

**North Wales Water Authority  
Board of Directors Meeting  
Minutes of November 17 2021**

**Call to order:**

A regular business meeting of the NWWA Board of Directors was held on November 17, 2021, at the NWWA Business office, 200 West Walnut Street, North Wales, PA. The meeting was called to order by Board Chair Nagel at 5:05 pm.

**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               | Absent                 |
| Neil J. McDevitt       | NWWA                | Treasurer               | Present by Audio/Video |
| Sally 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 Lezocho      | NWWA                | Director of Finance     | Present                |
| Michael P Clarke, Esq. | Rudolph Clarke      | Authority Solicitor     | Present                |
| Barbara Merlie, Esq.   | Rudolph Clarke      | Authority Solicitor     | Present                |
| Lane Bodley P.E.       | Carroll Engineering | Authority Engineer      | Present                |
| Allen Mason P.E.       | Carroll Engineering | Authority Engineer      | Absent                 |

Becca Suskin was present by video as the ASL interpreter for Mr. McDevitt.

Ms. Mengel called before the meeting to advise that she would not be able to attend due to illness.

**Approval of Minutes:**

The Board next considered approval of the Minutes of the 10/20/2021 meeting. Upon motion of member Tenney, seconded by member Neiderhiser the minutes were approved.

**Vote Record**

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

**Public Comment:** Mr. Steven Smith of the Talamore Development was present to observe the meeting but offered no public comment.

**Resolutions:** None this meeting

**Bids and Contracts:** None this meeting

**Solicitors Report:**

Solicitor Clarke reported that a brief executive session to discuss a personnel matter occurred after the regular meeting with no formal action taken.

He next requested:

A motion to approve the Extension Agreement and Deed of Dedication for project E1055 by Montgomery Realty Associates, located at 744 Bethlehem Pike.

Upon a motion by member Tenney, seconded by member McDevitt the agreements were approved.

**Vote Record**

| x | Approved<br>Tabled<br>Failed |                  | Yes/Aye   | No/Nay | Abstain | Absent |
|---|------------------------------|------------------|-----------|--------|---------|--------|
|   |                              | Mrs. Nagel       | x         |        |         |        |
|   |                              | Mr. Tenney       | Initiated | x      |         |        |
|   |                              | Ms. Mengel       |           |        |         | x      |
|   |                              | Mrs. Neiderhiser | x         |        |         |        |
|   |                              | Mr. McDevitt     | Seconded  | x      |         |        |

A motion to approve the Professional Services Agreement for project E1052A by Upper Gwynedd Equities (Shoppes at Upper Gwynedd Phase 2) located at Sumneytown Pike and Church Road.

Upon a motion by member Neiderhiser, seconded by member McDevitt the agreement was approved.

**Vote Record**

| x | Approved<br>Tabled<br>Failed |                  | Yes/Aye   | No/Nay | Abstain | Absent |
|---|------------------------------|------------------|-----------|--------|---------|--------|
|   |                              | Mrs. Nagel       | x         |        |         |        |
|   |                              | Mr. Tenney       | x         |        |         |        |
|   |                              | Ms. Mengel       |           |        |         | x      |
|   |                              | Mrs. Neiderhiser | Initiated | x      |         |        |
|   |                              | Mr. McDevitt     | Seconded  | x      |         |        |

A motion to approve Professional Services Agreement # E1075 for Roosevelt Court at Gwynedd LLC, including a nine 9 lot subdivision.

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

**Vote Record**

| x | Approved<br>Tabled<br>Failed |                  | Yes/Aye   | No/Nay | Abstain | Absent |
|---|------------------------------|------------------|-----------|--------|---------|--------|
|   |                              | Mrs. Nagel       | x         |        |         |        |
|   |                              | Mr. Tenney       | Seconded  | x      |         |        |
|   |                              | Ms. Mengel       |           |        |         | x      |
|   |                              | Mrs. Neiderhiser | Initiated | x      |         |        |
|   |                              | Mr. McDevitt     | x         |        |         |        |

Solicitor Clarke then requested Board approval to amend the terms of the employment agreement for the Executive Director, as outlined in a letter dated November 17, 2021 and executed by the Board Chair Nagel.

| <input checked="" type="checkbox"/> <b>Vote Record</b> |                  |           |         |        |         |        |
|--|------------------|-----------|---------|--------|---------|--------|
| x Approved<br>Tabled<br>Failed                         |                  |           | Yes/Aye | No/Nay | Abstain | Absent |
|  | Mrs. Nagel       |           | x       |        |         |        |
|  | Mr. Tenney       | Seconded  | x       |        |         |        |
|  | Ms. Mengel       |           |         |        |         | x      |
|  | Mrs. Neiderhiser |           | x       |        |         |        |
|  | Mr. McDevitt     | Initiated | x       |        |         |        |

Solicitor Merlie reported that the cooperative agreement with the North Wales Borough pertaining to the upcoming Elm Avenue I&I and Storm water project has been sent to the Borough Solicitor for review.

**Engineers Report:**

Mr. Lane Bodley presented Payment Application # 12 for Bid Contract 521-19-01A, payable to CBI Tank Storage Solutions, in the amount of \$396,925.03 for completion of work at the Montgomery 3 Tank Site. Mr. Bender complimented the contractor on the very clean worksite.

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

| <input checked="" type="checkbox"/> <b>Vote Record</b> |                  |           |         |        |         |        |
|--|------------------|-----------|---------|--------|---------|--------|
| x Approved<br>Tabled<br>Failed                         |                  |           | Yes/Aye | No/Nay | Abstain | Absent |
|  | Mrs. Nagel       |           | x       |        |         |        |
|  | Mr. Tenney       | Initiated | x       |        |         |        |
|  | Ms. Mengel       |           |         |        |         | x      |
|  | Mrs. Neiderhiser | Seconded  | x       |        |         |        |
|  | Mr. McDevitt     |           | x       |        |         |        |

**Operations Report:**

Mr. Fisher reviewed the monthly operations report noting that there was not anything out of the ordinary. He noted that the site work at 1553 Easton Road property had commenced. He presented the photographs showing construction progress on the new Montgomery 3 water storage tank.

Mr. Fisher then presented the following payment applications for approval.

Payment Application #5 for Bid Contract 520-20-13A for General Construction work at Warrington Wells 3 & 9, in the amount of \$706,951.25 payable to Pact Two, LLC.

Upon a motion by member Neiderhiser, seconded by member McDevitt the payment was approved.

| <input checked="" type="checkbox"/> <b>Vote Record</b> |                  |           |         |        |         |        |
|--|------------------|-----------|---------|--------|---------|--------|
| x Approved<br>Tabled<br>Failed                         |                  |           | Yes/Aye | No/Nay | Abstain | Absent |
|  | Mrs. Nagel       |           | x       |        |         |        |
|  | Mr. Tenney       |           | x       |        |         |        |
|  | Ms. Mengel       |           |         |        |         | x      |
|  | Mrs. Neiderhiser | Initiated | x       |        |         |        |
|  | Mr. McDevitt     | Seconded  | x       |        |         |        |

Payment Application #4 for Bid Contract 520-20-13B for Electrical Work at Warrington Wells 3 & 9, in the amount of \$21,690.00 payable to GS Developers.

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

**☑ Vote Record**

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

Payment Application #3 for Bid Contract 520-20-12 for Water Main Improvements at Upper and Lower Barness Roads, in the amount of \$73,413.09 payable to Shainline Excavating. He noted that this project was part of the purchase agreement with Warrington Township and that all work is completed except for the final paving.

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

**☑ Vote Record**

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

Mr. Fisher next requested Board approval of the following Certificates of Completion:

- E-0922 Firefox Phase 1 Southern Village Montgomery Township
- Warrington Glen Warrington Township

Upon a motion by member McDevitt, seconded by member Neiderhiser, the certificates were accepted.

**☑ Vote Record**

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

**Bills & Requisitions Approval:**

Mrs. Lezoche reported that there were no payments or fiscal activities out of the ordinary on the bill listings, recommending and requesting approval to pay and process all invoices, refunds, transfers, and to requisition funds, as presented within the following lists:

- a. Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/21/2021
- b. Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/28/2021
- c. Ratification of Bills, Refunds, Transfers and Requisitions List dated: 09/30/2021
- d. Ratification of Bills, Refunds, Transfers and Requisitions List dated: 11/05/2021
- e. Ratification of Bills, Refunds, Transfers and Requisitions List dated: 11/11/2021

Mr. McDevitt inquired about the payment to Upper Gwynedd Township, asking if it was for base charges, or excess flows. It was confirmed that it was the base charge only for monthly capacity per the agreement.

Payment of the bills presented was approved by the Board in accordance with the following roll call vote:

**Roll Vote Record**

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

**Executive Directors Report:**

Mr. Bender presented the following to the Board.

He noted that the Pa DCED/H2O grant program would provide reimbursement for water main installations in the streets, and the decommissioning of contaminated wells, but would not reimburse the NWWA for the installation of the individual water service lines needed to connect to the mains and provide public water to the homes and businesses with contaminated (PFOS/PFAS) wells. The estimated cost of these service lines is \$520,000.00.

He next requested authorization to submit a *revised 2021/2022 MIRIA Grant application* amending the previously submitted application to include the funds needed to complete the above referenced service installation reimbursements, in the amount of \$520,000,00. We would then defer an equal amount which was included as a portion of the previously approved Montgomery 3 Tank reimbursement request, until the 2022/2023 grant year. He advised that the Authority would not suffer a loss of funding as the tank construction would not be completed until 2023 anyway.

Mr. Bender requested authorization to submit a letter request to the DCED/H2O PA grant office requesting both budget adjustments and the extension of time which is now necessary to complete the work being funded in Warrington, due to the supply chain delays in obtaining pipe and other materials as well as continued increases in costs. He noted that prices for both metal pipe (water mains) and asphalt products have continued to increase significantly.

Upon a motion by member Neiderhiser, seconded by member Tenney the board authorized the Executive Director to amend both the MIRIA and two H2O Applications, as summarized above

**Vote Record**

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

Mr. Bender next requested permission to support a recent PA Senate Bill proposing changes to the American Rescue Plan, allowing Authorities to file funding applications directly, as opposed to requesting a portion of municipal funding, municipality by municipality, as is the current procedure.

Upon a motion by member Tenney, seconded by member Neiderhiser, the Board authorized support of the proposed legislation.

**Vote Record**

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

Mr. Bender updated the Board on the 2022 Budget progress noting that although the draft budget was very tight, no rate increase was included for 2022. He did note that as it has been 27 years since our last rate increase, and as expenses have risen annually since, a modest increase will be needed commencing in 2023, which currently estimated at about 8 cents per day to the average residential water customer. He said that the draft budget is expected to be completed within a week and would be formally presented by Howard Woods and Christine Lezoche at the December meeting, along with an updated long term financial plan.

**Adjournment:**

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

All present voted in favor.

Respectfully Submitted



Sally Neiderhiser, Asst. Secretary/Treasurer