

**North Wales Water Authority  
Board of Directors Meeting  
Minutes of 11/13/2019**

**Call to order:**

A regular business meeting of the NWWA Board of Directors was held at the NWWA Offices, 200 West Walnut Street, North Wales, PA., 19454, on November 13, 2019, and was called to order at 5:00 p.m.

**Pledge of Allegiance:**

Mrs. Nagel led all in attendance in the Pledge of Allegiance

**Roll Call:**

Roll call was taken and recorded as follows;

<u>Attendee Name</u>	<u>Organization</u>	<u>Title</u>	<u>Status</u>
Joan H. Nagel	NWWA	Chair	Present
Albert S. Tenney	NWWA	Vice Chair	Present
Donna L. Mengel	NWWA	Secretary	Present
Neil J McDevitt	NWWA	Treasurer	Present
Sally K. Neiderhiser	NWWA	Asst./Sec Treasurer	Present
Robert C. Bender	NWWA	Executive Director	Present
Brad S. Fisher, P.E.	NWWA	Director of Eng. / Ops.	Present
Christine Lezoche	NWWA	Director of Finance	Present
Michael Clarke Esq.	Rudolph Clarke	Authority Solicitor	Present
Kenneth Heydt, P.E.	Carroll Engineering	Authority Engineer	Present
Lane Bodley, P.E.	Carroll Engineering	Authority Engineer	Present
Allen Mason P.E.	Carroll Engineering	Authority Engineer	Present

Becca Suskin was in attendance as the ASL interpreter for Mr. McDevitt

**Approval of Minutes:**

The Board next considered approval of the Minutes of 10/9/2019. Upon a motion of member McDevitt, seconded by member Mengel the minutes were approved, as presented.

**☑ Vote Record**

			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
x Approved Tabled Failed		Mrs. Nagel	x			
		Mr. Tenney	x			
		Ms. Mengel	Seconded	x		
		Mr. McDevitt	Initiator	x		
		Mrs. Neiderhiser		x		

**Public Comment:**

No public present

**Agreements-Bids and Contracts:**

None This Meeting

**Resolutions:**

Resolution 2019-10 authorizing the Sale of NWWA Real Property Parcel 39-00-00727-00-8 located in Lower Gwynedd Township, being a decommissioned former Well # 20 lot. Mr. Bender explained that he well has been out of service for over a decade and that there are no future plans to use the well, making it a surplus property. Upon a motion by member Tenney, seconded by member Mengel the Resolution was approved.

<b>☑ Vote Record</b>						
x	Approved		Yes/Aye	No/Nay	Abstain	Absent
	Tabled	Mrs. Nagel	x			
	Failed	Mr. Tenney	Initiator	x		
		Ms. Mengel	Seconded	x		
		Mr. McDevitt		x		
		Mrs. Neiderhiser		x		

Mr. Bender recommended and requested authority to return the \$1000.00 deposit that was previously posted by Mr. Joseph DeSantis, as we now have the property under agreement of sale with another party. The Board agreed and authorized the reimbursement by motion by member Tenney, seconded by member Neiderhiser, and vote as follows:

<b>☑ Vote Record</b>						
x	Approved		Yes/Aye	No/Nay	Abstain	Absent
	Tabled	Mrs. Nagel	x			
	Failed	Mr. Tenney	Initiator	x		
		Ms. Mengel		x		
		Mr. McDevitt		x		
		Mrs. Neiderhiser	Seconded	x		

**Solicitor:**

The Solicitor requested approval of a Contract for Professional Services for project # E1052 for Upper Gwynedd Equities, LLC, d/b/a Shoppes at Upper Gwynedd, located at 467 Sumneytown Pike, Upper Gwynedd Township. Upon a motion by member Tenney, seconded by member McDevitt the contract was approved.

<b>☑ Vote Record</b>						
x	Approved		Yes/Aye	No/Nay	Abstain	Absent
	Tabled	Mrs. Nagel	x			
	Failed	Mr. Tenney	Initiator	x		
		Ms. Mengel		x		
		Mr. McDevitt	Seconded	x		
		Mrs. Neiderhiser		x		

The Solicitor reviewed and recommended Authority participation in pending litigation being pursued by multiple Authorities in several states, against 11 firefighting foam manufacturers due to contamination of the aquifer and resultant damages and future expenses. He noted that the Authority would not incur any legal expenses as the legal firm pursuing the litigation on behalf of the Authorities is doing so on a contingency basis. He also noted that the Authority could opt-out at any time, without incurring liability.

Upon a motion by member Mengel, seconded by member Tenney all those present approved Authority participation.

**☑ Vote Record**

x Approved Tabled Failed			Yes/Aye	No/Nay	Abstain	Absent
		Mrs. Nagel		x		
	Mr. Tenney	Seconded	x			
	Ms. Mengel	Initiator	x			
	Mr. McDevitt		x			
	Mrs. Neiderhiser		x			

The Solicitor advised the Board that Warrington Township had erroneously conveyed several assets and easements to the NWWA during the recent settlement of the water system. He requested authorization to rectify any such matters, requesting that the following motion be approved: MOTION REGARDING WARRINGTON TOWNSHIP'S SALE OF SEWER SYSTEM ASSETS TO BUCKS COUNTY WATER & SEWER AUTHORITY.

"I hereby move that the North Wales Water Authority Board authorize and direct the Executive Director and the Solicitor to take all necessary actions to rectify the erroneous conveyance to NWWA by Warrington Township of certain assets and easement rights applicable to the sale of the Township public sewer system to Bucks County Water & Sewer Authority, in order to ensure the respective rights and obligations of NWWA and BCWSA, in connection with the sale of the Township's public water system to NWWA, effective as of October 1, 2019, and the sale of the Township's public sewer system to BCWSA, scheduled for closing on November 14, 2019." Upon a motion by member McDevitt, seconded by member Tenney the motion was approved.

**☑ Vote Record**

x Approved Tabled Failed			Yes/Aye	No/Nay	Abstain	Absent
		Mrs. Nagel		x		
	Mr. Tenney	Seconded	x			
	Ms. Mengel		x			
	Mr. McDevitt	Initiator	x			
	Mrs. Neiderhiser		x			

**Engineer:** Nothing to report

**Operations:**

Mr. Fisher reviewed the monthly operations report and noted that there was nothing out of the ordinary to bring to the attention of the Board. He next distributed a copy of a letter and drawings that have been sent to Warrington Township pertaining to water service and fire service installations. He explained that Warrington Township had previously permitted a different specification than NWWA for installation of the two services and that this design will apply to all new services and will be fully incorporated into our Rates & Regulations when they are updated. Mr. Fisher requested Board approval to implement the new design and specifications immediately incorporating them into the next update of

the NWWA Rules and Regulations and standard specifications. A signed and dated copy of the design will be retained in the permanent NWWA files. Upon a motion by member Mengel, seconded by member McDevitt all were in agreement.

**Vote Record**

x Approved Tabled Failed			Yes/Aye	No/Nay	Abstain	Absent
	Mrs. Nagel			x		
Mr. Tenney			x			
Ms. Mengel	Initiator		x			
Mr. McDevitt	Seconded		x			
Mrs. Neiderhiser			x			

**Bills & Requisitions Approval:**

Mrs. Lezoche that there were no payments out of the ordinary on the bills listings, then recommending and requesting approval to pay and process all invoices, refunds, transfers, and to requisition funds, as presented.

- a. **Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/11/2019**
- b. **Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/18/2019**
- c. **Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/24/2019**
- d. **Ratification of Bills, Refunds, Transfers and Requisitions List dated: 11/06/2019**

Payment of the bills as presented was approved by the Board in accordance with the following vote with

Roll Vote Record

x Approved Tabled Failed			Yes/Aye	No /Nay	Abstain	Absent
	Mrs. Nagel			x		
Mr. Tenney			x			
Ms. Mengel	Initiator		x			
Mr. McDevitt	Seconded		x			
Mrs. Neiderhiser			x			

**Executive Director:**

Mr. Bender presented the proposed budget for fiscal year ending December 31, 2020 for approval. He noted that the prior year included many changes as the result of recent system acquisitions, changing of the fiscal year from November to January, and several single instance expenses for our new Bucks County facilities. He congratulated the operations and financial staff for their extra efforts in preparing the budget.

Upon a motion by member Tenney, seconded by member Neiderhiser the budget was approved.

**Vote Record**

x Approved Tabled Failed			Yes/Aye	No/Nay	Abstain	Absent
	Mrs. Nagel			x		
Mr. Tenney	Initiator		x			
Ms. Mengel			x			
Mr. McDevitt			x			
Mrs. Neiderhiser	Seconded		x			

Member Tenney made a motion, seconded by member Mengel, to amend the employment contract of Executive Director Robert C Bender, in accordance with the terms of a performance review letter dated November 13, 2019 and signed by the Board Chair.

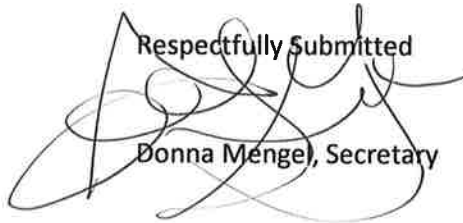
**☑ Vote Record**

			Yes/Aye	No/Nay	Abstain	Absent
x Approved Tabled Failed		Mrs. Nagel	x			
		Mr. Tenney Initiator	x			
		Ms. Mengel Seconded	x			
		Mr. McDevitt	x			
		Mrs. Neiderhiser	x			

**Adjournment:**

There being no further business to be brought before the Board, upon motion by member Neiderhiser, seconded by member Mengel the meeting was adjourned at 5:25 pm.

All present voted in favor.

Respectfully Submitted  
  
 Donna Mengel, Secretary