

NESHANNOCK CREEK WATERSHED JOINT MUNICIPAL AUTHORITY
Phone: (724)748-4808 Fax: (724)748-5668
369 McClelland Road
Mercer, PA 16137

MEETING MINUTES

July 8, 2015

8:15 AM

Officers:

Chairman:

Paul Minner

Vice

Chairman:

Patrick J. Suhrie

Treasurer:

John Lechner

Secretary:

Bob Gregory

Rec Sec'y:

Karen Shipton

Board

Members:

Mercer

County:

John Lechner

Coolspring

Twp:

Paul Minner

East Lack

Twp:

Robert Gregory

Findley Twp:

Patrick J. Suhrie

Mercer Boro:

Jerry Johnson

The Authority meets the second Wednesday of each month at 8:15 AM in the County Commissioner's Meeting room at the Mercer County Courthouse, Mercer, PA.

THE NEXT MEETING IS SCHEDULED FOR AUGUST 12, 2015 AT 8:15 AM

ATTENDANCE

Bob Gregory, John Lechner, Paul Minner, Roger Shaffer, Jerry Johnson, Pat Suhrie, Dan Goncz, Karen Shipton, Walt Darraugh, Deb Shaulis, Debbie Plant.

The Meeting Opened with the Pledge to the U.S. Flag at 8:15 AM

*The Board went into Executive Session to discuss the litigation Shaulis vs. NCWJMA for approximately 20 minutes.

APPROVAL OF MINUTES FROM THE 06/10/15 MEETING AS PRESENTED

**A motion was made by Pat Suhrie and seconded by John Lechner to approve the minutes from the June 10, 2015 meeting as presented. Motion carried unanimously.*

PUBLIC COMMENT

Deb Shaulis expressed her disapproval of the current sewer project.

TREASURER'S REPORT

John Lechner reported that he had not yet received the bank statements and had nothing to report.

PROJECT STATUS REPORT

A. Sewage Facilities Project Status Report

We have received executed agreements for Contract Nos. 1 through 6 and Contract No. 8 for the Sewage Facilities Project.

**A motion was made by John Lechner and seconded by Pat Suhrie to award Contract No. 7 to Jack Gibson Construction, Inc. in the amount of \$3,725,000.00. Motion carried unanimously..*

We have completed the NPDES Stormwater Discharge Permit Co-Permittee Applications for Contract No. 7.

****A motion was made by Pat Suhrie and seconded by John Lechner authorizing the Chairman to sign the application, which would make the Contractor for Contract No. 7 a co-permittee on the aforementioned permit and the Soil Erosion and Sedimentation Control Plan approved by the Mercer County Conservation District. Motion carried unanimously.***

A condition of the Post Construction Stormwater Management (PCSM) Permit is filing an Instrument Filing Notice at the Mercer County Courthouse with the Recorder of Deeds. The purpose of the filing is to document the requirements of the PCSM in the event a deed search is performed, as the PCSM Permit continues after construction activities are complete and remains in effect with a transfer of the property.

****A motion was made by John Lechner and seconded by Bob Gregory to authorize the Chairman to execute the filing notice document for the post-construction stormwater management. Motion carried unanimously.***

It is recommended that the Authority conduct a Preconstruction Job Conference on Wednesday, July 22, 2015 at 9:00 AM at the Mercer County Courthouse General Assembly Room.

****A motion was made by Pat Suhrie and seconded by John Lechner to issue the Notice-to-Proceed for August 3, 2015 contingent upon closing of the Northwest Savings Bank Loan. The closing is scheduled for July 22, 2015. Motion carried unanimously.***

USDA Rural Utilities Services State Office will be organizing a ground breaking ceremony for 11:00 AM on July 22, 2015 after the preconstruction meeting. The ground breaking ceremony could take place at a convenient location on the County Property, as the actual sewage treatment plant site is not readily accessible without the access road being extended.

Dan provided a copy of the project sign to be posted at the site.

The project milestone schedule has been updated and is attached to the Engineer's Report.

Dan provided copies of a letter from the Authority to East Lackawannock and Findley Townships regarding the project's anticipated construction completion date. This letter was issued to assist the municipalities with on-lot septic system matters relative to property transactions.

Mercer County Property

Gannett Fleming provided a metes and bounds description to the Mercer County Solicitor for the pressure sewer rights-of-way along Interstate 80 on the County owned property. The purpose of plotting and providing this information was so that the mining lease could reflect the areas where mining activities should not take place.

Additional Engineering Services

Gannett Fleming is requesting an amendment to the engineering agreement dated September 5, 2013 for the following additional engineering services.

1. Additional engineering services relative to easements and right-of-way for the final exhibit preparation for the Plantation park agreements, and, the additional rights-of-way descriptions needed for the Mercer County mining lease agreement in an amount not-to-exceed \$1,500.00.
2. Engineering services relative to the litigation matter between Global Heavy Corporation and the Authority in the amount not-to-exceed \$6,800.00.

****A motion was made by John Lechner and seconded by Bob Gregory to approve the increase for total Additional Engineering Services in the project budget from \$82,000 to 90,300.00. Motion carried unanimously.***

PROJECT FUNDING

1. Approval of Requisition No. 20 in the amount of \$72,208.57.

****A motion was made by John Lechner and seconded by Pat Suhrie to approve the payment of Requisition No. 20 in the amount of \$72,208.57. Motion was carried unanimously.***

Property Owner Information

At the June meeting, Dan presented a draft copy of an update that can be sent to the proposed customers of the project. Attached is the draft for the Authority's review and editing. Information regarding the CDBG Program could be sent with this mailing if coordinated with the Mercer County Regional Planning Commission. A review of the document and coordination with the Mercer County Regional Planning Commission is required.

Dan would like to hold the Project Construction Meetings on the 4th Thursday of each month starting at 9:00AM-12 Noon. Location ideas are the Mercer County Courthouse General Assembly Room and Findley Township Municipal Building. Debbie will check into this.

OLD BUSINESS

1. Website

Debbie sent information to Karen and Dan on the Website. Dan edited some things. There was discussion on who would maintain the site and what kinds of information will be placed on the site. Mercer Borough has offered to allow us to go under their name to create the website. There was also discussion on a logo.

NEW BUSINESS

****A motion was made by John Lechner and seconded by Jerry Johnson to approve a resolution authorizing the Chairman or Vice-Chairman to sign the Contract Documents. Motion carried unanimously.***

****A motion was made by John Lechner and seconded by Bob Gregory to approve a resolution authorizing the Chairman or Vice-Chairman to sign Interim Loan Closing Documents. Motion carried unanimously.***

CORRESPONDENCE

The Board reviewed the correspondence received but no action was taken on any of it.

SOLICITORS REPORT

As a result of the increased funding and new financing, some additional work was required by both Bond Counsel and the Solicitor. They are requesting an increase in their respective fees from RUS and have been approved by RUS.

Bond Counsel/Clarke Hill Thorpe Reed – Total fee of \$75,000.00 with out-of-pocket expenses of \$5000.00. This is an increase of \$15,000.00 with a \$1000.00 of out-of-pocket expenses.

Local Solicitor/Barr and Shaffer – Total fee of \$67,000.00 with out-of-pocket expenses of \$3000.00. This is an increase of \$7000.00 and no increase in out-of-pocket expenses.

****A motion was made by John Lechner and seconded by Pat Suhrie to approve the modified Bond Counsel fees and Local Solicitor fees as approved by USDA. Motion carried unanimously.***

These fees do not include the litigation fees from the Shaulis/Global Heavy lawsuit. Those will be forthcoming.

ADJOURNMENT

A motion was made Pat Suhrie to adjourn the meeting. Motion carried.

Respectfully Submitted;

Karen B. Shipton
Recording Secretary