

**MEMBERS PRESENT**

VERNON WALKER  
JOHN BARR  
JAMES DRAPCHAK  
JOHN HEIDER  
JAMES PETERS

**OTHERS**

ROBERT SHAHADE, SOLICITOR  
KEN MESKO, ENGINEER  
ALICE HUMMEL, RECORDING SECRETARY

**OTHERS:** Ed Barzeski, Richard Chimiak, Eugene Erb, Mary Lou Erb, Mowava Gonsalves, Paul Pioli

**CHAIRMAN CALLED THE MEETING TO ORDER AT 7.00 P.M.**

**APPROVAL OF MINUTES**

James Drapchak moved, John Heider seconded to approve the Minutes of the March 18, 2019 meeting, as submitted. MOTION CARRIED: 5/0

**PERSONS REQUESTING TO BE ON AGENDA**

**Mary Lou Erb, 816 Goucher Street**

Mrs. Erb stated that since she had requested to be on the Agenda, her situation has changed. She and her neighbor of 818 Goucher Street, have a shared lateral connection which needs to be completed over the hill, in order to become compliant. She has since talked to her neighbor at 818 Goucher Street, Ms. Gonsalves informed Mrs. Erb, she has received three bids and is moving forward to bring her property at 818 Goucher St. into compliance. She stated that they both realize that the shared lateral portion, is a cost that is going to be shared by both parties. Mrs. Erb stated that in the past she was told to pay for it and bill her neighbor at 818 Goucher Street, which she did not want to do. She stated that her purpose for coming to the meeting was to seek advice, however, the neighbors have talked and come to an agreement on the shared lateral. Mrs. Erb now feels that everything has been discussed and worked out over the last few days between the two parties. Mrs. Erb thanked the Board for their time.

**PUBLIC PARTICIPATION**

None

**OLD BUSINESS**

**PENNVEST PROJECT UPDATE**

Ken stated the only thing left to finalize on the PennVest Project is the Certificate of Deposit at Somerset Trust, that will have to be maintained until August or September of 2019. Ken will get paperwork for the office as to the exact date it can be concluded.

**FLOW METER REPORT**

Ken reported flows are up a little bit in the areas of UY2 and UY14 Benscreek. The others have gone up approximately 15-20%. Woodmont was up approximately 70-75 GPM which is normal peak. UY8 is up approximately 300+ which is still within the allowable flow, as is UY12-Berkley at 240.

Vernon questioned Ken regarding the manhole right in the middle of the intersection at Hershberger & Palm which is sinking on Hershberger. Ken stated that it is on the line and he believes it is the city's, but will check it out and make sure.

**HGA SYSTEM UPGRADE**

HGA – Ken reported he received a packet from Chris Zakraysek, for the period of 2/14/2019 - 3/20/2019 which was relatively dry. Ken stated on April 8, 2019, he sent several questions back to Chris Zakraysek, such as verification of the pipe diameter, which is very important as the diameter and slope are what are used to calculate the flow correctly. The pipe diameter was originally a 10-inch line, however, some places they have it listed as a 9-inch line at some places and other places as a 10-inch line. Ken stated it can't be

both sizes but it could be in-between if they lined it. Chris will look into the matter and get back to Ken. Ken stated he also requested to change the output to be gallons per minute and not million gallons per day, which makes it easier for calculations. Chris Zakraysek replied back that he would look into these matters and get back to Ken.

#### **CAP/WASTELOAD MANAGEMENT REPORT**

Ken reported that all reports have been submitted and are up-to-date.

#### **CORRECTIVE ACTION PLAN/CONSENT ORDER & AGREEMENT**

Ken reported that all reports have been submitted and are up-to-date.

#### **COMPLIANCE REPORT**

Ken stated the number of properties which are non-compliant are coming down. He did note a lot of the people with shared laterals have extensions until later this year. Unfortunately, sometimes it's the contractor that is hired and just stops where they want to, and when that happens, Ken stated they will sometimes grant them a partial compliance. This line of houses are two homes to one line, along Goucher to Queen, Antonio to the back and the other two towards Keppler. Upper Yoder Authority had no input on their sewer system installations and were inherited into the system. Many years ago, it was common practice for two homes to build and work together.

The Compliance report dated April 15, 2019 was presented and reviewed. There were three violation notices mailed in the last 30 days. Solicitor noted the property at Irving Street is being worked on and is in foreclosure.

#### **MONTHLY NON-COMPLIANCE FEES**

The accounts that are subject to receive a monthly Non-Compliance fee were presented and reviewed. It was noted that three properties have come into compliance as of the meeting date and need to be removed from the listing. They are 138 Berkley Road, 110 Damian Drive and 469 Edwards Street.

**Vernon moved, John Heider seconded to approve the listing of non-compliance fees for the month of April, 2019, excluding 138 Berkley Road, 110 Damian Drive and 469 Edwards Street. MOTION CARRIED 5/0**

#### **GIRARD STREET PUMP STATION UPDATE**

Ken asked if the office had received any correspondence from the insurance company. The current status of the claim was submitted on the April 15, 2019 Administrative Report. It was reported that they still have not worked out the final figures with Travelers Insurance for settlement. Dan Ashe of IRPM indicated he is hoping to get the final figures to the Authority within the next week.

Solicitor Shahade stated that in regards to the easement from the City of Johnstown, he has it in his possession and is turning it over to the Authority Office for their records.

Vernon questioned Ken regarding the expiration date of the low bid. Solicitor stated he thought they should grant them a 30-day extension. Ken stated that the low bidder was SE Construction Group from Marion Center, who does pump stations, water tanks, etc. for sewer and water projects for Authorities, Boroughs and Townships. Ken had asked them when the contract is signed and given to them, how long would it take to get started. Some of the pumps and controls need to be made and it would take three to four months from the time they place the order until they get delivery of some of those items. Discussion was held as to whether or not to give an extension at this time. Township Supervisors, Ed Barzeski and Paul Pioli, indicated the Authority Board needed make the repairs as the longer the repairs are extended, it will only cost the Authority more money in the end.

Vernon indicated that the Authority has an Emergency Fund of \$250,000. Pending the expiration of the bid with the contractor, he suggested that the contractor be contacted to order the pumps, as he is sure the insurance settlement will be close to what their claim was, therefore in the meantime, the Authority use some of the \$250,000.00 that is set aside in the Emergency Fund, to get the ball rolling on the Girard Street Pump Station Repairs. This will allow them to get the items ordered, make their access roads and get mobilized, get their parts, equipment and works here to get started. Vern stated, by then we should have the insurance settlement and then any excess would be taken out of the Emergency Funds.

**Vernon moved, John Heider seconded to utilize the Authority's Emergency Fund of \$250,000.00, in order to begin the Girard Street Pump Station Project, allowing the contractor to further proceed with ordering the necessary parts and materials and begin construction on the Girard Street Pump Station, as bid. MOTION CARRIED: 5/0**

The Girard Street Pump Station Project Contract was then signed by Chairman Vernon Walker and Secretary John Barr. The Contractor had already signed said Contract. Solicitor Shahade stated that the document did not need to be sealed. Ken will forward a copy of the Contract to the contractor.

Vernon stated that there is one easement outstanding, that goes through the pine trees between Kasara and Lambs property. Vern and Ken will reach out to them regarding what their concerns may be and attempt to finalize that matter.

#### **PAST REHABILITATION PROJECTS/LATERAL CONNECTIONS**

Ken stated there are still a few lines that need to be inspected and they are waiting on Roto-Rooter's schedule and the ground to dry up. Ken indicated he is looking at some type of trenchless fix, to repair the lines where they are leaking, similar as to what they did with the mains, and if it would be cost effective. He stated pricing is based on what conventional excavation would cost, and there are at least two different companies that he may be able to get a decent pricing for the repair materials.

Ken stated two lines in need of repair that were missed, one at the top of Amherst and one behind Em's Sub Shop, at Bronx St. Extension, where they thought there were two lines, but actually were three.

Paul Pioli informed Ken there is a spot where the line drops on the roadway on Bronx St. Extension, right behind Em's Sub Shop. Ken will check to see if it is as a result of a sewer line or what the problem is.

Vernon asked if there is a list of all the areas where all the problems exist and Ken stated there is and it consists of the mainline work, the lateral work and the manhole work. Paul Pioli asked if the Authority has the money to make all the repairs that have been missed and are necessary. Vernon stated that they will have to review the listing and prioritize the work, as he does not know what the volume is at this time. There are different places throughout the Township and unfortunately insert-a-tees were used all over years ago and are now failing on older projects, such as Old Hickory Nice, etc. Paul asked if the pipe that was reportedly cracked, was under warranty. Ken indicated it was not, as that pipe was installed either in the year 2000 or 1994 projects. Solicitor stated that if the Authority receives an insurance settlement close to what they claimed, they may be able to repay the Emergency Fund and free up some of those monies for some of these repairs.

Ken stated in regards to the work at Woodmont, he didn't think would be too much. Today the flows in Woodmont were a little high, but still in compliance. It's the week of heavy rains that cause the problem, mainly from the manholes and the one mainline need done, plus there are several really bad laterals in that area. Ken stated these people are paying the Non-Compliance Fee and still not doing anything.

#### **SUMP PUMP ENFORCEMENT**

Ken reported that there was no work done on the sump pumps or viewports to report on, since the last meeting.

### **HGA INFLOW INFILTRATION**

Solicitor stated he will contact Beth Harris, Special Council for Department of Labor and Industry again over the flow meter at HGA.

### **AXA FUNDS/BONDS**

Solicitor inquired if Vernon had contacted AXA to find out about retiring the bonds and investments that are with their company. Vernon stated he has not yet contacted them, but plans on doing so.

### **NEW BUSINESS**

#### **APPROVAL OF BILLS – \$63,175.45**

Discussion was held regarding an invoice from Roto-Rooter in the amount of \$485.00. Terry Reese was not present at the meeting to justify the expense.

**Vern Walker moved, Jim Peters seconded to approve payment of the bills as submitted, in the amount of \$63,175.45, with the stipulation to withhold the \$485.00 payment to Roto-Rooter pending clarification. MOTION CARRIED 5/0**

### **TREE ON EASEMENT**

Solicitor and John Barr stated that verification needs to be made that said tree is on the Authority's easement. Ken stated there is a line that runs parallel from Bantel down, but he was unsure that the tree is actually on our easement.

**John Heider moved, Jim Drapchak seconded for Terry check to see if the tree is located on our easement and if it is, he be authorized to contact Tree Expert to remove it. MOTION CARRIED: 5/0**

### **COMPUTER QUICKBOOKS UPDATE**

Currently the office is licensed for two users in QuickBooks and when three people are in the office only two are able to use QuickBooks. It was also noted that the Payroll portion of the current QuickBooks needs to be updated. It is an expense that if approved by both the Authority Board and Board of Supervisors, will be shared equally.

**Vern moved, Jim Peters seconded approval of the purchase of a third User license and Payroll Upgrade of for the current QuickBooks computer program, the cost of \$889.95 to be shared equally between the Authority and Township, pending approval of the Township Board of Supervisors. MOTION CARRIED: 5/0**

### **ACH PAYMENTS – SOMERSET TRUST CO.**

Currently the office is accepting credit card payments either by going to the Upper Yoder Township Webpage, calling their information into the office by telephone or coming into the office in person and having their card swiped on the credit card reader. In regards to the customers payments, the higher the bill, the higher their service charge is for a credit card payment. Many people have requested being able to use a bank account payment, such as Greater Johnstown Water Authority's payment program, where there is no cost for using a bank account direct. First National Bank has waived all fees, except a \$0.16 per transaction fee. Somerset Trust has stated they will waive the \$250.00 set up fee, but will charge a \$25.00 fee for up to 100 transactions per month. Last month over 300 past due notices and 58 shut off notices were mailed last month for the Authority. By customers having the ability to make either full or partial payments online with their checking accounts and no bank service charge, we may receive our funds on a timelier basis. To date the Authority has received over \$10,000.00 alone, in credit card payments. Solicitor suggested that the office attempt to further pursue a lower rate with Somerset Trust. He also suggested that if one is able to be reached prior to this weeks Township Supervisor Meeting and the Supervisors agree to receiving ACH payments with customers using their checking accounts.

**Vernon moved to further pursue establishing accepting ACH payments with customers checking accounts with Somerset Trust Company. MOTION CARRIED: 5/0**

**PUBLIC PARTICIPATION**

Paul Pioli questioned the finances of the Authority. Vernon indicated that as of March 31, 2019, they currently have \$1,000,000.00 in the bank, which is much better than what it was, since the final PennVest closeout, they received several hundred thousand, which will pay approximately six months of the PennVest loan payments, exhausting that particular account.

Vernon indicated that by the end of the year, they hope to have the Girard Street Pump Station up and running, which alleviate the upcharges from Stonycreek Township. Solicitor stated that the Authority went from 50% to 81%, but were paying 100% of their own, so now they will be having to make a capital investment on their own, but will still have the labor, utilities and maintenance. They actually are not losing money; they are just paying more to Stonycreek Twp. than they normally would. Depending on what their insurance settlement is they could be losing a lot on the capital investment, plus they still have their past project rehabilitation coming up, plus the penalty clause with Southmont, in which they have 300 customers going through that basin, surrounded by the 20-year-old project. Woodmont on the other hand is an indirect penalty because we are paying by volume and 75% of all maintenance and upkeep.

Solicitor stated they still have the Consent Order Agreement for all the flows. The overflows are one thing and we have until 2027 to get all of the excess flows out. Beginning July 2021, all overflows are fines of \$10,000.00 per month.

Vernon stated that all these facts must be considered.

**ADJOURNMENT**

**John Barr moved, James Drapchak seconded to adjourn the meeting.  
Motion Carried: 5/0**

**ADJOURNED 8:05 P.M.**

JB/aeh

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John Barr, Secretary