

A meeting of the Board of Directors of the Municipal Authority of the Borough of Portage was held on Thursday, July 5, 2018, at 7:00 p.m., in the Conference Room at 606 Cambria Street.

Those in attendance were:

Mark Castel, Chairman  
Craig Castel  
John Gartland  
Brent Kinley

Also present were: Ron Cadwallader, Supervisor; Attorney William Barbin, Solicitor; Joe Beyer, The EADS Group; Mike Barton, Forester; Ron Portash, Mainline Newspapers; John Morgan, Employee.

**I. CALL TO ORDER**

Mr. Mark Castel, 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. Mark Castel recognized Mr. Portash, Mainline Newspapers.

**III. CORRESPONDENCE**

Mr. Mark Castel noted that there was no correspondence to be presented.

**IV. APPROVAL OF MINUTES**

ON MOTION OF MR. KINLEY, SECONDED BY MR. GARTLAND, THE BOARD UNANIMOUSLY AGREED TO DISPENSE WITH THE READING OF THE JUNE 2018 MINUTES BEING THAT THEY WERE DISTRIBUTED IN WRITTEN FORM AND UNANIMOUSLY ACCEPTED THE MINUTES AS PRESENTED. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

**V. AGENT'S EXPENDITURES**

No Agent's Expenditures to be presented.

**VI. INVOICES**

Air Vac – Inc.	\$ 180.00
Brent Kinley	50.00
Cambria Mailing Services, Inc.	78.53
Cambria Systems, Inc.	2,223.64
Cintas	112.70
CMPA	1,000.00
Craig Castel	50.00
Foster F Wineland, Inc.	114.54
Hach	1,940.55
Heritage Environmental	5,336.00

John Gartland	50.00
L/B Water Service Inc.	2,323.45
Link Computer Corporation	1,612.50
Mark Castel	50.00
Mary L Elchin	325.00
Mountain Research	156.00
New Enterprise Stone & Lime Co Inc.	1,368.02
Peoples Natural Gas Company	9.99
Portage Auto Parts	60.64
Portage Post Office	150.00
Portage Service Center	1,605.40
Ray Oil & Gas Co	654.66
RDM – Johnstown	965.00
Ronald J Cadwallader Jr	20.00
Sharon Squillario	50.00
Stager's Store	455.32
Visa – 1 <sup>st</sup> Summit	221.16
WB Mason Co Inc.	77.95
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	\$21,241.05

**Paid Bills**

Aflac	\$ 226.22
Peoples Natural Gas Company	54.78
Visa – 1 <sup>st</sup> Summit	77.79
Angela Cochran	100.00
Comcast	310.46
First National Bank	6,321.99
Highmark Blue Shield	8,364.52
PA One Call System, Inc.	43.85
Penelec	1,670.90
Adam Poorman	100.00
Pro Disposal, Inc.	150.00
REA Energy Cooperative Inc.	344.16
Sheetz Fleet Service	202.00
Staples	91.97
Verizon	460.09
Verizon Wireless	149.90
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	\$18,668.63

ON MOTION OF MR. KINLEY, SECONDED BY MR. CRAIG CASTEL, THE BOARD UNANIMOUSLY AGREED TO ACCEPT AND PAY INVOICES IN THE AMOUNT OF \$65,365.59 (REGULAR BILLS, \$21,241.05; PAID BILLS, \$18,668.63; PennVEST, \$3,896.36 AND \$5,508.55; USDA, \$16,051.00). BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

**VII. TREASURER'S REPORT**

ON MOTION OF MR. CRAIG CASTEL, SECONDED BY MR. KINLEY, THE BOARD UNANIMOUSLY AGREED TO DISPENSE WITH THE READING OF THE JUNE 2018 TREASURER'S REPORT AS IT WAS PREVIOUSLY DISTRIBUTED IN WRITTEN FORM AND UNANIMOUSLY ACCEPTED THE REPORT WITH A BALANCE OF: BEGINNING CASH, \$1,536,737.14; CASH IN, \$224,135.53; CASH OUT, (\$223,410.70); ADJUSTMENT, \$0; ENDING CASH, \$1,537,461.97. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

**VIII. EXECUTIVE SESSION**

ON MOTION OF MR. CRAIG CASTEL, SECONDED BY MR. KINLEY, THE BOARD UNANIMOUSLY AGREED TO GO INTO EXECUTIVE SESSION AT 7:03 P.M. TO DISCUSS AN EMPLOYEE MATTER. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

**IX. RECONVENE INTO REGULAR SESSION**

ON MOTION OF MR. CRAIG CASTEL, SECONDED BY MR. KINLEY, THE BOARD UNANIMOUSLY AGREED TO RECONVENE INTO REGULAR SESSION AT 7:57 P.M. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

**X. SUPERINTENDENT'S REPORT**

Mr. Mark Castel 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.

Mr. Cadwallader informed the Board that the Groggin Lane project has been completed; everyone is tied in, everything has been seeded, and the grass is growing. There were five areas that needed blacktopped, two of which have been completed (areas where there were leaks); and the three remaining areas will be blacktopped next week. The area on Munster Road has also been blacktopped and completed for the State.

Mr. Cadwallader reported that the Meadow Lane project is also completed; and everyone is tied in. The next project will be Frazier Avenue; however, before that project is started, we will have the oil changed in the excavator.

Mr. Cadwallader commented that it is time to review insurance requirements. We received information from Mosteller Insurance; and a motion is required by the Board to approve Mosteller as our broker to go out and obtain quotes for insurance.

ON MOTION OF MR. CRAIG CASTEL, SECONDED BY MR. KINLEY, THE BOARD UNANIMOUSLY DESIGNATED MOSTELLER INSURANCE AS THE BROKER TO OBTAIN INSURANCE QUOTES FOR THE AUTHORITY. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

Mr. Cadwallader stated that, at the last meeting, he mentioned about the weir probe in Martindale that went out because of the lightening. The cost of repair/replacement was placed through the insurance (\$2,000 for the probe and \$100 for the module). This has been approved for payment through the insurance and we will only need to pay the \$500 deductible. Mr. Cadwallader commented that, when we had the rain storm on Monday, the weir probe in Benscreek stopped working. He is not sure if it has been found yet because the creek was still high from the rain; however, he will keep the Board apprised of the status.

Mr. Cadwallader presented the following requests for adjustments:

- 133 Main Street, Cassandra: resident passed away and house was empty; toilet was running; water shut off in the basement.
- 260 Hemlock Drive: toilet was leaking.

ON MOTION OF MR. KINLEY, SECONDED BY MR. CRAIG CASTEL, THE BOARD UNANIMOUSLY APPROVED THE ABOVE REQUESTS FOR ADJUSTMENTS AS PRESENTED. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

As it relates to the discussion at the last meeting relative to the backhoe, Mr. Cadwallader noted that he received a letter from FNB and the rates went up to 3.5%; however, they are holding their original quote of 3.05% interest. Summit Bank provided a quote of 3%; and when FNB was told that Summit offered 3%, they lowered their offer to 2.99%. Mr. Craig Castel questioned whether it was worth leaving the local bank for just .01%.

Mr. Cadwallader informed the Board that we took our backhoe from Case and took it to John Deere. The representative at John Deere provided a proposal of \$86,486.31. The quote was increased slightly from the last quote given because John Deere found a coupling that can be placed on the back of the backhoe and which can handle Kat buckets, Case buckets and John Deere buckets (universal coupling). John Deere would offer a \$25,000 trade-in, so the final price would be \$61,486.31. Mr. Cadwallader noted that the original quote from Case came in at \$89,500, less a trade-in of \$11,500, for a final cost of \$78,000. He commented, however, that John Deere will not be able to have a machine for us until October 4. Mr. Craig Castel commented that he thought they had a machine in stock, to which Mr. Cadwallader replied that it has been sold in the meantime. Mr. Cadwallader noted that we do have a John Deere machine onsite if any Board member would like to look at it. John Deere usually rents this machine out; and the representative's boss has proposed to give the Authority a cut rental agreement so that they are at least showing that they are renting out the piece of equipment. The normal rental rate would be \$2,800 per month; however, he would provide the agreement at \$750 per month, with a limit of 70 hours per month.

Mr. Mark Castel questioned if the representative would budge on this figure because it is not our fault that they do not have the equipment available, to which Mr. Cadwallader replied that he could contact John Deere via text immediately to obtain a response. Consequently, the meeting continued as Mr. Cadwallader contacted the John Deere representative.

Mr. Kinley indicated that he did understand that a number of the employees were very pleased with the John Deere equipment; and if the employees are pleased with the equipment they are using, this is a huge plus. Mr. Craig Castel stated that it is also beneficial that we can receive the universal coupling and we would not have the concern regarding the buckets. He commented that he believes we really should give John Deere a chance.

## **XI. ENGINEER'S REPORT**

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

As it relates to the emergency action plan as discussed at previous meetings, Mr. Beyer commented that he did submit the map that was requested; and it was accepted. We will wait until the first of the year to see if new requirements are received relative to the dam breach analysis, which could cost approximately \$10,000. He noted that, when the Board is in budget discussions, some monies should be budgeted for the emergency action plan requirements.

Mr. Beyer noted that there is no change on the Small Water and Sewers grant. Relative to the Martindale dam inspection, Mr. Beyer indicated that a representative from EADS will be available this month. He requested that Mr. Cadwallader exercise the valve before that time.

Mr. Mark Castel questioned the availability of grants, to which Mr. Beyer replied that there are no grants available currently. On the USDA, it is currently all loan monies. Mr. Cadwallader stated that there is nothing in grants available; however, if we run into a situation where we have a project similar to the Twin Lakes project where there are residents in distress, there are grants available for this.

## **XII. SOLICITOR'S REPORT**

Mr. Mark Castel commented that Attorney Barbin submitted his report prior to the meeting; and he questioned if any Board member had any questions on the report.

Attorney Barbin noted that there was a matter included on the agenda relative to revisions to the personnel policies. A revision was made to the sick leave section to provide for a one-half sick day per month for the permanent part-time employee (one-half day per month, four hours, for permanent part-time employees after the probationary period). Attorney Barbin pointed out that we need to ensure that the rules apply across the board for all employees. Therefore, changes were also made for the health insurance to provide for permanent part-time employees working a minimum of 20 hours. Attorney Barbin pointed out that the change to the personnel policy (5.d. and 6) basically puts into effect what we have been doing for the last couple of months.

Attorney Barbin noted that he received a call from Mrs. Ringler indicating that there was a problem with the bereavement leave wording because it merely stated "eligible employees." Before the above change, Attorney Barbin stated, we were merely working with full-time employees. Therefore, if we are going to address this, a change to this section would need to be made to indicate that, if bereavement leave is not a benefit given to permanent part-time employees, we need to change the words "eligible employees" to "full-time employees." Attorney Barbin noted that he understands that the Authority was not including bereavement leave for permanent part-time employees. We would then need a motion by the Board indicating that bereavement leave is for full-time employees. Mr. Craig Castel questioned what would occur then if something happened in the family of a part-time employee, to which Attorney Barbin replied that this employee would not be covered.

ON MOTION OF MR. KINLEY, SECONDED BY MR. GARTLAND, THE BOARD UNANIMOUSLY AGREED TO REVISE SECTION 5.d. OF THE PERSONNEL POLICIES TO INDICATE THAT THE WORDS "ELIGIBLE EMPLOYEES" RELATIVE TO BEREAVEMENT LEAVE BE CHANGED TO

"PERMANENT FULL-TIME" EMPLOYEES. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

### **XIII. CONTINUATION OF SUPERINTENDENT'S REPORT**

Mr. Cadwallader reported that he received a return response from the John Deere representative; and the representative agreed to revoke the \$750 per month rental fee. Mr. Cadwallader pointed out that the employees have dug with the proposed backhoe and everyone seems to be happy with it. The employees feel that it has more power and also has more head room. Mr. Craig Castel expressed his opinion that we should stay local with the purchase and use Summit Bank for the purchase, to which the Board agreed.

ON MOTION OF MR. CRAIG CASTEL, SECONDED BY MR. KINLEY, THE BOARD UNANIMOUSLY APPROVED THE PURCHASE OF THE JOHN DEERE BACKHOE, WITH THE PURCHASE TO BE FINANCED THROUGH 1<sup>ST</sup> SUMMIT BANK. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

Mr. Cadwallader stated that the John Deere representative would come down tomorrow to have the papers signed for the purchase. The Board agreed that Mr. Cadwallader would sign the papers on the Authority's behalf.

### **XIV. FORESTER'S REPORT**

Mr. Barton informed the Board that he received a call from Mr. Cadwallader a few weeks ago relative to someone wanting to cut Joe Latoche's timber on Strawberry Road. They talked about a property line that Mr. Barton had painted a few years ago because it was an internal line. The loggers indicated that they had thought that this was the property line, which it is not. Mr. Barton contacted the logger; and the logger has never returned the call. Therefore, Mr. Barton went to the property and painted the appropriate property line in the event the logger came in and wanted to make the cut. The logger has since contacted Mr. Barton and has indicated that he recognized the line and would use the current line that has been painted. He will also use the road that goes up to the Latoche property, which the Authority owns one-half of. The road is in bad shape; so if the logger is going to use the road and the bridge across it, he is going to have to improve both. Mr. Barton stated that the logger would like a letter from the Authority stating that he has permission to use that road.

Mr. Cadwallader apprised the Board that he received a call from the logger this week requesting the status of the letter; and Mr. Cadwallader informed him that he should produce the letter for the Authority to approve. The logger was to be present at the meeting tonight to discuss the matter with the Board; however, he is not. Attorney Barbin questioned the name of the logger, to which Mr. Barton replied that it is Coblenz Brothers from Alum Bank. Mr. Barton noted that he would suggest that Attorney Barbin review any letter that is received. Attorney Barbin indicated that the letter from Coblenz must indicate that they agree to repair the road at the end of any work they perform. Mr. Barton stated that, in the past, any time that we have used the road, we have asked Mr. Latoche's permission as well. Therefore, he feels Attorney Barbin should construct the agreement so that all of the information is included.

Attorney Barbin questioned if this was a time critical situation where Board approval was needed at this meeting to agree to use the Authority's one-half of the road. He noted that, if it

is, the Board could approve the request contingent upon receiving a suitable letter from the logger stating that the logger would be responsible for any damages to the road.

ON MOTION OF MR. KINLEY, SECONDED BY MR. GARTLAND, THE BOARD UNANIMOUSLY APPROVED THE USE OF THE ROAD DESCRIBED ABOVE, CONTINGENT UPON A LETTER OF REQUEST RECEIVED FROM COBLENTZ LOGGING INDICATING THEIR AGREEMENT TO REPAIR ANY DAMAGES TO THE AUTHORITY'S ONE-HALF OF THE ROAD FOLLOWING THE LOGGING PROJECT. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

Mr. Barton discussed with the Board any future cutting of the watershed as well as a potential concern relative to the ash bore/hemlock on the watershed.

**XV. UNFINISHED BUSINESS**

- Employee Issues

As it relates to the matter discussed under Executive Session, the following motion was made:

ON MOTION OF MR. KINLEY, SECONDED BY MR. CRAIG CASTEL, THE BOARD UNANIMOUSLY APPROVED THE REQUEST OF MR. JOHN MORGAN TO CONVERT 11 HOURS OF VACATION TIME TO SICK TIME, AT A PRORATED RATE, CONTINGENT UPON MR. MORGAN PROVIDING A LETTER REQUESTING SUCH CONVERSION. IF A LETTER IS NOT RECEIVED IN A REASONABLE PERIOD OF TIME, THE ACTION OF THE BOARD WOULD BE RESCINDED. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

- Backhoe

Discussed earlier in the meeting.

- Well Probe and Module

Discussed earlier in the meeting.

- Start Time

No discussion.

**XVI. NEW BUSINESS**

- Insurance Quotes

Discussed earlier in the meeting.

**XVII. GOOD OF THE ORDER**

- Request for Adjustments

Discussed under Superintendent's Report.

**XVIII. ADJOURNMENT**

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MR. CRAIG CASTEL, SECONDED BY MR. KINLEY, THE BOARD ADJOURNED THE MEETING AT 8:35 P.M. BOARD MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CRAIG CASTEL, MR. MARK CASTEL, MR. GARTLAND AND MR. KINLEY.

**XIX. NEXT MEETING**

The next meeting will be held on Thursday, August 2, 2018 at 7:00 p.m.

Respectfully submitted,



Sharon Squillario  
Recording Secretary