

HARMONY TOWNSHIP MUNICIPAL AUTHORITY
FEBRUARY 1, 2006

GARY McLAUGHLIN
DONALD GUNTHER
ANTHONY SANGERMANO
ALEX BARLAMAS
PAUL KAMZELSKI

DAMIAN, AMATO AND START, P.C. – ATTORNEY JEFF HOLLOWOOD
NIRA CONSULTING ENGINEERS, INC. – FRANK LEMMON, JR. AND
CHRISTOPHER SUEHR

LYLA L. SWAN, SECRETARY

THE SECRETARY ASKED FOR NOMINATIONS FOR CHAIRMAN OF THE HARMONY TOWNSHIP MUNICIPAL AUTHORITY. MR. SANGERMANO NOMINATED MR. KAMZELSKI. THERE WERE NO OTHER NOMINATIONS AND ROLL CALL WAS UNANIMOUS.

MR. KAMZELSKI ASKED FOR NOMINATIONS FOR VICE CHAIRMAN. MR. SANGERMANO NOMINATED MR. BARLAMAS. THERE WERE NO OTHER NOMINATIONS. ALL MEMBERS VOTED YES, WITH MR. BARLAMAS ABSTAINING.

MR. KAMZELSKI INTRODUCED GARY McLAUGHLIN AS THE NEWEST MEMBER OF THE MUNICIPAL AUTHORITY, APPOINTED BY THE HARMONY TOWNSHIP BOARD OF COMMISSIONERS.

MR. BARLAMAS MADE A MOTION TO TABLE APPROVAL OF THE MINUTES FROM THE OCTOBER 2005 AND NOVEMBER 2005 MEETINGS SO THAT BOARD MEMBERS CAN REVIEW THEM AGAIN. MR. SANGERMANO SECONDED THE MOTION. ALL IN FAVOR, MOTION CARRIED.

MR. BARLAMAS MADE A MOTION TO APPROVE THE LIST OF BILLS PAYABLE AS OF FEBRUARY 1, 2006. MR. GUNTHER SECONDED THE MOTION. ALL IN FAVOR, MOTION CARRIED.

MR. KAMZELSKI STATED HE REVIEWED THE LETTER FROM JEFF AND PAT SCHIMONSKY OF 1130 HIGHLAND AVENUE REQUESTING REIMBURSEMENT FOR THEIR COSTS TO CONNECT TO THE SANITARY SEWER SYSTEM. HE APOLOGIZED TO THEM FOR THE AGONY THEY HAVE EXPERIENCED AND STATED IN HIS OPINION, THE TOWNSHIP IS WRONG AND THE TOWNSHIP SHOULD REIMBURSE THE SCHIMONSKY'S THE AMOUNT OF \$16,536.53. MR. KAMZELSKI ASKED FOR RECOMMENDATIONS FROM OTHER AUTHORITY MEMBERS.

MR. SANGERMANO QUESTIONED WHAT AMOUNT THE SCHIMONSKY'S HAVE PAID INTO THE SANITARY SEWER FUND. THE SECRETARY REPLIED \$2,865.80. MR. McLAUGHLIN ASKED IF THE TOWNSHIP HAS DETERMINED HOW THIS HAPPENED. MR. KAMZLEKSI STATED HE FEELS THIS WAS NEGLECTED BY MR. KUBIA (PREVIOUS OWNER OF HOME AS 1130 HIGHLAND AVENUE). MR. McLAUGHLIN STATED IF IT WERE HIS OWN HOME HE WOULD WANT REIMBURSED, TOO, BUT ALSO ASKED IF THIS WOULD "OPEN" THE TOWNSHIP. MR. SANGERMANO STATED HE DOES NOT WANT THE AUTHORITY TO SET PRECEDENCE. MR. KAMZELSKI ASKED HOW WOULD THE TOWNSHIP INSURANCE COMPANY REVIEW THIS CLAIM.

MR. GUNTHER STATED AS A HOMEOWNER HIMSELF, HE WOULD LIKE TO SEE THEM REIMBURSED, BUT AS A SITTING AUTHORITY MEMBER, HE IS CONCERNED ABOUT HOW MUCH THIS WILL COST AND QUESTIONED OTHER HOUSES ON HIGHLAND AVENUE. HE SUGGESTED CHECKING OTHER HOUSES FOR THE SAME PROBLEM. MR. GUNTHER STATED SOMEONE "DROPPED THE BALL". MR. KAMZELSKI ALSO ASKED ABOUT THE COST TO THE SCHIMONSKY'S FOR DOWNTIME.

MR. SUEHR EXPLAINED THAT MRS. SCHIMONSKY CALLED THE TOWNSHIP OFFICE AND THE ENGINEER VISITED THE SITE AFTER IT WAS DUG UP. HE ADDED THAT DUE TO THE ELEVATION OF THE PIPE IN THE EXPOSED HOLE AND MANHOLE, IT SHOULD HAVE HAD ENOUGH FALL TO GET TO THE SEWER. THE ONLY WAY TO KNOW THE ELEVATION WAS TO DIG UP THE MAIN LINE AND A CONTRACTOR WOULD HAVE TO DIG AT LEAST 13' TO 14'. AT THE CONNECTION POINT, THE MAIN LINE WAS NOT DEEP ENOUGH FOR THE HOUSE TO CONNECT.

MR. SCHIMONSKY STATED THE ORIGINAL REPAIR COST WAS \$4,500.00 TO \$6,000.00, BUT BECAUSE OF THE PIPE ELEVATION AND TIME EXTENSIONS, THE COSTS INCREASED. HE STATED THE BASEMENT FLOOR HAD TO BE DUG UP TO SHORTEN UP THE DISTANCE FOR THE PIPE TO GET THE FALL THEY NEEDED. HE ADDED THAT NONE OF THE WORK ON THE BILL WAS UNNECESSARY.

MR. BARLAMAS ASKED WHERE THE CLOSEST MANHOLES ARE. MR. SUEHR SHOWED MR. BARLAMAS THE MANHOLE LOCATED 150' FROM RICE AVENUE AND THE MANHOLE 180' FROM RIDGE ROAD. MR. McLAUGHLIN QUESTIONED IF WEATHER CONDITIONS WOULD HAVE HAD ANYTHING TO DO WITH THE RISE AND FALL OF THE LINE. MR. SUEHR REPLIED NO, ADDING THE LINE WAS LAID THAT WAY. MR. SUEHR ALSO STATED THE LINE COULD HAVE BEEN DONE THAT WAY DUE TO THE LAY OF THE ROAD, BUT NO ONE KNOWS.

MR. McLAUGHLIN ASKED IF A HOME INSPECTION WAS DONE WHEN THE SCHIMONKY'S BOUGHT THE HOME. MRS. SCHIMONSKY REPLIED, NO, THE

HOUSE WAS BOUGHT FROM THE PREVIOUS OWNER AND ALL THE PAPERS SAID PUBLIC SEWER.

MR. SCHIMONSKY ASKED IF THE AUTHORITY MEMBERS SAW THE VIDEO TAPE. NONE OF THE AUTHORITY MEMBERS VIEWED THE TAPE. MRS. SCHIMONSKY STATED SHE HAS A COPY OF THE TAPE, BUT SHE ALSO WATCHED WHILE THE VIDEO WAS TAKEN.

AFTER MEETING IN EXECUTIVE SESSION FOR POSSIBLE LITIGATION PURPOSES, MR. KAMZELSKI EXPLAINED THE AUTHORITY WILL RESPOND AS FOLLOWS:

MR. BARLAMAS MADE A MOTION TO AUTHORIZE THE ENGINEER TO PROCEED WITH A FINAL REPORT ON THE SCHIMONSKY CLAIM AND TO INCLUDE ANY DYE TESTING AND VIDEO TAPING AND FOR THE TOWNSHIP TO NOTIFY THE TOWNSHIP'S INSURANCE CARRIER OF A PENDING CLAIM. MR. GUNTHER SECONDED THE MOTION. AFTER A UNANIMOUS ROLL CALL VOTE, THE MOTION CARRIED.

MR. KAMZELSKI EXPLAINED TO JEFF AND PAT SCHIMONSKY THAT THE AUTHORITY WANTS TO DO EVERYTHING PROPERLY AND THE MEMBERS REMAIN SYMPATHETIC WITH THE SITUATION AND ALSO ASKED FOR UNDERSTANDING FROM THE SCHIMONSKY'S. MR. SCHIMONSKY ASKED WHAT THIS HAS TO DO WITH THEM. ATTORNEY HOLLOWOOD STATED A CLAIM OF \$16,000.00 TO \$18,000.00 IS A LOT OF MONEY AND THE TOWNSHIP MUST MAKE ITS INSURANCE CARRIER AWARE OF IT. HE ADDED THAT EVERY ACTION MUST BE DONE PROPERLY AND THE AUTHORITY WILL DO EVERYTHING THEY LEGALLY HAVE TO DO TO MAKE AN EDUCATED DECISION. ATTORNEY HOLLOWOOD ADDED THE AUTHORITY CANNOT MAKE A POOR ECONOMIC DECISION AND IT WOULD BE A POOR WAY TO RUN THE AUTHORITY. HE ADDED THE AUTHORITY MUST REVIEW ALL THE INFORMATION, REPORTS AND VIDEO TO MAKE A DECISION.

MR. SUEHR DISCUSSED THE VACANT LOT STATUS FOR THE WOODLAND/RIDGE/CEDAR AREAS SANITARY SEWERS. HE STATED AN OFFICIAL DECISION HAS TO BE MADE AND THE STUDY SHOWS ALL THE VACANT LOTS. MR. GUNTHER ASKED IF THE ENGINEER SHOULD VIEW THE VACANT LOTS. MR. SUEHR REPLIED THAT HE CAN ONLY MAKE A RECOMMENDATION TO THE TOWNSHIP, IN ADDITION TO INPUT FROM THE SOLICITOR. MR. SUEHR STATED THIS MUST STILL BE FILTERED THROUGH THE SOLICITOR IN THE EVENT IT IS CHALLENGED. MR. BARLAMAS ASKED IF THIS WOULD AFFECT DEP. MR. SUEHR REPLIED IT WOULD NOT.

MR. BARLAMAS MADE A MOTION TO EXTEND THE FINAL DEADLINE FOR RESIDENT NOTIFICATION TO MARCH 28, 2006. MR. GUNTHER SECONDED THE MOTION. ALL IN FAVOR, MOTION CARRIED.

MR. BARLAMAS SUGGESTED THE MOTIONS FOR THE SEWER CLERK'S HOSPITALIZATION AND SEWAGE RATE INCREASE BE SEPARATE.

ATTORNEY HOLLOWOOD STATED THERE IS QUESTION OF THE LEGALITY OF THE RATE INCREASE ORDINANCE.

MR. BARLAMAS MADE A MOTION TO MAINTAIN THE CLASS SIZES, BUT APPROVE THE RATE INCREASES. MR. SANGERMANO SECONDED THE MOTION. AFTER A UNANIMOUS ROLL CALL VOTE, THE MOTION CARRIED.

MR. GUNTHER MADE A MOTION TO AMEND THE RATE INCREASES TO \$100.00 A QUARTER FOR CLASS "A". MR. BARLAMAS SECONDED THE MOTION. AFTER A UNANIMOUS ROLL CALL VOTE, THE MOTION CARRIED.

MR. LEMMON EXPLAINED THE SEWER PROJECT SHOULD BE UNDER CONSTRUCTION THIS SUMMER.

MR. BARLAMAS QUESTIONED THE EASEMENT STATUS AND STATED HE IS WILLING TO TALK TO THE RESIDENTS THAT HAVE NOT YET SIGNED.

MR. LEMMON EXPLAINED THE FLOW MONITORING OF THE BADEN SYSTEM WILL BE A SIGNIFICANT EXPENSE AND NIRA CONTINUES TO INVESTIGATE THE DEARBORN AVENUE AND ESSEX AVENUE AREAS. HE ADDED THIS AREA SHOWS SIGNIFICANT RAINWATER INFILTRATION AND SEWER VIDEO WORK WILL BE DONE IN THE SPRING.

MR. KAMZELSKI STATED THE NEXT MEETING IS MARCH 1, 2006 AT 7PM.

MR. McLAUGHLIN MADE A MOTION TO ADJOURN THE MEETING. MR. GUNTHER SECONDED THE MOTION. ALL IN FAVOR, MOTION CARRIED.

SECRETARY _____