

**BETHEL TOWNSHIP MUNICIPAL AUTHORITY  
MINUTES**

**February 4, 2009**

The meeting of the Bethel Township Municipal Authority was called to order by Chairman, David Younker at 7:04 p.m. on February 4, 2009 at the Bethel Township Community Center, Bethel PA.

**Pledge of Allegiance**

**Roll Call**

Chairman Younker called the roll:

Rufus Geesaman – present

Harold Gruber – present

Kevin Stupp –present

David Younker – present

Carl Weaver – present

Also present were Solicitor Parish, John Roche, Andrew Gaul of Vision Engineering and Darlene Orendo, Secretary.

**Public Comment on Agenda**

None

**Approval of Minutes**

Kevin Stupp made a motion to approve the minutes of January 7, 2009 with the amended change. Second by Carl Weaver. All agreed. Motion carried.

**Member Report**

Rufus Geesaman reported the following: Training material received will be put on file for future use. We are now set up with a Verizon account and currently have temporary service. He received a check back from Labor & Industry regarding unemployment compensation. We are now set up with PMAA for 2009. A letter was received from Litzenger's Liquid Hauling regarding sludge disposal. This will go on file for now. The Authority has received 6 additional keys for the backhoe and also reported the balance of the equipment has been installed on the backhoe.

**Solicitor Report**

Solicitor Parish reported that we had not received any objections to date on the condemnation filed for the Wesley Weiant property. He also reported that last month the Authority adopted Resolution #2009-06 regarding concentration levels. Solicitor Parish and Andrew Gaul from Vision are working on a final format that should be distributed sometime this month.

## **Engineer's Report**

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This office has been working on the following items this past month and would like to update the Board as follows: (items denoted with "\*" have accompanying information in the Board's packet. Items denoted with "\*\*\*" have been forwarded to board members prior correspondence this month).

### **DEVELOPMENT PLANS FOR BOARD REVIEW AND/OR ACTION (POTENTIAL VISITORS):**

1. \*BTMA-08103 Berks County Industrial Development Authority: This office received a revised plan submission and has offered our review comments (separate letter) to the Board for their consideration.
2. \*BTMA-0810 Horning's Market (Village of Bethel): This office has received the initial plan submission and has offered our review comments (separate letter) to the Board for their consideration.
3. \*BTMA-08111 Bethel Elementary School Plan (Village of Bethel): This office has received the initial plan submission and has offered our review comments (separate letter) to the Board for their consideration.

### **FINANCING MATTERS (PENNVEST & PENNWORKS):**

4. \*This office is recommending payment of invoices (separate correspondence to the Board) for the construction project for the following listed contracts (through to 01/23/09) which would require Board action for payment. The payment details are attached (separate correspondence) and summarized as follows:
  - a. Contract # 2 Bethel collection lines (97% complete to date).
  - b. Contract # 3 Bethel Pump Stations (63 % complete).
  - c. Contract # 4 Bethel Wastewater Treatment Plant (57% complete).
  - d. Contract # 5 Frystown Wastewater Treatment Plant (49% complete).
  - e. Contract # 8 Electrical Systems for WWTP and appurtenances (29% complete).

### **CONSTRUCTION MANAGEMENT AND LOGISTICS:**

5. \*We continue providing the Board with our inspection reports (email) and have provided hard copies for Board Members of this past month's activities. In summary the work has been progressing as follows:
  - a. **Contract # 1** – Frystown Collection Lines. No work was completed this past month (waiting for favorable paving weather to complete). Generally, the substantial remaining work includes the following items (to date 91% complete):
    - i. Continued Trench Restoration.
    - ii. Paving of the alleys and Roadways.

- b. **Contract # 2 – Bethel Collection Lines.** The work completed this past month included primarily some force main work. Generally, the outstanding main line work at this point includes the following areas:
  - i. Continued Trench Restoration.
  - ii. Completion of Force Main Valves & connections (pending change order approval).
- c. **Contracts # 3 – # 8** This office continues receiving various submittals of shop drawings, etc. that we have been reviewing and distributing as necessary to other parties (electrical engineer, mechanical engineer, plumbing engineer, etc).
  - i. Progress continues with the buildings and appurtenances to varying degrees. The Frystown Building has now been released to move forward with the recent recommendations of the Geologist regarding the groundwater remediation.
  - ii. After initiating the phone service (Verizon) it was revealed that a temporary service was inadvertently installed at Frystown (not requested). The payment of this service should be disputed.
  - iii. There have been a few change orders proposed as result of reviewing various submittals etc. and are discussed below.
  - iv. This office has received a phone call from Jane Miller (MET-ED) requesting the Authority provide additional information for her use in prioritizing the work. This office has also followed up with various field personnel involved with the project (JB Electric) verbally assuring us that all work and coordination (Verizon & MET-ED) are their responsibility and are under control. We would like to discuss the Board’s position on this matter.

**PLAN REVISIONS AND/OR CHANGE ORDERS:**

- 6. **Contract # 2 (Bethel Village Collection Lines):** The following formal change orders (as previously discussed) have been submitted for final board action and forwarding to PENNVEST (if appropriate). These change orders a included the following items:
  - a. **\* Change Order Request # 9:** (Corrective work). This change order was proposed to compensate the contractor to correct a broken pipe (private property located Along Old 22).
    - i. We have prepared a separate recommendation on this matter for the Board’s review and consideration.
    - ii. As requested last month this office forwarded the plumbing invoice (submitted by the property owner) to Marks Contracting. Their response letter was received and copied for the Board’s review.

7. **Contract # 4 (Bethel Village Wastewater Treatment Plant):** The following formal change orders (as previously discussed) have been submitted for final board action and forwarding to PENNVEST (if appropriate). These change orders included the following items:
  - a. **\* Change Order Request # 1:** (PE Seal). This change order was proposed to accommodate the PADEP requirements (process design certification of wastewater treatment plant) and the specific contract documents (bid submitted for packaged wastewater plant).
  - b. **\* Change Order Request # 2:** (Chemical Feed System). This change order was proposed as a result of the recent discussions (and direction) with the PADEP regarding anticipated future permitting restrictions (nitrate and phosphorous reductions). The changes should be more cost effective at this point (during initial construction) as opposed to a few years from now (permit renewal).
  
8. **Contract # 5 (Frystown Village Wastewater Treatment Plant):** The following formal change orders (as previously discussed) have been submitted for final board action and forwarding to PENNVEST (if appropriate). These change orders included the following items:
  - a. **\* Change Order Request # 1:** (PE Seal). This change order was proposed to accommodate the PADEP requirements (process design certification of wastewater treatment plant) and the specific contract documents (bid submitted for packaged wastewater plant).
  - b. **\* Change Order Request # 2:** (Chemical Feed System). This change order was proposed as a result of the recent discussions (and direction) with the PADEP regarding anticipated future permitting restrictions (nitrate and phosphorous reductions). The changes should be more cost effective at this point (during initial construction) as opposed to a few years from now (permit renewal).
  
9. **Contract # 7 (Plumbing Systems for Both Wastewater Treatment Plant sites):** The following change orders (as previously discussed) have been submitted for final Board action and forwarding to PENNVEST (as appropriate). These change orders included the following specific items:
  - a. **\* Change Order Request # 1:** (Oil Separator extension). This change order was required to accommodate a grade difference from what was bid on this contract (plumbing) and the actual grades provided for the Garage structure (Bethel WWTP site).
  - b. **\* Change Order Request # 2:** (Chemical Feed System). This change order was proposed as described in the Change Orders above (Contracts # 4 & 5) but include the plumbing (piping, connections, etc.) fixtures and work associated with this work.

- c. **\* Change Order Request # 3:** (safety equipment). This change order was necessitated by the requirements in adding the chemical feed equipment (above change order). The actual equipment proposed was presented informally with Board members and we can review that again or answer any related questions.
  - d. **\*Unnumbered Change Order Request:** (LP Gas Equipment). This office received a letter from the plumbing contractor (TMI Commercial) requesting a change order be issued for the LP gas equipment. This office has consulted with the MEP engineer on this matter and has advised the board accordingly (separate letter).
10. **Contract # 8 (Electrical Systems for Both Wastewater Treatment Plant sites):**  
The following change orders (as previously discussed) have been submitted for final Board action and forwarding to PENNVEST (as appropriate). These change orders included the following specific items:
- a. **\* Change Order Request # 2:** (Chemical Feed System). This change order was proposed as described in the Change Orders above (Contracts # 4 & 5) but include the electrical (wiring, connections, etc.) fixtures and work associated with this work.
  - b. **\* Change Order Request # 3:** (safety equipment). This change order was necessitated by the requirements in adding the chemical feed equipment (above change order). The actual equipment proposed was presented informally with Board members and we can review that again or answer any related questions.

**DEVELOPMENT PLANS FOR BOARD INFORMATION/UPDATE:**

- 11. **BTMA-080105 Dwight Miller Subdivision (village of Bethel):** This office has received some phone calls from the developer's engineer who is starting up this project once again. The prior plan review had been suspended (authority review) due to zoning matters.

**OTHER MATTERS REQUIRING BOARD REVIEW AND/OR ACTION:**

- 12. **\*Groundwater Remediation Frystown WWTP site:** This office received a proposal for the next phase of groundwater remediation from the geologist (AES – copy attached) and would like to discuss this matter with the Board this evening.
- 13. **\*Payment for Stored (substantial) Materials Contract # 8:** This office received a request from JB Electric asking the Board to consider payment of specific items prior to installation (copy attached).
- 14. **Extension of Highway Occupancy Permit Application (Frystown WWTP site driveway):** This office received a notification that the permit will be expiring and are asking the Board's action to extend the permit (authorize Chairman to sign and Vision to forward the extension application).

**PUBLIC RELATIONS/ MISC. INFORMATION:**

15. We continue updating items on our website and certainly welcome any further suggestions on how this may be used for disseminating the project information.
16. We will continue working with Terry Parish on the various ordinances as necessary.
17. We will continue working with Terry Parish on the ACT 537 plan revisions as being driven by the developers (Frystown village).

The following notes were taken during the Engineer's report from discussion with the Board and Vision Engineering:

Mike Sodl, Engineer from Wilkinson Assoc. was acknowledged by Chairman Younker to discuss the Bethel School plan. A review letter with comments from John was included in the Engineer's report packet for the Board's reference. The plan according to Mr. Sodl is to better serve the population. It is the district's intent to connect to the system prior to construction and would like to tie in off of School Rd. He advised members there should be no huge increase in flow. He also stated that preliminary approval has already been obtained from the Board of Supervisor's and the Planning Commission. They plan to get the bids out in March. Solicitor Parish will contact the district's solicitor to discuss a legal agreement.

**Contract #3 -iv:** After board discussion, Rufus Geesaman requested John write a letter to Jane Miller/ Met Ed (contact from Met Ed for the Authority) explaining the Board's position and immediate priority for scheduling.

**Plan Revisions/Change Orders: Bethel**

**Contract #2/Change Order #9** – after discussion Rufus Geesaman made a motion to deny Change Order #9: Contract#2 and take action to pay the bill for plumbing work for Mr. Hurst. Second by Carl Weaver. All agreed. Motion carried.

**Contract #4/Change Order #1** – DEP will require this seal on the work. With reluctance Rufus Geesaman made a motion to approve Change Order#1/Contract #4. Second by Kevin Stupp. All agreed. Motion carried.

**Contract #4/Change Order #2** – Rufus Geesaman made a motion to approve Change Order #2/Contract #4. Carl Weaver seconded the motion. All agreed. Motion carried.

**Plan Revisions/Change Orders: Frystown**

**Contract #5/Change Order #1 & 2** – Kevin Stupp made a motion to approve both Change Orders #1 & #2/Contract #5. Second by Rufus Geesaman. All agreed. Motion Carried.

**Contract #7 - Plumbing Systems for both Wastewater Plant sites:**

**Change Order #1** – Carl Weaver made a motion to approve the change order for the oil separator extension with the exception of sales tax. Second by Harold Gruber. All agreed. Motion carried.

**Change Order #2 & #3** –Rufus Geesaman made a motion to approve Change Order #2 & 3 to keep on schedule and ratify costs once received. Second by Kevin Stupp. All agreed. Motion carried.

**Unnumbered Change Order** - Solicitor Parish advised members to deny the request. If this equipment was not included in the bidding process perhaps this is how they obtained the low bid. This would not be fair to the higher bidders. Approving the change order would be violating the bid criteria. Rufus Geesaman made a motion to have Solicitor Parish draft a letter to TMI Commercial to reject the change order and advise them this was tied up in the bidding process. Second by Harold Gruber. All agreed. Motion carried.

**Contract #8 – Electrical Systems for Both Wastewater Treatment Plant sites:**

**Change Order #2 & #3** - Rufus Geesaman made a motion of general concurrence with the direction to keep the project moving, pending review of the costs. Second by Carl Weaver. All agreed. Motion carried.

**11. Dwight Miller Subdivision-** Rufus Geesaman was contacted by Dwight Miller regarding a copy of the easement for the vacant lot that adjoins Rte 501. Solicitor Parish had a call from his attorney and stated the project is back on track. Solicitor Parish will take care of this matter

**12. Groundwater Remediation Frystown:** John discussed another option with members to make the building a sealed tank if the cost is comparable. A meeting is set up for 2/6/09 to explore this idea. This is a very critical issue and John will get back to the Board. A special meeting may be needed.

**13. Contract #8 – payment for stored materials:** Rufus Geesaman made a motion to authorize payment of the stored materials as long as it is under our control. Second by Carl Weaver. All agreed. Motion carried. Rufus will coordinate the storage location.

**14. Extension of HOP (Frystown)** – Rufus Geesaman made a motion to authorize the Chairman sign the HOP extension for Frystown. Kevin Stupp seconded the motion. All agreed. Motion carried.

**Unfinished Business-**

Chairman Younker acknowledged Andrew Zeiset at this time to discuss a driveway issue with the Board. After discussion Solicitor Parish advised Mr. Zeiset it is a planning decision and has to come from the Township and the Planning Commission. John Roche also suggested Andrew talk to Penn Dot and share input with the Township.

Truck Specs- David Younker requested this be tabled until next month. He also requested a summary of the budget of change orders. Vision Engineering to do a status update for the Board for next meeting.

Back Hoe warranty – After discussion this item was dropped.

Credit Card – After discussion David Younker made a motion to approve the credit card issued from FNB/Fredericksburg and set a limit of \$500 with the current signers. Second by Kevin Stupp. All agreed. Motion carried.

Rufus also reported that the bond for Carl Weaver was approved.

### **New Business**

An application from the Berks County Public Works Association was received. After discussion this item was tabled for next month. Rufus will look into the details of membership and report back at the next meeting.

### **Authorization of Payment of Bills**

Rufus advised members that the Authority is \$600,000 behind in payments to Marks Construction because we have not received anything from the PENNWORKS grant. Rufus made a motion for authorization to pay the bills and send in requisitions to PENNWORKS and PennVest for the month. Motion seconded by Kevin Stupp. All agreed. Motion carried.

### **Public Comment**

Randall will be meeting with Larson Group to look at remodeling the existing Township office and garage on Klahr Rd. Randall had a question for Solicitor Parish regarding the option to have the Authority help pay for our space in the building. This idea will be explored. Randall will get a bid for separate costs for the Municipal space.

Kevin Stupp had a question regarding payment of the principal on the loan after 2 years, and also inquired on the possibility of an extension. Rufus will check with Frank Leber.

### **Adjournment**

A motion to adjourn the meeting at 9:41 p.m. was made by Harold Gruber. Second by Kevin Stupp.

Respectfully Submitted,

Darlene M. Orendo  
Secretary