

# **SPRING-BENNER-WALKER JOINT AUTHORITY**

## **REGULAR MEETING**

**June 8, 2015**

### **ATTENDANCE:**

**AUTHORITY MEMBERS:**

<b>Spring</b>	Joseph Galbraith Gregg Heny Dondi Smeltzer
<b>Benner</b>	Dan Hoffman William Hughes Timothy Miller
<b>Walker</b>	Dennis McDowell Ted Onufrak

**GUESTS:** None

**CONSULTING SOLICITOR:** Robert Mix, Esq.

**EMPLOYEES:** Kelly Gill

### **CALL TO ORDER:**

The June 8, 2015, 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. Scott was absent. 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 May 26, 2015 meeting minutes as presented. **Mr. Galbraith moved, seconded by Mr. Hoffman to approve the Minutes of the May 26, 2015 Regular Meeting as presented.** 8 ayes, 0 nays, 1 absent. **The motion carried.**

**CORRESPONDENCE:** There was no Correspondence presented for discussion.

**APPROVAL OF PAYMENTS:**

Approval of Requisitions:

**Revenue Fund Requisition 2012-56** – Mr. Onufrak presented the Board with Revenue Requisition 2012-56. **Mr. McDowell moved, seconded by Mr. Hughes to approve Revenue Requisition 2012-56 payable to SBWJA in the amount of \$31,110.07.**

Mr. Heny referenced the payment of \$3,000 to Baker Tilly Virchow Krause LLP and wanted to know what the bill was for. Mrs. Gill stated the payment was for the progress billing of our 2014 audit and the invoices are generated from Baker Tilly as a result of the merger with Parente Beard. 8 ayes, 0 nays, 1 absent. **The motion carried.**

**GUESTS:** There were no Guests present for the meeting.

**EXECUTIVE DIRECTOR'S REPORT:**

In Mr. W. Miller's absence, Mrs. Gill reviewed the Executive Director's Report.

**Auditor Suggestions** – Mrs. Gill informed the Board that following the completion of the Authority's 2014 financial statements, the Authority's auditor, Mr. DePasquale, highly recommended incorporating a separate Capital Improvements Expense account into the budget for tracking of any payments to Bellefonte Borough for upgrades to their Treatment Plant. The Capital Improvements Expense line item of the 2015 budget totaled \$770,000 of which \$400,000 was intended for Bellefonte Borough Treatment Plant Upgrades. Mrs. Gill informed the Board that she made the recommended changes which will be reflected in the Treasurer's Report provided at the next Board meeting. Mrs. Gill will reiterate the changes during discussion of the Treasurer's Report at the next meeting.

**Bellefonte Borough** – Mrs. Gill indicated a meeting is scheduled among the Authority's professional services on 06/09/2015 at Mr. Mix's office to evaluate the proposed upgrades to the Borough's Treatment Plant.

**Administrative Issues** – Mrs. Gill informed the Board that the office staff is still recovering mistakes made by a previous employee, which is very frustrating and time consuming. The most recent error involved the office staff searching for several hours to locate a sewer permit that was misfiled under the incorrect name and address. This involved reviewing each and every sewer permit on file with the Authority.

**SOLICITOR'S REPORT:** Mr. Mix had nothing to report.

**OLD BUSINESS:**

**Employee Personnel Handbook** – The Board was provided with a draft Employee Personnel Handbook which was prepared by Mr. W. Miller based on previous Board discussions and recommendations by the Authority's Solicitor. Mr. T. Miller indicated he would welcome any discussions regarding the handbook and would review the document page by page.

**Page 1 (Organizational Chart)** – Mr. Onufrak stated the Organizational Chart appears to indicate that the Maintenance Supervisor reports to the Office Administrator and asked if this was correct. Mrs. Gill stated that the Maintenance staff reports directly to the Executive Director but in his absence, she as the Office Administrator would be consulted prior to any major decision making. Mrs. Gill indicated the organizational chart was modified several years ago when the last changes to the handbook were approved, but she wasn't sure if Mr. W. Miller still wanted it to remain as stated. **Further discussion to be held with Mr. W. Miller regarding the organizational chart.**

Mr. Onufrak suggested modifying the wording Clerical Staff to Clerk/Secretary to be more consistent with the Authority's job titles and descriptions.

**Page 2 (At Will Employment Statement)** – Mr. T. Miller asked if it was necessary to add the paragraph pertaining to At Will Employment because of its harshness. Mr. Mix stated that it was not necessary, but it does make it clear to the employees and he recommends it be added. The Board recommended adding only the following language to the end of the first paragraph under the Fair Exchange: All individuals employed by the Authority are employed at-will.

**Page 3** – No Changes

**Page 4 (Articles of Incorporation)** – Ok with changing number of Pump Stations from seventeen to eighteen.

**Page 5 (Section A-2 Coverage)** – Mr. Onufrak suggested deleting the words full-time and part-time employees and adding all employees.

**(Section A-3 (3.2, 3.4)- Part-Time Employment)** – Mr. Onufrak asked Mr. Mix if he knew the minimum amount of hours an employee must work to qualify for health insurance coverage. Mr. Mix was unsure, but will look into this further. Mr. Onufrak indicated he would like to add language to this section that specifies what constitutes part-time employment; ie. amount of hours worked, benefits included, etc.

**(Section A-3 (3.6) - Probationary Period)** – Mr. Onufrak referenced wording in this section that would allow the Executive Director to permit accrued leave during a probationary period and feels that this should not be permitted. The Board agreed; therefore, the sentence will now read: Accrued leaves will not be permitted during a probationary period.

**(Section A-3 (3.7) – Suspension)** – Mr. Hoffman indicated Suspension was also listed under Section C-11, 11.1 on Page 16 and suggested they should likely be combined. The Board agreed to keep both sections; however, add language to the end of Section A-3; 3.7 to state: In accordance with Section C-11 Suspension, Demotion, Dismissal.

**Page 6 (Section B-3 Job Descriptions – Executive Director)** – Mr. Onufrak referenced Section 3.2 Class Definition under the Executive Director's job description and pointed out that the last sentence needs to combine secretarial and clerical staff and also include the maintenance staff. The last sentence will now read: Has primary administrative responsibility for efficient office performance, primarily through the supervision of all staff.

**Page 7** – No Changes

**Page 8 (Section B-4 Job Descriptions – Office Administrator)** – Mr. Onufrak referenced the Office Administrator title currently listed as a Non-Exempt position and suggested that this should likely be changed to an Exempt position due to the supervision of other personnel.

**Page 9 (Section B-5 Job Descriptions – Maintenance Supervisor)** – Mr. Onufrak noted the Maintenance Supervisor title should likely be changed to an Exempt position due to the supervision of the maintenance department.

**Page 10 (Section 5.4- Required Knowledge, Skills and Abilities)** – Mr. Onufrak referenced the sentence stating: Ability to lift heavy objects in excess of 100 pounds and asked if this was an industry standard. Mrs. Gill indicated this language was in the job description prior to any of the existing employees being employed with the Authority and wasn't sure if this was still an accurate amount of weight to be required to lift. **Further discussion to be held with Mr. W. Miller regarding the lifting of heavy objects.**

**(Section 5.5 – Minimum Qualifications)** – Mr. Onufrak suggested we may want to add a specific class of CDL license with endorsements needed within one year of employment. Mrs. Gill indicated some of the employees have Class A and others have Class B licenses, but the Air Brakes endorsement is needed for driving our larger equipment. **Further discussion to be held with Mr. W. Miller regarding class of CDL needed along with endorsements.**

**Page 11 (Section B-6 Maintenance Laborer Job Description; (6.3)- Features of Work** – Mr. Hoffman would like to see language added to this section to reflect on call duties. The following sentence will be added to the end of the paragraph: May be assigned on call as needed by Authority.

**(Section B-6 (6.6) – Minimum Qualifications)** – Mr. Onufrak mentioned the language regarding able to lift heavy objects in excess of 100 pounds which needs clarification with Mr. W. Miller. Mr. Onufrak also referenced the existing language which states: Must be able to climb ladders and descend into manholes over twenty feet deep and suggested the wording be modified to state the employee must be able to pass Confined Space Training.

**Page 12** – No changes

**Page 13** – No changes

**Page 14 - (Section C-3 (3.1 (B)) Period of Work Week )** – Mr. Heny indicated he believes the work week was defined at another location in the handbook, but suggests referencing that section when discussing the period of the work week. The first sentence of Section 3.1 will now state: The normal workweek for non-exempt employees shall be 40 hours and as defined in Section D (1.3) Pay Period.

**(Section 3.2 – Lunch Period )** – Mr. Galbraith indicated he believes the lunch period should be more defined because it currently states no less than one-half hour, but no more than one hour. Mrs. Gill indicated all employees are permitted a 30 minute lunch break. The last sentence of Lunch Period will state: The lunch period shall be one-half hour.

**(Section 3.3 – Breaks )** – Mr. T. Miller asked if we only give one fifteen minute break per day. Mrs. Gill stated that as an employer we are not required to provide a break, but will allow a fifteen minute break after two continuous hours of work, which would amount to one in the morning and one after lunch.

**Page 15 – (Section C-4 Time Clock; (4.2) Overtime Hours)** – Mr. Onufrak suggested modifying the sentence to state the following: All overtime must be approved and initialed by the Executive Director or his/her designee.

**(Section C-5 - New Employees)** – The Board wanted the word regular removed from the second paragraph under New Employees.

**(Section C-6 – Promotions; (6.1 (B)) – Criteria for Promotion** – Mr. Heny referenced the second sentence under Criteria for Promotion and suggested removing the words: and the Authority Board so that the Executive Director is solely responsible for determining whether or not an employee be considered for promotion.

**Page 15 continued**

**(Section 6.1 (D)) – Status During Promotional Probationary Period** – The Board asked for clarification as to whether or not the word terminated should be replaced with demoted and whether or not the last sentence should remain. **Further discussion to be held with Mr. W. Miller regarding this section.**

**Page 16 (Section C-8 – Resignations)** – Mr. Onufrak stated that he believes any Exempt employee resigning should provide 30 days written notice and Non-Exempt employees can remain at two weeks written notice. The Board agreed.

**Page 17 (Section 11.1 (D)) – Suspension During an Investigation** – Mr. Heny asked for clarification of the second sentence under Section 11.1 (D) which states: The suspension shall terminate within ten days after completion of the case for which he was suspended by resignation or dismissal of the employee, by reinstatement or by other appropriate action. The Board believes the sentence should be modified to state: **The employee's status of employment will be resolved within ten days of resolution of the case.**

**Page 18 (Section 11.3 Dismissal)** – Mr. Heny referenced the second sentence of this section which indicates a probationary, temporary or seasonal employee will not be given a written statement regarding reasoning for dismissal and asked why we would treat any of those employees differently. The Board suggested removing the words **except probationary, temporary or seasonal employees.**

**(Section 12.1 Sequence of Appeals)** – Mr. Onufrak indicated the last word in the paragraph should state **manner** instead of matter.

**Page 19 (Section 12.4 (C))** – Mr. Heny reviewed the sentence of this section and asked what the next step (after the 3<sup>rd</sup>) of appeal would be. The Board indicated that there is no next step. The decision of the Board will be final. Mr. Onufrak suggested adding language to Section 12.1 (C) to now read as: **Final disposition may be presented to the entire Board and the decision of the Board is final.**

**(Section D-1 (1.1) Pay Plan & Compensation Policies)** – Mr. Smeltzer asked Mrs. Gill if she was aware that she would be providing an annual evaluation of the office personnel and Mrs. Gill stated yes, she already has this past year. Mrs. Gill also indicated that the Maintenance Supervisor will be providing an annual evaluation of the Authority's maintenance staff. Mr. Onufrak referenced the additional language added by Mr. W. Miller that refers to an annual evaluation but doesn't necessarily specify a timeframe. Mrs. Gill stated that the employees are evaluated at the end of each year and the new wages take effect January 1<sup>st</sup> of the following year. Mr. Onufrak stated that this may become very time consuming as the Authority grows and suggested adding language to allow these evaluations at the employee's anniversary date. The Board agreed so the sentence will now read as follows: **The Executive Director or his/her designee will provide a written performance evaluation for each employee no less than one time each year of employment at or before the employee's anniversary date.**

**Page 19 continued**

**(Section D-1 (1.2)(A) Pay Ranges for Non-Exempt Employees** – Mr. Onufrak referenced the pay ranges listed in this section and indicated these would need adjusted on an annual basis due to the cost of living increases, which would also require Board approval. The Board discussed the pay ranges currently listed in the handbook and agreed to remove this section in its entirety; therefore, there will be no pay ranges included in the employee handbook. The pay range can be provided to an employee during initial employment or upon annual evaluation, if needed. Mr. Onufrak stated the pay scale is more of a function of the budget than of an employee handbook. The pay scale can be provided as part of the annual budget.

**(Section D-1 (1.3) Pay Periods and Promotion Pay)** – Mr. Onufrak stated that if Compensatory Time is permitted to continue, he recommends having the employee document in writing, as part of their timecard, that they are requesting any overtime be converted to compensatory time. Mr. Onufrak also indicated the Executive Director's designee should be added to the end of the last sentence. The sentence will now read as: **All time cards will be approved and initialed by the Executive Director or his/her designee.**

**Page 20 (Section D-1 (1.4 & 1.5) Reclassification of Pay & Change of Class in Pay Range Level)** – Mr. Henry referenced Sections 1.4 and 1.5 and stated they seem to be repetitive of one another. **Further discussion to be held with Mr. W. Miller regarding combining these sections.**

**(Section D-1 (1.6) Call out Pay)** – Mr. Onufrak asked for clarification of the second sentence under Call out Pay, which states the employee must contact the Executive Director or his/her designee prior to returning to work. **Further discussion to be held with Mr. W. Miller regarding the necessity of this sentence.**

**Pages 20-21 (Section D-1 (1.8)(A) Overtime Compensation & Compensatory Time Off)** – Mrs. Gill explained to the Board that currently any paid time off counts towards physical hours worked in determining overtime. This is not required by State law; however, the Authority has configured payroll based on counting any paid time off as physical hours worked. Our existing handbook does not specify how overtime is calculated in conjunction with paid time off and the handbook should be updated to reflect this, if the Authority Board wants to continue as it has. Mr. W. Miller added language to the handbook to reflect the State's recommendation for calculation of overtime which indicates any paid time off, including holidays, does NOT count towards hours worked in determining overtime. After a lengthy discussion, the Board decided to modify Mr. W. Miller's addition of language to state: **For purposes of determining whether an employee has reached the 40 hour threshold in a work week, time off due to vacation, holidays, sick leave, personal or compensatory leave is counted as "hours worked."** The Board tabled making any changes pertaining to Compensatory Time off until Mr. Mix and Mr. Hoffman have further discussions pertaining to the pending Senate Bill.

**Page 22 (Section D-6 Mileage Reimbursement)** – Mr. Hoffman suggested adding language that the request for mileage reimbursement should be in writing. Mrs. Gill informed the Board that typically a form is completed by the employee requesting mileage reimbursement. The Board agreed to have language added to this section stating the employee will have to provide their request for reimbursement in writing.

**(Section E-1 (1.3)(A) Accrual of Leave )** – Mrs. Gill informed the Board that in order for an employee to accrue paid time off (PTO) by pay period, the PTO has to be taken out to three decimal points (thousandths) to make it as close as possible to the annual amount earned. This method makes it very difficult when distributing PTO; therefore, Mr. W. Miller has made some changes to the handbook to simplify the accrual by pay period. The Board did not have any issues with Mr. W. Miller's recommendation other than the word **Weekly** needs added to Time Accrual per Pay Period so it is made clear that PTO is accrued on a weekly basis.

**Page 23 (Section E-1 (1.4) (A) Department Head Approval)** – Mr. Onufrak suggested the Board review Section 1.4 (A) and (C) and indicated he believes Section 1.4 (A) should be modified to reflect any vacation leave five days or less must be approved at least two weeks in advance by the Supervisor with completion of a request for time off work slip. The last sentence in Section 1.4 (C) will need the words **or his/her designee** added to the end of the sentence.

Mrs. Gill informed the Board that an issue has recently surfaced with a particular employee since the two week advanced notice prior to scheduling any PTO has been enforced. A certain employee has scheduled time off, mostly Fridays and Mondays, but has shown up for work, which makes it difficult with planning the daily work schedules. At one point our Authority was asked to complete some emergency work for College Township the next day, which happened to fall on a Friday, but the Authority was short on staff due to vacation schedules. This particular employee was asked if he/she would be working that next day and we were told no, so the Authority was unable to help College Township. That employee ended up showing up for work the next day; therefore, the work could've been scheduled. Mrs. Gill indicated that Mr. W. Miller was proposing to add language to the handbook to reflect that any PTO scheduled has to be used. The Board agreed with Mr. W. Miller's interpretation and stated that the employee should be sent home if he/she has the day off scheduled and would decide to show up for work.

**(Section E-1 (1.5) Vacation Carry Over)** – Mr. Hoffman referenced the maximum amount of vacation leave that can carry over from one year to the next and asked what occurs if an employee has more than he/she is permitted to carry over. Mrs. Gill indicated that the employee does not lose the time. Any excess vacation time will be paid out to the employee. Mr. Onufrak suggested the Authority may want to make some modifications to this section to allow an employee to "cash out" their vacation leave and he will present some recommendations at a future meeting.

**(Section E-2 Sick Leave (2.2) Eligibility)** – Mr. Onufrak indicated that some changes may need made to this section to reflect part-time permanent employment dependent upon Mr. Mix's findings.



The Board decided to stop the review of the Employee Personnel Handbook at the end of Page 23 and will continue with Page 24 at the next meeting on June 22, 2015.

**NEW BUSINESS:** There was no New Business presented for discussion.

**COMMITTEE REPORTS:**

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

**Facilities Committee:** Mr. Hughes had nothing to report.

**Finance Committee:** Mr. Onufrak had nothing to report.

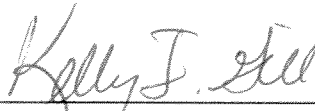
**ADJOURNMENT:**

**Mr. Hughes moved, seconded by Mr. Heny to adjourn the meeting at 8:52 p.m. 8 ayes, 0 nays, 1 absent. The motion carried.**

Respectfully submitted,



William Hughes, Secretary



Kelly J. Gill, Recording Secretary

CC: Benner Township \_\_\_\_\_  
Spring Township \_\_\_\_\_  
Walker Township \_\_\_\_\_