just handed out. Usually, the beginning of the week following this, customers come in to either pay the bill or set up an agreement. If the customers do not come in immediately, that is when action is taken to shut off the water. Mr. Miorelli questioned if the first of the month we have this problem regularly, to which Mr. Cadwallader replied affirmatively. Mr. Cadwallader noted that we can hand out a lot of shut off cards, but, for the most part, most of the customers come in to take care of the bill. Mr. Yetsko questioned how many delinquent accounts we currently have,



to which Mr. Cadwallader replied that there are probably 20 of them ranging from \$100 to \$500. Mr. Yetsko commented that if these are kept up to date, it would bring in more money to the Authority. Mr. Cadwallader replied that we do keep track of this each month from April on; and whoever is delinquent, their water is shut off. Attorney Barbin questioned what happens if a customer misses a payment after setting up an agreement, to which Mr. Cadwallader replied that their water is shut off. Attorney Barbin questioned if the payment plan is the current payment plus additional what is owed, to which Mr. Cadwallader replied that, under the payment plan, the customer would pay 25% of what is owed plus their current bill. Attorney Barbin indicated that the bill would then be paid off in four months.

Mr. Miorelli questioned if any of the spring in Benscreek by the stream is on the Authority's property. He pointed out that, in Benscreek from the old dam up to the plant under the old power line, the power company did spray. Mr. Barton noted that he was aware of this and met with the company before they sprayed; and the company did use chemicals that were approved to be safe for the water. Mr. Miorelli indicated that Osmos was doing the poles above the Martindale reservoirs today, to which Mr. Barton replied that he received no calls on this. Mr. Miorelli questioned if they are to contact the Authority, to which Mr. Cadwallader replied affirmatively stating that they are to contact us because the area is listed as a water shed property. Mr. Cadwallader commented that these companies have been told for years not to spray unless they contact us; and he and Mr. Barton actually had discussions with the State over this in the past. Mr. Miorelli noted that he does know that they sprayed because the weeks are still down indicating that spraying was done. Mr. Jubina noted that the company was in the area around Cichota's Curve yesterday. Mr. Castel commented that he has heard that some of the green poles that Osmos is putting are ruining wells. Mr. Miorelli emphasized that he is very concerned about protecting the reservoir. Mr. Barton stated that he was not aware of the spraying by Osmos; however, he was aware of the spraying in Benscreek because Penn Lines contacted Mrs. Ringler and she contacted Mr. Barton. He then met with Penn Lines and made the determination that they were using the appropriate chemicals that were safe for aquatic use. Mr. Miorelli commented that what concerned him was that there were areas that Osmos sprayed that were areas that they trimmed; and some of the areas that were sprayed were not even higher than what was trimmed. Mr. Barton stated that he is not sure why they sprayed some areas because some of it is good cover. Mr. Miorelli noted that, as long as the company is using something that is safe, then he is comfortable with that. Mr. Barton noted that, since he has been with the Authority for the last four years, no company has done any spraying without contacting the Authority (both First Energy and REA).

Mr. Yetsko questioned Mr. Cadwallader if the Authority currently has any employee that is using their personal vehicle to get to a job site as this would be a liability for the Authority, to which Mr. Cadwallader replied that he is not aware of anyone doing this. Attorney Barbin questioned if we have this rule posted anywhere so that the employees are aware, to which Mr. Cadwallader replied that it is in our Policy Manual; however, he would post a notice at the timeclock to remind the employees. Attorney Barbin indicated that we need to make sure that this information is out in the open so that it is clear to the employees. Mr. Yetsko commented that, if this is occurring, the employee should be reprimanded.

## **IX. ENGINEER'S REPORT**

Mr. Beyer commented that a copy of the Engineer's Report was distributed to the Board prior to the meeting.

Mr. Beyer informed the Board that, after the last meeting, he mailed out the close-out documents to Lumadue, which Lumadue did return. Therefore, this project is complete.



As it relates to the CDBG project, Mr. Beyer noted that he mailed out the documentation to Lumadue as well as Mr. Custer at the Redevelopment Authority, to close out the three CDBG projects. This project is completed as well.

Relative to Mountain Avenue and/or Farren Street, Mr. Beyer indicated that he has sent numerous emails and has made several telephone calls to Mr. Custer but has not received a response to date. Mr. Beyer is not aware of the status of where we are at with the income surveys and whether the project is eligible or not. Mr. Beyer noted that he would keep attempting to contact Mr. Custer. He noted that he wanted to report a few other items and then return to a discussion on the Mountain Avenue project.

As it relates to the Martindale spillway, Mr. Beyer reported that EADS is working on the mapping so that the H&H analysis can be completed. He noted that the field investigation for the dam has been completed; and the report should be done tomorrow. A copy of the report will be forwarded to the Authority Board to review and sign off on. This needs to be completed and submitted by December.

Mr. Beyer noted that, as it relates to the Small Water and Sewer Grant and discussing the Mountain Avenue project, he was on the telephone today with Sandy because he had a concern when he was in discussions with Mr. Cadwallader recently. Mr. Beyer commented that it was always thought that the water line ended at the parking lot between the elementary school and the high school. However, Mr. Cadwallader has informed Mr. Beyer that the 10" line ends at the water valve which is directly across from the football field and track. With that being said, Mr. Beyer stated, there would be another 435 feet of water line that would need to be installed. With this additional cost, the project would be over \$500,000; and, in speaking with Sandy, she indicated that you cannot have project-associated costs of over \$500,000. Therefore, Mr. Beyer would need to know how the Board would want to proceed.

Attorney Barbin questioned if we would be able to phase the project, to which Mr. Beyer replied that we could either phase the project, stop the project where we originally had discussed where the 10" would be, or the Board could assume that they would take out inspection costs or other costs and assume those costs 100%. Attorney Barbin questioned if taking out these costs would run the risk of violating the rules, to which Mr. Beyer replied negatively, explaining that, if the Authority would decide to spend that money on their own, it would not be considered a project-associated cost. The Authority could originally say that all costs were associated with the project. If the costs come in more, even if we would bid the project, if it comes in over \$500,000, even with change orders, the Authority would have to give that money back and the Authority would be responsible for all of it. Attorney Barbin noted that this sounds like a very risky thing to avoid, to which Mr. Beyer agreed. Mr. Beyer emphasized that, if it is not project eligible from the start, they are not allowing you to do it; and in the past, certain Redevelopment Authorities had to go back and collect money from Authorities they had granted monies to where the monies were not associated with the project.

Mr. Beyer noted that this may be a matter that the Board would want to think about and not sign the Resolution at this meeting or take contingency action. Attorney Barbin questioned when the application is due, to which Mr. Beyer replied October 31. Attorney Barbin noted that this could be discussed at the next Board meeting. Mr. Beyer noted that he assumed in his estimates that the legal fees from Attorney Barbin would be \$3,500, to which Attorney Barbin replied that he would not know the exact cost but that \$3,500 would be reasonable. He explained that he does different levels of work at the different Authorities; however, at the Portage Water Authority, Messrs. Beyer and Cadwallader cover a lot of the work.



Attorney Barbin pointed out that the Authority Board's decision is whether, of the \$489,000, they want to kick in 15% of that or whether they want to kick in more in order to get a bigger project. Mr. Beyer noted that it would be an additional \$55,693, or we could phase it and stop the project where we originally thought the 10" line ends. You would then have some 6" line in the area; and perhaps in a year or two, the Authority could complete the project on its own. Mr. Miorelli questioned if we would be talking 425 feet directly across the parking lot up to the tank, to which Mr. Cadwallader replied affirmatively. Mr. Beyer noted that there is a valve that is directly across from the field/track and that is where it needs to be tied into now, which is an additional 435 feet. You would then have more bituminous restoration, more backfill, more pipe, etc. Mr. Beyer noted that there would be an additional \$2,000 if the Authority bid the project out and had EADS do the inspection fees as well (in the past the Authority had Mr. Cadwallader do some of the inspections). Mr. Miorelli questioned if the school is comfortable with the new line, to which Mr. Beyer explained that the school is not tied into any of this. Mr. Cadwallader explained that, when we rearranged the school, they wanted to eliminate their pump so it was tied into the Benscreek side on the high pressure and the school does not have to run their pumps.

Attorney Barbin questioned, if the Board decides to apply for the initial project (\$489,000), the Authority would be kicking in \$73,000. Mr. Beyer explained that if we go the whole way with the project, it would be ineligible with the Authority only spending 15% of their money. Attorney Barbin noted that, it is either we do the project and stop it short and kick in \$73,000, or take the project the whole way and the Authority kick in \$120,000. Mr. Beyer pointed out that, if this is the case, we would not want to apply for the grant if the Authority does not have these funds. Attorney Barbin commented that these costs were not budgeted. Mr. Beyer noted that the Board can discuss the matter; however, he would need a decision by the next meeting so that the application can be completed by October 31. Mr. Koval indicated that his thought would be to apply for the grant and only do the scope of the project up to the \$500,000 and in the next few years apply for another grant to complete the project. Mr. Castel questioned if this would affect anything else, to which Mr. Beyer replied negatively stating that we would then only have a section that is a 6" line. Attorney Barbin noted that we would never get the full advantage because you would have a 10" line with a 6" line in the middle. Mr. Yetsko questioned if this would be the \$500,000, to which Mr. Beyer replied that it would be \$489,967.25, but he would rather keep it below the \$500,000. Mr. Koval questioned if we would be receiving the full amount of the grant if it was awarded, to which Mr. Beyer replied affirmatively stating that there are no administrative fees tied to this grant. Attorney Barbin explained that we would actually only be receiving \$489,967.25 because the Authority would have to kick in 15% of the \$500,000. Mr. Miorelli commented that we are doing an income survey on the Mountain Avenue project, to which Mr. Cadwallader replied that the income survey was set up for the DCED grant and these are two different grants. Mr. Miorelli questioned if we have to have the total plan complete, to which Mr. Beyer replied negatively noting that the project can be phased.

Mr. Beyer noted that it would be the Board's decision to approve the Resolution for a total of \$489,967.25 at this meeting or delay a decision until the next meeting. Mr. Yetsko commented that he felt that a decision should be delayed until the next meeting. Mr. Miorelli pointed out that, if we delay a decision until the next Board meeting on October 6, it only gives us 25 days to complete the submission for the deadline of October 31. Attorney Barbin commented that, as long as Mr. Beyer knows he can potentially proceed on the \$489,967.25, he can have everything ready by the next Board meeting on October 6 for the Board to consider the Resolution at that time.



## **X. SOLICITOR'S REPORT**

Attorney Barbin stated that he had submitted a copy of his report prior to the meeting.

Attorney Barbin noted that, as mentioned by Mr. Cadwallader earlier in the meeting, the hearing with Kukurin was held; and we are awaiting the decision of the Judge. In addition, Attorney Barbin noted, we do not have an answer as yet on the purchase of the Cooney property, to which Mr. Barton interjected that we should know something soon.

## **XI. FORESTER'S REPORT**

As it relates to the four-wheel rides, Mr. Barton noted that those areas that were critical within the watershed have been well taken care of. Because of the breakdown of the dozer equipment, the extra stone could not be placed and there are a couple of places that need some attention. However, Mr. Barton commented, the areas that were critical and problematic for the dam have been taken care of. Mr. Chappell informed Mr. Barton that he should have the dozer repaired by early October; and he then intends to go over the entire road system. Mr. Barton emphasized that he will be with Mr. Chappell when he returns in October. Some of the work that Mr. Chappell did was subpar, but this was due to the concerns with the dozer. In Mr. Barton's opinion, however, the critical areas have been addressed. Mr. Barton emphasized that we need to hold Blue Knob to task on this. If Mr. Chappell cannot come back in October to finish, Blue Knob would be in violation of their agreement and they would need to find someone else to complete what needs to be done because they agreed to finish the repairs after every run. Mr. Barton noted that he did walk every area that the group ran on the watershed; and some of those areas need attention. There is no garbage in the area; however, Blue Knob is away from all of the water resources currently but they are still required to clean the area after every run. Mr. Barton noted that Mr. Chappell had nine miles of road to clean up; and he was over 80% of that area. What was covered was about 60% completed; and the additional 40% has not been completed. Mr. Barton emphasized that Mr. Chappell has come through on everything so far and has been great to work with, but there is some work that needs to be completed. Mr. Barton noted that there are certain trails that have been closed off with trees to any four-wheel traffic.

Mr. Barton commented that he does have a call in to the Game Commission and other places to close the four-wheel traffic to protect the stream; and he will ensure that he reviews the area so that they stay closed down. As it relates to the Federal signs, Mr. Miorelli questioned if this pertains to the entire watershed, to which Mr. Cadwallader replied affirmatively. Mr. Miorelli questioned if we should obtain more signs to post, to which Mr. Cadwallader replied affirmatively. Mr. Castel questioned if there are rules on posting at different lengths, to which Mr. Cadwallader replied negatively.

Mr. Barton informed the Board that Mr. Claar made the final payment for the timber. Mr. Claar has not completed the retirement, but Mr. Barton will be meeting with him next week.

## **XII. UNFINISHED BUSINESS**

- 2014 CDBG Grant

Discussed earlier in the meeting.



- Employee Issues

No employee issues to be presented to the Board.

- Cemetery Road Project

Discussed earlier in the meeting.

- Blue Knob Poker Run

Discussed earlier in the meeting.

- Kukurin (Unpaid Invoices)

Discussed earlier in the meeting.

- Don Brunett Right of Way Problem

Discussed earlier in the meeting.

- Pipe Yard Project

Discussed earlier in the meeting.

### **XIII. NEW BUSINESS**

- Allegheny Ridge True Up Check

ON MOTION OF MR. KOVAL, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY APPROVED THE DEPOSIT OF THE ALLEGHENY RIDGE CPI TRUE UP PAYMENT IN THE AMOUNT OF \$560.96 INTO SAVINGS ACCOUNT #106.5. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

- Link Site Care Agreement

Discussed and approved earlier in the meeting.

- MMO

Mr. Cadwallader noted that the MMO is the retirement worksheet for next year and requires authorization of the Board to make the payments.

ON MOTION OF MR. KOVAL, SECONDED BY MR. YETSKO, THE BOARD UNANIMOUSLY APPROVED THE MMO PAYMENTS AS REQUESTED. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

- Link Annual Cisco Smartnet Renewal Agreement

Discussed and approved earlier in the meeting.

- Chairman of Meeting

Mr. Koval commented that he is happy that Mr. Miorelli was chairing this evening's meeting; however, he questioned how this was decided since Mr. Stancovich is no longer on the Board, to which Attorney Barbin replied that, technically, the Board does not have a Chairman; however, Mr. Miorelli, as the current Vice-President, would move into the Chairman position. Mr. Koval questioned if we would be having the Vice-Chairman chairing the meeting until the end of the year, to which Attorney Barin replied affirmatively unless the Board decides differently.

#### **XIV. GOOD OF THE ORDER**

- Notary Renewal

Discussed earlier in the meeting.

- Retirement Plan for Employees

Discussed earlier in the meeting.

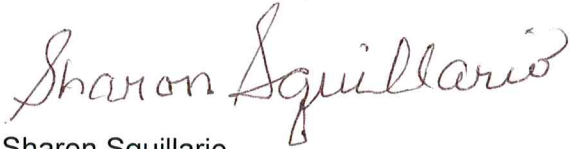
#### **XV. ADJOURNMENT**

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MR. KOVAL, SECONDED BY MR. YETSKO, THE BOARD ADJOURNED THE MEETING AT 8:20 P.M. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MIORELLI, MR. CASTEL, MR. GARTLAND, MR. KOVAL AND MR. YETSKO.

#### **XVI. NEXT MEETING**

The next meeting will be held on Thursday, October 6, 2016 at 7:00 p.m.

Respectfully submitted,



Sharon Squillario  
Recording Secretary