



DALLAS AREA MUNICIPAL AUTHORITY

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MINUTES DALLAS AREA MUNICIPAL AUTHORITY October 8, 2020

The Regular Board meeting of the Dallas Area Municipal Authority was held at 7:00 P.M. on October 8, 2020 at the DAMA Administration Building.

Board Members present: John Oliver, Tim Carroll, Ryan Doughton, Brent Snowdon, Jeff Barrett, and James Reino.

Other Officials Present: Tom Keiper and Attorney Jeff Malek, DAMA Assistant Solicitor.

On a motion by Mr. Snowdon, seconded by Mr. Reino, and approved with all in favor of the September 10, 2020 Regular Meeting Minutes were approved as submitted.

Treasurer's Report

Mr. Snowdon submitted the wastewater division invoices totaling \$101,199.40 for approval. Following a brief discussion about the wastewater division check registers a motion was made by Mr. Snowdon, seconded by Mr. Doughton, and passed on a unanimous roll call vote to pay the wastewater division invoices.

Mr. Snowdon submitted the solid waste division invoices totaling \$50,562.54 for approval. Following a brief discussion about the solid waste division check registers, a motion was made by Mr. Snowdon, seconded by Mr. Doughton, and passed on a unanimous roll call vote to pay the solid waste division invoices.

Mr. Snowdon submitted the stormwater division invoices totaling \$17,177.49 for approval. Following a brief discussion about the stormwater division check register, a motion was made by Mr. Snowdon, seconded by Mr. Reino, and passed on a unanimous roll call vote to pay the stormwater division invoices.

Mr. Snowdon discussed the split expense sheet, bank account balance and the profit/loss budget versus actual statements.

DAMA Committee Report

Mr. Keiper reported Paul Daniels has resigned from the wastewater division. Mr. Keiper reported we had one resignation from the solid waste division. The employee was suspended after an altercation for three days but did not return.

Executive Director's Report

Mr. Keiper reported that the 2019 Audit Report has been received. All divisions show a gain in net positions. Wastewater Division had the least net gain, but that was mainly because of the line collapse on Route 415 and the costly repair.

Mr. Keiper reported he met with the bond council and they are comparing all options for financing in all divisions.

Mr. Keiper reported that we will provide the SEO service and hire a contractor to do the SEO work in agreement with the ordinance in the municipalities assuming the municipalities modify their ordinances and agreements.

Assistant Solicitor's Report

Attorney Malak is continuing to edit revised stormwater easements. Attorney Malak reported he received the legal description of the Route 118 property from Glenn Johnson & Associates, he is going to put together the agreement with Huntsville and have Huntsville Country Club sign it. He will hopefully have the corrective deed done and filed before next months meeting. Attorney Malak reported there was a Sheriff Sale and he needed to make sure our liens on the 17 properties were updated and correct. Attorney Malak and the board discussed the Letter of Intent with Jackson Township for DAMA acquiring the Jackson Township sewer system.

Old Business

Mr. Keiper discussed the Reimbursement Resolution. This resolution allows DAMA to reimburse itself for project expenses incurred before the issuance of bonds from the bond proceedings. A motion was made by Mr. Doughton, seconded by Mr. Barrett, and passed on a unanimous roll call vote to approve the Reimbursement Resolution. A copy of which is attached and becomes a part of these minutes.

Environmental Rate Consultants submitted a proposal to preform the Stormwater Data Base and GIS Update at a cost of \$37,355. Some errors have been found, the database needs to be verified A motion was made by Mr. Doughton, seconded by Mr. Carroll, and passed on a unanimous roll call vote to move forward with the Stormwater Data Base and GIS Update.

10 bids were received for the Lackawanna Filter and Susquehanna Wet Pond BMPs in Dallas Borough. The lowest bid was for \$310,582.85 from Sikora Brothers. A motion was made by Mr. Carroll, seconded by Mr. Barrett, and passed on a unanimous roll call vote to award the projects to Sikora Brothers contingent on Dallas Borough approving their \$45,530 portion of the project.

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New Business

MS Consultants has submitted a proposal to design an upgrade of the equalization tank pump stations for \$35,000. Larger pumps will be installed and larger pipes to the tank will be installed along with valving for a second tank. A DEP Part II permit will be required before work can be started. A motion was made by Mr. Carroll, seconded by Mr. Reino, and passed on a unanimous roll call vote to approve the proposal from MS Consultants.

MS Consultants has submitted a proposal to design a maintenance garage, recycling center and office building at the Route 118 Site at a cost of \$339,900. If the septic system can be reused there is a \$8,000 reduction. There can be a \$16,500 reduction if fire suppression is not needed which would need to be approved by local officials. After a lengthy discussion, a motion was made by Mr. Snowdon, seconded by Mr. Carroll, and passed on a unanimous roll call vote to approve the plan contingent upon the Executive Director's decision that the financials support such a project

ARRO Consulting has completed the design of 4 BMPs for the storm water division and has completed a review of 14 others.. As 1 of the completed designs is in the Wood Ridge development and one of the 14 they have been evaluated is also in Wood Ridge it would be advantageous to complete both. The design proposal from ARRO is \$28,700. A motion was made by Mr. Reino, seconded by Mr. Barrett, and passed on a unanimous roll call vote to approve the project in Wood Ridge for \$28,700.

Supervisor's Report

Mr. Keiper reported our Community Paper Shred Event is Saturday, October 10, 2020 from 10 A.M to 2 P.M.

With no other business to come before the board the meeting was adjourned at 7:42 P.M.

Respectfully Submitted,



**Ryan Doughton, Secretary
Dallas Area Municipal Authority**

RESOLUTION
OF THE BOARD OF
DALLAS AREA MUNICIPAL AUTHORITY

WHEREAS, the Dallas Area Municipal Authority (the "Authority") intends to incur debt through the issuance of its revenue notes or bonds (the "Debt") to finance a project for the Authority consisting of, any or all of the following: (1) the design, acquisition, furnishing, construction, improvement, renovation, expansion and/or replacement of facilities of the storm water system of the Authority; (2) the design, acquisition, furnishing, construction, improvement, renovation, expansion and/or replacement of facilities of the recycling and solid waste disposal system of the Authority; (3) the design, acquisition, furnishing, construction, improvement, renovation, expansion and/or replacement of facilities of the sewer system of the Authority; and (4) paying the costs and expenses of issuance of the Debt (collectively, the "Project"); and

WHEREAS, planning, designing, engineering, acquisition, furnishing, equipping and construction of the Project may commence prior to the issuance of the Debt and the Authority desires to pay for certain of the costs of the Project (the "Expenditures") from general funds of the Authority which do not constitute proceeds of tax-exempt bonds or notes; and

WHEREAS, the Board of the Authority has determined that the funds that have been or are to be advanced to pay Expenditures are or will be available only for a temporary period and it is necessary to reimburse the Authority for Expenditures with respect to the Project from the proceeds of the Debt; and

WHEREAS, as of the date hereof, there are no funds from sources other than the Debt that are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Authority or any member of the same controlled group as the Authority to pay the Expenditures;

WHEREAS, Authority, in compliance with United States Treasury Regulation Section 1.150-2 of the Internal Revenue Code of 1986, as amended (the "Code"), reasonably expects to reimburse the Expenditures made by it for the Project with proceeds of the Debt.

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Authority, in lawful session duly assembled, hereby declares the intent of the Authority as follows:

1. The Authority reasonably expects to reimburse itself for original Expenditures to be paid by the Authority from general funds of the Authority in connection with the Project with the proceeds of the Debt.
2. This Resolution constitutes a declaration of official intent intended to comply with the requirements of Section 1.150-2(e) of the United States Treasury Regulations, as amended.
3. The maximum amount of Debt expected to be issued to finance the Project is \$23,000,000.

4. The Expenditures are or will be "capital expenditures" as defined in Treasury Regulation Section 1.150-2(d)(3).

5. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the Debt used to reimburse the Authority for costs of the Project, or funds corresponding to such amounts, will not be used, within one year after the reimbursement allocation, in a manner that results in the creation of "replacement proceeds," including "sinking funds," "pledged funds," or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations Section 1.148-1) of the Debt or another issue of debt obligations of the Authority, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations Section 1.148-1).

6. All reimbursement allocations will occur not later than eighteen (18) months after the later of: (i) the date the expenditure from a source other than the Debt is paid, or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulations Section 1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

7. The adoption of this Resolution is consistent with the budgetary and financial circumstances of the Authority.

8. The Resolution shall become effective immediately.

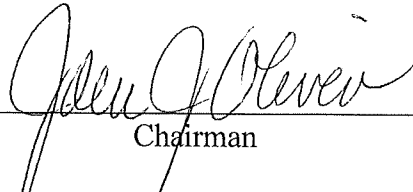
9. Proper officers of the Authority are authorized and directed to do such things as may be necessary to carry out the intent and purpose of this Resolution.

10. In the event any provision, section, sentence, clause or part of this Resolution shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Authority that such remainder shall be and shall remain in full force and effect.


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DULY ADOPTED by the Board of the Authority this 8th day of October, 2020,
in lawful session duly assembled.

DALLAS AREA MUNICIPAL AUTHORITY

By: 
Chairman

Attest:


Secretary

(SEAL)