

**BETHEL TOWNSHIP MUNICIPAL AUTHORITY  
MINUTES**

**January 7, 2009**

The meeting of the Bethel Township Municipal Authority was called to order by Secretary, Darlene Orendo at 7:04 p.m. on January 7, 2009 at the Bethel Township Community Center, Bethel PA.

Pledge of Allegiance

It was noted that Harold Gruber had been reappointed for another term to the Authority by the Board of Supervisor's at their reorganization meeting held Monday, January 5, 2009.

**Reorganization:**

At this time Secretary Orendo asked for a nomination for Chairman. Rufus Geesaman made a motion to nominate David Younker, second by Carl Weaver. Darlene Orendo asked for any other nominations. Seeing none, Rufus Geesaman made a motion to close the nominations with a second by Kevin Stupp. Nomination of David Younker was then voted and approved by all.

Chairman Younker took the meeting over from the secretary and opened the nominations for Vice Chairman. Rufus Geesaman nominated Harold Gruber with a second by Kevin Stupp. Seeing none, Rufus Geesaman made a motion to close the nominations with a second by Carl Weaver. Nomination of Harold Gruber was then voted and approved by all.

Chairman Younker then requested nominations for Treasurer. Kevin Stupp made a motion to nominate Rufus Geesaman, second by Carl Weaver. Motion to close nominations was made by Carl Weaver, second by Kevin Stupp. Nomination of Rufus Geesaman was then voted and approved by all.

Chairman Younker then requested nominations for Asst. Treasurer. Rufus Geesaman made a motion to nominate Carl Weaver, second by Kevin Stupp. David Younker made a motion to close the nominations with a second by Rufus Geesaman. Nomination of Carl Weaver was then voted and approved by all.

Chairman Younker requested a motion to appoint a secretary and set the pay scale. Rufus Geesaman made a motion to appoint Darlene Orendo at \$13.75/hr, second by Kevin Stupp. All approved. Motion carried. Chairman Younker then requested nominations for Asst. Secretary. Rufus Geesaman made a motion to nominate Kevin Stupp, second by Carl Weaver. All approved. Motion carried.

The Board took action to adopt the following resolutions:

Resolution #2009-01 – Kevin Stupp made a motion to adopt and appoint Terry L. Parish, Esquire, of Paul R. Ober and Associates, Reading, PA as Solicitor at the rate of \$155.00 per hour. Second by Carl Weaver. All approved. Motion carried.

Resolution #2009-02 – Rufus Geesaman made a motion to adopt and appoint Vision Engineering, Inc. as Consulting Engineer at the rate of compensation and the schedule of fees attached. Second by Carl Weaver. All approved. Motion carried.

Resolution #2009-03 – Kevin Stupp made a motion to adopt and appoint Frank J. Leber, Esquire. Of Rhoads and Sinon, Harrisburg, PA as Financing Counsel at the rates of compensation to be determined in the project budget process. Second by Rufus Geesaman. All approved. Motion carried.

Resolution #2009-04 – Rufus Geesaman made a motion to adopt and appoint First National Bank of Fredericksburg as depository for funds for the calendar year 09. Second by Carl Weaver. All approved. Motion carried.

Resolution #2009-05 – Rufus Geesaman made a motion to adopt and appoint Faren, Garcia and Garman as the accountant for year 2009. The rate of \$2,500 was approved last month. Second by Kevin Stupp. All approved. Motion carried.

### **Roll Call**

Chairman Younker called the roll:

Rufus Geesaman – present

Harold Gruber – absent

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**

Rufus Geesaman made a motion to approve the minutes of December 10, 2008. Second by Rufus Geesaman. All agreed. Motion carried.

### **Member Report**

Rufus Geesaman reported the following: A survey was received from PMAA regarding benefits. A notice from LTL representing the Zoning Hearing Board was also received regarding a variance to a land development plan for the Bethel Elementary School. The Authority received the notice because they are considered a bordering land

owner. A billing to Werner Trucking for Engineer review fees was rejected and returned for more information. Rufus will work with John, research and resend. Rufus also reported to members that the backhoe purchased by the Board was received. Some additional warranty may be purchased and will be discussed under Old Business. Rufus also stated he will contact Thomas Ins. Group regarding bonding and make the change from Kevin Stupp to Carl Weaver. Each is bonded for 1 million dollars.

### **Solicitor Report**

Solicitor Parish advised members the condemnation for the Wesley Weiant property was filed by regular mail to Mr. Weiant. It was refused. Mr. Weiant then contacted Solicitor Parish and requested he send the condemnation to his Attorney, Thomas Cooper. Solicitor Parish contacted Mr. Cooper, who advised him he has not been hired nor retained by Mr. Weiant. Solicitor Parish advised the Board he then proceeded to have the paperwork delivered by a constable. This was done and also refused by Mr. Weiant. Solicitor Parish had no recourse but to advertise and post the property. The property was posted on 12/30/08 by Andrew Gaul, Vision Engineering. Mr. Weiant has 30 days from 12/30/08 to file an objection.

### **Engineer's Report**

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 ACTION (POTENTIAL VISITORS):**

1. Bethel Elementary School Plan (Village of Bethel): This office was contacted recently about an anticipated initial submission of the plans. The applicant and his engineer are asking the Board's action on the following specific item:
  - a. Due to the timing of the submission and the school board's payment protocol they are requesting that the review of the plans begin in advance of the escrow fund being established to cover the review costs.
2. Horning's Market (Village of Bethel): This office received a planning module (component 3) packet this month for completion by the Board and would like to discuss several related items prior to completion.
  - a. As part of this module/plan review we would like to discuss policy matters surrounding these items.
  - b. Additionally, we would like to discuss policy matters related to non-residential users as it pertains to this plan and future sites (non-residential user policies).

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

3. \*This office is recommending payment of invoices (separate correspondence to the Board) for the construction project for the following listed contracts (through to 12/26/08) which would require Board action for payment. The payment details are attached (separate correspondence) and summarized as follows:

- a. Contract # 2 Bethel collection lines (90% complete to date).
  - b. Contract # 3 Bethel Pump Stations (37 % complete).
  - c. Contract # 4 Bethel Wastewater Treatment Plant (43% complete).
  - d. Contract # 8 Electrical Systems for WWTP and appurtenances (26% complete).
4. \*In addition to the above listed pay estimate (this period) Marks contracting is requesting the payment of “significant” stored materials (as listed on the attached sheets) or items included in change orders (requiring Board action). If the Board acts favorably on these requests (to pay for significant stored materials and/or change orders) then we would recommend the Board paying the revised (second package) of pay estimates as listed below. The revised 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 (58 % complete).
  - c. Contract # 4 Bethel Wastewater Treatment Plant (56% complete).
  - d. Contract # 5 Frystown Wastewater Treatment Plant (48% complete).
  - e. Contract # 8 Electrical Systems for WWTP and appurtenances (26% complete) No Change proposed from above recommendation.

**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 paving of the alleys. 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. At this point all disciplines (Site, Mechanical, Electrical & Plumbing contractors) are engaged at some level.
- ii. Phone service was initiated this month as required for the various building sites with Verizon.
- iii. The Frystown Building is somewhat delayed and waiting for the recommendations on the Geologist regarding the groundwater remediation.

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

6. The following formal change orders (as previously discussed) have been submitted for final board action and forwarding to PENNVEST. These change orders are for Contract # 2 (Bethel Village Collection Lines) and included the following items:
  - a. **\* Change Order Request # 4:** (Cast Iron Protection Sleeves). This change order was proposed to protect any lateral risers within and/or adjacent to paved areas.
  - b. **\* Change Order Request # 5:** (Corrective work). This change order was proposed to compensate the contractor for additional time incurred in corrective work on the project as described on the attached sheets.
  - c. **\* Change Order Request # 6:** (Paving of Alleys). This change order was proposed to achieve a modified pavement design for the alleys to compensate for the excessive asphalt prices. The pavement design was as directed by the Township road master and the total paving costs (alleys) represented a slight reduction in overall bid costs (not including below adjustment).
  - d. **\* Change Order Request # 7:** (Asphalt Price Adjustment). This change order was proposed to compensate the Contractor for the excessive escalation in asphalt prices.
  - e. **\* Change Order Request # 8:** (Air Release Valves and Manhole Structures). This change order was proposed to allow for adequate maintenance of the valves (2 foot higher structure) and also represented a change from the cast iron valves to stainless steel valves (longer life).
7. No significant plan changes (only field modifications) occurred this past month. However, we are generally recommending the following change order(s) requested for Board consideration:
  - a. **\*Contracts # 4 & 5:** In light of the pending and imminent permit requirements (higher levels of treatment for the Chesapeake Bay) we are recommending installing the chemical feed equipment (tanks, conduits & piping, etc) while things are excavated for future use. We are still waiting on the final costs for this change order but would like to get the Board's concurrence on this item.

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

8. BTMA-08103 Berks County Industrial Development Authority: This office received a revised plan submission last week and will review this and forward our comments to the Board.
9. \*\*BTMA-08107 Andrew Zeiset Subdivision Plan: This office did not receive a withdrawal letter (current plan) as the developer discussed last month with the Board so we released our prior review letter.
10. \*\*BTMA-08110 Horning's Market: As discussed last month this office issued a "will serve" letter in response to the developer's request for additional capacity (Land Development Plans) and provided a general review letter due to the lack of details (sewer) provided on the plans.
11. BTMA-08111 Bethel Elementary School: We are anticipating the initial submission of plans this week and will review these plans upon receipt of the same.

### **PUBLIC RELATIONS/MISC. INFORMATION:**

12. We continue updating items on our website and certainly welcome any further suggestions on how this may be used for disseminating the project information.

### **ACTION ITEM STATUS:**

13. The following listed items are a secondary priority as follows:
  - a. Draft Technical Manual.
  - b. Nutrient credits versus infrastructure improvements.
  - c. Non-residential user requirements and standards.

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

#### **Development Plans:**

1. Bethel Elementary School Plan: a. After discussion, Rufus Geesaman made a motion to allow the review of the plans begin in advance of the escrow fund being established to cover the review costs. Motion seconded by Carl Weaver. All agreed. Motion carried.
2. Horning's Market Plan: A handout was given to members with a discussion by Andrew regarding flow data requirements by DEP. Data of concentration levels of untreated domestic wastewater were given for member to review. After discussion Rufus Geesaman made a motion to have Solicitor Parish work with John to prepare Resolution 2009-06 to select strong concentration and set the nitrogen level for non residential users @85% ml per liter and 15% ph. Second by Carl Weaver. All agreed. Motion carried.

#### **Financing Matters:**

4. Marks Construction seeking Board approval of a revised payment of a significant amount of stored materials. Vision Engineering recommended the Board pay the revised pay estimates. The revised estimates were given to members to review. Rufus Geesaman

made a motion to approve payment of alternate pay estimates for January from Marks Construction. Motion seconded by Kevin Stupp. All agreed. Motion carried.

**Plan Revisions:**

Change order requests #4-8 as previously discussed were presented to the Board for final action. These will be submitted to PENNVEST upon approval. There was some discussion regarding #8- air release valves. Vision Engineering recommended the Board hold off on approval until some answers are received. After discussion, Rufus Geesaman made a motion to authorize change orders #4-7 be sent to PENNVEST as is and change order #8 sent in once we get questions answered. Second by Carl Weaver. All agreed. Motion carried.

Kevin Stupp questioned John regarding the time schedule. We are behind in Frystown due to the geological study regarding groundwater.

Rufus Geesaman also mentioned that we have paid \$16,000 to Met Ed for engineering fees and still do not have any service. John will check into the service.

**Unfinished Business-**

Rufus Geesaman gave rates to members for the extra backhoe warranty. After discussion it was requested this item be put back on the agenda for February.

There was also discussion regarding a credit card. This will also be discussed next month.

Specifications from two different bids for a new truck were given to members by Rufus. After discussion, David Younker made a recommendation to get a price on a diesel model. David also recommended members have time to look over the specs until next month.

Carl Weaver was approached by a realtor regarding the \$6,000 tap in fee waiver. This was addressed in our resolution regarding tap in fees. The waiver would transfer with the property.

**New Business**

Rufus reported on a letter from Daniel Hurst, 9720 Old 22, Bethel regarding a plumbing bill of \$389.00 he incurred from damage to a drain done by Marks Construction when they were working on his property. David Younker said the bill should go back to Marks. Members agreed. John will submit to Marks Construction for payment.

As part of an Open Records Law we are to appoint an officer to handle the right to know policy implemented by the Township. Rufus Geesaman made a motion to appoint Jayne Seifrit, Township Secretary as our Right to Know Officer. Second by Kevin Stupp. All approved. Motion carried.

**Authorization of Payment of Bills**

Rufus advised members due to a certified mail issue at the fault of PENNVEST there is another delay of reimbursement of funds. The necessary paperwork was completed and mailed today. Rufus made a motion for authorization to pay the bills. Motion seconded by Kevin Stupp. All agreed. Motion carried.

**Public Comment**

None

**Adjournment**

A motion to adjourn the meeting at 9:12 p.m. was made by Carl Weaver. Second by Rufus Geesaman. All agreed. Motion carried.

Respectfully Submitted,

Darlene M. Orendo  
Secretary