

SPRING-BENNER-WALKER JOINT AUTHORITY

REGULAR MEETING

December 12, 2016

ATTENDANCE:

AUTHORITY MEMBERS:	Spring	Joseph Galbraith
		Gregg Heny
		Chris McMurtrie
		Dondi Smeltzer
	Benner	Dan Hoffman
		William Hughes
		Timothy Miller
	Walker	Dennis McDowell
		Ted Onufrak

GUESTS: None present

CONSULTING ENGINEER: Andy Johnson, P.E.

CONSULTING SOLICITOR: Robert Mix, Esq

EXECUTIVE DIRECTOR: N. Warren Miller

EMPLOYEES: Kelly Gill & Tasha Dutton

CALL TO ORDER:

The December 12, 2016, Regular Meeting of the Spring-Benner-Walker Joint Authority was called to order at 7:00 P.M. by Timothy Miller, Chairman. Mr. T. Miller thanked everyone for attending and stated that the meeting would be recorded for transcription.

ROLL CALL:

William Hughes, Secretary, took Roll Call, recording eight members present. Mr. Onufrak entered the meeting at 7:18 p.m. Mr. T. Miller, Chairman, noted that with a quorum present, the Spring-Benner-Walker Joint Authority was permitted to conduct business under the laws of Pennsylvania.

PLEDGE OF ALLEGIANCE:

Mr. T. Miller, Chairman, led the Board members and Employees in the Pledge of Allegiance.

APPROVAL OF MEETING MINUTES:

Mr. T. Miller asked the Board if there were any questions and/or changes to the November 30, 2016 meeting minutes as presented. **Mr. Galbraith moved, seconded by Mr. McDowell to approve the Minutes of the November 30, 2016 Regular Meeting as presented. 8 ayes, 0 nays, 1 absent. The motion carried.**

CORRESPONDENCE:

Thank You – Mr. T. Miller read a thank you card forwarded by our employee, Seth Holt, and his family for the food platter given by the Authority for his grandmother's death.

Thank You - Mr. T. Miller read a thank you card forwarded by the Authority's employees for the gift cards and Christmas party the Authority provided for the Holidays.

FINANCIAL REPORTS:

Treasurer's Report: Mr. Heny reviewed the financial reports for the period ending 11/30/2016. Mr. T. Miller asked if there were any questions regarding the Treasurer's Report or any comments by the Authority staff. **Mr. Hughes moved, seconded by Mr. McMurtrie to approve the Treasurer's Report as presented. 8 ayes, 0 nays, 1 absent. The motion carried.**

APPROVAL OF PAYMENTS:

Approval of Requisitions:

Revenue Fund Requisition 2012-91 – Mr. Heny presented the Board with Revenue Requisition 2012-91. Mr. T. Miller asked if there were any questions regarding the presentation of Revenue Fund Requisition #2012-91. **Mr. Galbraith moved, seconded by Mr. Hughes to approve Revenue Requisition 2012-91 payable to SBWJA in the amount of \$209,153.20. 8 ayes, 0 nays, 1 absent. The motion carried.** Mrs. Gill indicated the Revenue Fund Requisition #2012-91 that was provided to the Board last week was revised to include several large purchases that are to be paid from the 2016 budget.

GUESTS: There were no Guests present for the meeting.

EXECUTIVE DIRECTOR'S REPORT:

Sunset West/P.A.M.P. Sewer Lateral – Mr. W. Miller indicated the owner of Sunset West Restaurant, Harry Eby, approached him asking if he could connect his newly constructed shed to the public sewer. This shed is located on Mr. Eby's property at 521 E. College Avenue, Pleasant Gap in Spring Township. Mr. Eby indicated he would be connecting to his existing sewer lateral that serves Sunset West. Mr. W. Miller stated that if Mr. Eby would connect to his existing sewer lateral that he would not be charged an additional tapping fee; however, he would be charged an additional sewer quarterly usage fee. It was noted that this shed would be personally used by Mr. Eby only for recreational purposes.

Mr. W. Miller then stated that Mr. Eby approached him again indicating he would like to connect his shed to his neighbor's, P.A.M.P., sewer lateral which is located at 511 E. College Avenue so he could avoid excavating the pavement in his parking lot. Mr. W. Miller informed Mr. Eby he would need to obtain a right-of-way from the owner, J. Allen Witherite, of 511 E. College Avenue prior to installation of the sewer lateral. Mr. Eby was also informed that he would need to pay a tapping fee for the shed and provide construction/as-built drawings of the sewer lateral if it was to be constructed on another property.

A PA One Call has indicated the scheduled dig date for this project to be December 14, 2016 and the work to be completed by Terry Perryman; however, Mr. Eby has not obtained the required right-of-way documents. Mr. W. Miller indicated they must have decided to connect to the existing lateral serving Sunset West.

Dunkin Donuts – Mr. McDowell asked Mr. W. Miller if he heard anything about a Dunkin Donuts coming to Benner Township. Mr. W. Miller was told a Dunkin Donuts will be constructed across from the Sheetz at 2850 Benner Pike in Eagle Pointe. Mr. W. Miller was unsure of the anticipated start of construction for this building.

Mr. Onufrak entered the meeting at 7:18 p.m.

SOLICITOR'S REPORT:

Centre Communications Easement Agreement – Mr. Mix indicated that he created a Resolution to authorize the Declaration of Taking by Eminent Domain of the property owned by Karl F. Hosterman and Eric L. Brooks (Centre Communications) known as Tax Parcel No. 12-003B-041 to obtain the necessary easement to perform maintenance of the sewer line. Mr. W. Miller suggested sending Mr. Hosterman and Mr. Brooks a letter indicating the Authority is beginning the process of Eminent Domain to verify they are not interested in executing the right-of-way. Mr. Mix agreed this would be a good idea; therefore, Mr. W. Miller will send a letter to Mr. Hosterman and Mr. Brooks indicating the Authority's intentions.

Retirement Plan – Mr. Onufrak asked if Mr. Mix finished his written opinion regarding the liability of the Board for the Authority's retirement plan. Mr. Mix indicated he misunderstood the Board's request for a written opinion; therefore, he will work on this as soon as possible.

ENGINEER'S REPORT:

Pump Station #7 Upgrades – Mr. Johnson informed the Board that Pump Station # 7 is under roof and HRI will remove the wall separating the two buildings later this week. It was noted that pumps will be delivered to the pump station by the end of December. The final site work for this project will be completed in the spring due to the time of year.

OLD BUSINESS:

2017 Budget – Mr. T. Miller asked if there were any changes to the tentative budget that was approved one month ago and Mr. W. Miller stated that there were no changes. Mr. T. Miller asked if there were any questions concerning the 2017 Budget as presented. **Mr. Smeltzer moved, seconded by Mr. McMurtrie to adopt the 2017 Budget in the amount of \$4,176,000.00 as presented. 9 ayes, 0 nays. The motion carried.**

Bellefonte Borough's Pension Plan – Mrs. Gill indicated that Lori Walker from Bellefonte Borough emailed her with two days that she could meet with her to discuss Bellefonte Borough's pension plan. Mrs. Gill will meet with Ms. Walker at the Borough building on January 18, 2017.

NEW BUSINESS:

SBWJA Resolution #2016-02 (First National Bank Opening of Money Market Account) – It was noted that First National Bank's Public Funds Money Market account is paying .55% interest, which is higher than our current rate with Jersey Shore State Bank. There are no monthly fees associated with this account and the bank will allow up to six (6) transactions per month at no cost. Mr. W. Miller recommended SBWJA open a Money Market account with First National Bank. Mr. W. Miller stated that we can obtain a higher interest rate with a PLIGIT CD; however, the Authority would encumber the money for an entire year and with a Money Market account it would stay liquid. Additionally, Mr. W. Miller expressed his concern regarding Act 72 securities not offered with PLIGIT accounts. **Mr. Hughes moved, seconded by Mr. Heny to approve SBWJA Resolution #2016-02 to open a Public Funds Money Market account with First National Bank, which is attached and made an official part of these meeting minutes. 9 ayes, 0 nays. The motion carried.**

EXECUTIVE SESSION – Mr. T. Miller recessed the Board for an Executive Session at 7:31 p.m. to discuss potential litigation and negotiations. The meeting reconvened at 8:09 p.m.

COMMITTEE REPORTS:

Personnel & Community Relations Committee: Mr. Hoffman had nothing to report.


Facilities Committee: Mr. Hughes had nothing to report.

Financial Committee: Mr. Onufrak had nothing to report.

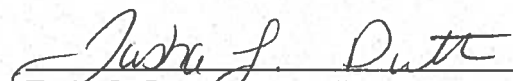
ADJOURNMENT:

Mr. Hughes moved, seconded by Mr. Heny to adjourn the meeting at 8:10 p.m. 9 ayes, 0 nays. The motion carried.

Respectfully submitted,



William Hughes, Secretary



Tasha L. Dutton, Recording Secretary

CC: Benner Township _____
Spring Township _____
Walker Township _____

ENTITY AUTHORIZATION

ENTITY CERTIFICATIONS Spring-Benner-Walker Joint Authority (Authorization Signer's name), certify that: I am a/the Secretary 2016-140
(Authorization Signer's title) designated to act on behalf of SPRING BENNER WALKER JOINT AUTHORITY
December 12, 2016
(Authorizing Entity). Authorizing Entity is a Municipal Authority
(type of entity, like a "non-profit" corporation) and its Taxpayer Identification Number 25-1392495

. I am authorized and directed to execute an original or a copy of this Authorization to Financial Institution, and anyone else requiring a copy. Authorizing Entity is duly organized, validly existing and in good standing under the laws of PENNSYLVANIA and is duly qualified, validly existing and in good standing in all jurisdictions where Authorizing Entity operates or owns or leases property. Authorizing Entity has the power and authority to provide this Authorization, to confer the powers granted in this Authorization and to carry on Authorizing Entity's business and activities as now conducted. The designated Agents have the power and authority to exercise the actions specified in this Authorization and Authorizing Entity properly adopted these authorizations and appointed the Agents and me to act on its behalf. Authorizing Entity will notify Financial Institution before reorganizing, merging, consolidating, recapitalizing, dissolving or otherwise materially changing ownership, management or organizational form. Authorizing Entity will be fully liable for failing to notify Financial Institution of these material changes.

Authorizing Entity conducts business and other activities under the additional trade name or fictitious name of _____ and Authorizing Entity has the legal power and authority to use this trade name or fictitious name. Authorizing Entity will not use any trade name or fictitious name without Financial Institution's prior written consent and will preserve Authorizing Entity's existing name, trade names, fictitious names and franchises.

GENERAL AUTHORIZATIONS. I certify Authorizing Entity authorizes and agrees that: FIRST NATIONAL BANK (Financial Institution) is designated to provide Authorizing Entity the financial accommodations indicated in this Authorization, subject to the Financial Institution's rules and regulations from time to time. All prior transactions obligating Authorizing Entity to Financial Institution by or on behalf of Authorizing Entity are ratified by execution of this Authorization. Any Agent, while acting on behalf of Authorizing Entity, is authorized, subject to any expressed restrictions, to make all other arrangements with Financial Institution which are necessary for the effective exercise of the powers indicated within this Authorization. The signatures of the Agents are conclusive evidence of their authority to act on behalf of Authorizing Entity. Unless otherwise agreed to in writing, this Authorization replaces any earlier related Authorization and will remain effective until Financial Institution receives and records an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of this Authorization must be accompanied by documentation, satisfactory to Financial Institution, establishing the authority for the change. Authorizing Entity agrees not to combine proceeds from collateral securing any debts owed to Financial Institution with unrelated funds.

SPECIFIC AUTHORIZATIONS. The following persons (Agents) are authorized to act on behalf of Authorizing Entity in fulfilling the purposes of this Authorization:

Individual's Name, Title, & if applicable, Representative Entity's Name and Relationship to Authorizing Entity	Signature or Facsimile Signature
(a) <u>TIMOTHY I MILLER</u> - <u>CHAIRMAN</u>	
(b) <u>DENNIS MCDOWELL</u> - <u>VICE CHAIRMAN</u>	
(c) <u>THEODORE ONUFRAK</u> - <u>TREASURER</u>	
(d) <u>GREGORY HENY</u> - <u>ASSISTANT TREASURER</u>	
(e) <u>N WARREN MILLER</u> - <u>Executive Director</u>	
(f) _____	_____

Authorizing Entity has adopted any facsimile signatures indicated above. Financial Institution may rely on those facsimile signatures that resemble the specimens within this Authorization or the specimens that Authorizing Entity periodically files with Financial Institution, regardless of by whom or by what means the signatures were affixed.

Authorizing Entity authorizes and directs the designated Agents to act, as indicated, on Authorizing Entity's behalf to:
(Indicate a, b, c, d, e and/or f to exercise each specific power):

- a, b, c, d, e Open or close any share or deposit accounts in Authorizing Entity's name, including, without limitation, accounts such as share draft, checking, savings, certificates of deposit or term share accounts, escrow, demand deposit, reserve, and overdraft line-of-credit accounts. Number of signatures required 2 over \$2000.00
- a, b, c, d, e Enter into and execute any preauthorized electronic transfer agreements for automatic withdrawals, deposits or transfers initiated through an electronic ATM or point-of-sale terminal, telephone, computer or magnetic tape using an access device like an ATM or debit card, a code or other similar means. Number of signatures required 2 over 2000.00
- a, b, c, d, e Enter into and execute commercial wire transfer agreements that authorize transfers by telephone or other communication systems through the network chosen by Financial Institution. Number of signatures required 2 over 2000.00
- a, b, c, d, e Endorse for cash, deposit, negotiation, collection or discount by Financial Institution any and all deposit checks, drafts, certificates of deposit and other instruments and orders for the payment of money owned or held by Trust. Number of signatures required 1
- a, b, c, d, e Sign checks or orders for the payment of money, withdraw or transfer funds on deposit with you. Number of signatures required 2 over \$2000.00
- a, b, c, d, e Enter into and execute a written night depository agreement, a lock-box agreement or a safe deposit box lease agreement. Number of signatures required 1
- a, b, c, d, e Borrow money or obtain other credit or financial accommodation from Financial Institution on behalf of and in the name of Authorizing Entity on the terms agreed to with Financial Institution. The designated Agents may execute and endorse

promissory notes, acceptances or other evidences of indebtedness. If checked, the maximum outstanding credit limit for an available credit and financial accommodation to Authorizing Entity from Financial Institution must not exceed 2016-141
Spring-Benner-Walker Joint Authority
December 12, 2016 Number of signatures required 2

a,b,c,d,e

Grant a security interest, lien or other encumbrance to Financial Institution in any or all real or personal property that Authorizing Entity now owns or may acquire in the future for the payment or performance of:

Specific Debts. The debts, liabilities and obligations, and their renewals, extensions, refinancing and modifications, evidenced by (describe): _____

All Debts. All debts, liabilities and obligations of every type and description owed now or in the future by Authorizing Entity to Financial Institution.

Number of signatures required 2

a,b,c,d,e

Receive and acknowledge receipt for funds, whether payable to the order of Authorizing Entity or an Agent, without additional certification as to the use of the proceeds. Number of signatures required 2 over \$2000.00

a,b,c,d,e

Guaranty the payment and performance of debts, liabilities and obligations owed to Financial Institution or its successors and assigns by _____ (Borrower):

Specific Debts. The debts, liabilities and obligations, and their renewals, extensions, refinancing and modifications, evidenced by (describe): _____

All Debts. All debts, liabilities and obligations, and their renewals, extensions, refinancing and modifications, that Borrower owes now or in the future to Financial Institution, to the extent allowed by law.

Number of signatures required 2

a,b,c,d,e

The designated Agents may also grant a security interest, lien or other encumbrance to Financial Institution in any or all real or personal property that Authorizing Entity now owns or may acquire in the future for the payment or performance of this guaranty. Number of signatures required 2

a,b,c,d,e

Periodically amend, restructure, renew, extend, modify, substitute or terminate any agreements or arrangements with Financial Institution that relate to this Authorization. Number of signatures required 1

a,b,c,d,e

Execute other agreements that Financial Institution may require, and perform or cause to be performed any further action necessary to carry out the purposes of this Authorization. Number of signatures required 1

a,b,c,d,e

Other (specify) _____
Number of signatures required 1

INTERPRETATION. Whenever used, the singular includes the plural and the plural includes the singular. The section headings are for convenience only and are not to be used to interpret or define the terms of this Authorization.

SIGNATURES. By signing, I certify and agree to the terms contained in this Authorization on behalf of Authorizing Entity on 12/12/2016. I also acknowledge receipt of a copy of this Authorization.

Pennsylvania. The designation of an Agent does not create a power of attorney; therefore, Agents are not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code) unless the agency was created by a separate power of attorney. Any provision that assigns Financial Institution rights to act on behalf of any person or entity is not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code).

AUTHORIZATION'S SIGNERS:

By: [Signature]
Name Chairman

By: [Signature]
Attest: Name Secretary

FOR FINANCIAL INSTITUTION USE ONLY

Acct/Loan # 95054656 Authorization and agreement completed and effective 12/07/2016
By SHERRY TISCHLER for the Financial Institution.