

MINUTES OF THE MEETING OF THE BOARD OF THE SANITARY SEWER
AUTHORITY OF THE BOROUGH OF SHICKSHINNY

October 20, 2009

September 15, 2009:

Gilbert Gleco, Chairman of the board, called the monthly meeting for **September 15, 2009** to order. The following board members were present at roll call: Gilbert Gleco, Francene Tearpock-Martini, Michael Steeber, David Reider, and Barry Noss. Also in attendance Michael Daddio, N.D. Financial, Mark Gensel, Plant Operator and Mary Beach, Secretary. Mr. Gleco acknowledged there were three (2) people from the public present.

Operator's Report:

Mr. Gensel presented and read a written report.

A blockage on E. Vine Street was reported and Smith's Sewer and Drain was called in. A discussion was held regarding the repairs done previously by another contractor.

Motion by Ms. Tearpock-Martini to have Reilly contact the contractor who did the repair and move forward to get that corrected. 2nd by Mr. Steeber. Mr. Gleco said ok a motion was made and 2nd all in favor by stating aye. All stated aye, Motion passed.

Motion by Mr. Steeber that in the next billing a note be put on the bills advising every household should have a check valve for their own protection.

Motion to accept the operators report by Mr. Steeber 2nd Mr. Noss. All stated aye. Motion passed.

Reading of the Minutes:

Ms. Tearpock-Martini questioned the mail going to the home of chairman Gilbert Gleco. Mr. Gleco stated he would continue to receive it because it was being stolen by the secretary Mary Beach.

Ms. Tearpock-Martini asked if the lab reports were kept on the premises and available to the public. Ms. Tearpock-Martini asked if the records for the truck were available. Mr. Gensel stated they were.

Mr. Gensel asked if the integrity of his job was in question. Ms. Tearpock-Martini stated that she was asking for permission for an executive session. She requested one with Mr. Steeber because she was unable to contact Mr. Gleco.

Motion by Mr. Steeber to accept the minutes 2nd Mr. Noss. All stated Aye except Mr. Reider who stated he wasn't there and he abstained. Motion passed.

Bills for Approval:

Mr. Reider questioned the Kirby bill.

Mr. Reider questioned the Reilly bill. Mr. Gleco stated it was for work done and was put in the budget for \$11,000. Mr. Reider asked if any of that would be charged back to the project for getting grant money. Mr. Gleco stated it probably would be included.

Motion to pay the bills by Mr. Noss 2nd by Mr. Steeber. Roll call vote David Reider, Francene Tearpock-Martini, Mike Steeber, Barry Noss and Gilbert Gleco yes. Motion passed.

Mr. Gleco said if there are not any additions or approvals to the agenda then if not we are going to go into new business and the accountant is here.

Mr. Steeber asked if they were going to assign someone to sign the checks, because he didn't have time in his schedule. Mr. Gleco said the secretary treasurer would and that it would be done tomorrow. Mr. Reider asked Mr. Gleco if he needed a motion for that and Mr. Gleco stated no. Mr. Reider stated to make sure he gets bonded.

ND FINANCIAL AUDIT REPORT:

Michael Daddio passed out the audit report to the board members present.

Mr. Daddio stated that he performed the audit for the year ending 2008. The black binder has the independent auditors report, supplementary schedules and other information that is disclosed in the audit. The 2nd page has a table of contents that will guide you through this package of information. The audit is a total of 26 pages of financial statements, notes, discussion and analysis section. . And further more in our section that is called notes of the financial statement we disclosed the fact that the Borough owes the Authority \$16,000.00.

Mr. Daddio stated pointing to the letter he presented, this again is a required correspondence with any board of directors or any board of an audit that we did. In this letter we identify if we had any significant disagreements with management, if we had any comments, if we had an issues, if there are things we thought should be disclosed on paper with would be the area in which I would disclose it. For this year if you go to the 2nd page under audit comments and recommendations, I had nothing here on paper. This means I didn't find anything significant that I felt needed to be disclosed. So some of the items that I saw in the previous year audit we had the pension contribution calculation that we had some problem with. For the 2008 year I had no problems in determining the pension contribution now therefore it was on par for what it should have been. It was correct for year 2008.

Mr. Daddio discussed the amount of arrears and the fact that they came down and that progress is being made and stated, now that's great that's \$5,000 in 8 months.

Ms. Tearpock-Martini asked for clarification regarding innuendos made against the secretary stealing money. Mr. Gleco and Mr. Steeber were in disagreement that those comments were made. A discussion ensued.

Mr. Daddio asked if the board would appreciate an outsider making a comment at this point. Mr. Daddio stated in order for this authority or any authority to operate effectively this board needs to be able to work together without all the constant conflict and tension.

Ms. Beach stated that there had been an investigation on her through the State Police. Mr. Steeber stated it was not over yet and there would be further investigation and it also involved auditor ND Financial.

The Meeting was open to the public:

Mr. Decowski asked how much debt the Authority was carrying. Mr. Gleco stated approximately \$1,500,000.00 for 30 years. Mr. Decowski asked if there was any chance they would have to raise fees. Mr. Steeber stated no definitely not.

Mr. Gleco stated we are going to go into executive session.
The board went into executive session and the public left the room.

The board returned from executive session.

Mr. Gleco stated the executive session was called there's to be a vote take for Francene Tearpock-Martini who wants to fire and terminate Mark Gensel the plant manager, operator.

MOTION: Mr. Noss said I make a motion not to fire Mark Gensel 2nd by Mr. Steeber. Mr. Gleco asked for a roll call vote. Dave Reider, not at this time, Barry Noss no, Francene Tearpock-Martini yes, Mike Steeber no, Gilbert Gleco no.
Motion Failed.

Ms. Tearpock-Martini said the other matter of Mr. Noss's complaint about a check. Mr. Noss asked about my bill not being paid? She's got the copy of the thing, I brought it over last week and I still didn't get an answer, so now, what do you want me to do? Ms. Beach stated I am checking into that and there are some discrepancies with the check. Mr. Noss asked, so when will I know the answer? Ms. Beach said as soon as I hear. Mr. Noss asked what bank has a discrepancy on that. Ms. Beach stated well it was stamped deposited into Wachovia Bank and I stopped using Wachovia bank in the end of June. The last deposit that was made was June 26th. Mr. Noss said there's my answer, I did pay. Ms. Tearpock-Martini said I thank you for bringing that up.

A discussion was held regarding the hiring of an attorney for the Sewer Authority. Interviews were held by Ms. Tearpock-Martini and Mr. Gleco with Atty. Joseph VanJura and Atty. Jeffrey Malak.

Mr. Gleco stated he was recommending Atty. Jeffrey Malak and read his resume.

Ms. Tearpock-Martini believes he would have a conflict of interest working for both the Shickshinny Sewer Authority and the Shickshinny Borough Council.

Ms. Tearpock-Martini stated she was recommending Atty. Van Jura because we would not have a conflict of interest and they both have very good credentials.

MOTION by Mr. Noss to hire Jeff. Mr. Gleco stated a motion to hire Jeff Malak and it was 2nd. Mr. Steeber a roll call vote was taken.

Yes- Mr. Noss, Mr. Steeber, Mr. Gleco No- Mr. Reider, Ms. Tearpock-Martini
Motion passed.

Mr. Gleco asked for a motion to reconvene the meeting for a later date to be announced. Ms. Tearpock-Martini asked for an explanation as to why and Mr. Gleco stated for business of the authority.

MOTION by Mr. Noss to reconvene the September meet to a later date and it was 2nd by Ms. Tearpock-Martini. All stated aye.

September 28, 2009

Mr. Gleco stated we are going to reconvene this meeting from September 15th; we will have a roll call vote. Mr. Reider, Mr. Noss, Ms. Tearpock-Martini, Mr. Steeber and Mr. Gleco present.

Mr. Gleco said also we have our new attorney and the accountant and one visitor.

Mr. Gleco stated this meeting was called to hear the accountants report from payroll going back which we approved going back to I guess it was 2000- 4, 5, 6, 7, & 8. Mr. Daddio stated it only went to 2007. Mr. Gleco stated that at this time I would like to call for an executive session because this is going to be a personnel matter, there will be no taking no minutes and there will be no taking your recorder please.

Mr. Gleco said ok I am calling for an executive session right now.

Mr. Gleco stated the executive session is over we will not open up the meeting again and the attorney has a few comments.

Atty. Malak stated, after the executive session what was suggested was 4 different items.

1. The accountant is going to total the request on his schedule of the list of findings, he did provide paycheck dates, employees and findings but did not have totals on all of them. That was requested by the commission.

2. There is going to be a further review going back 1/1/03 and do the same analysis that he has performed to the present.

3. I will be drafting a letter to go to Ms. Beach with regard to some of the inconsistencies that were revealed. In her letter she will, I will inform her that she is not to do payroll until further notice and in that letter too we are going invite Ms. Beach into an executive session to discuss the findings and some of the inconsistencies and some questions that the commission may have with her. I'm sorry I mean the authority.

Atty. Malak stated I need a motion if that is accurate and you want those things to occur.

MOTION by Mr. Noss to Jeff's report 2nd Mr. Steeber. Roll Call Mr. Reider, Mr. Noss, Ms. Tearpock-Martini, Mr. Steeber, Mr. Gleco yes. Motion passed.

Mr. Steeber asked Mr. Daddio for the 2003 payroll how long will it take you to scrutinize this and get back to us to make sure that the compensate with the 2004 and 2005? Mr. Daddio stated, Because of the urgency of the issue I will turn it around in a day or 2. Mr. Daddio said it will be tomorrow I will do it on Wednesday and I'll get back to you.

Mr. Gleco stated he had another motion that he would like to suggest. At the present I brought this up 3 times before in the past 10 years that I been here, that we buy a video camera monitor and put it on the building. Now I will give you one other reason, they crawling under the fence to me is totally illegal, ok. Even though the person is the secretary and lets establish right, she came here 10:00 on a Sunday night, crawled under the fence. I would like someone to make a motion that we put up security cameras. Ms. Tearpock-Martini said I don't know where you're getting that from so do you want to elaborate on it, because you said that several times. Mr. Gleco said I elaborated enough for you. Ms. Tearpock-Martini said, you've said that several times and I don't know where you've gotten that from. You don't know that's true. Mr. Gleco asked I don't know that's true? Ms. Tearpock-Martini asked you know that's true? Mr. Gleco said yea I know that's true because. I asked for a motion to buy a video camera, surveillance camera to put on our building.

Ms. Tearpock-Martini stated several prices had to be sought before the purchase.

MOTION by Mr. Noss to purchase a video camera. Ms. Tearpock-Martini stated I think it would be great to have a surveillance camera on this building and I make the 2nd on that one. Roll Call Mr. Reider, Mr. Noss, Ms. Tearpock-Martini, Mr. Steeber, and Mr. Gleco yes. Motion passed.

MOTION to adjourn by Ms. Tearpock-Martini 2nd by Mr. Steeber. All in favor aye.

New Business October 20, 2009:

Next Scheduled Meeting: November 17, 2009