

**BETHEL TOWNSHIP MUNICIPAL AUTHORITY
MINUTES**

November 5, 2008

The meeting of the Bethel Township Municipal Authority was called to order by Chairman David Younker at 7: 04 p.m. on November 5, 2008 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

Harold Gruber made a motion to approve the minutes of October 1, 2008. Second by Carl Weaver. All agreed. Motion carried.

Member Report

Rufus Geesaman reported that a plan came in for Horning's Market and was given to John for review. He also reported that he was contacted by Verizon concerning an easement change to move some poles in Frystown. Signatures are required from the Chairman and Secretary. He is working with PMAA regarding some unemployment paperwork and received some information regarding equipment. He will bring the equipment information up under new business.

Joint Meeting

At this time Chairman Younker acknowledged Supervisor Randall Haag to open the Board of Supervisor's Meeting. The joint meeting was prompted by concerns the ACT 537 revision plan "as is" would not be accepted by DEP.

John Roche opened the discussion with both boards by referring to a letter he issued to the Board of Supervisor's regarding review comments to the plan revisions on October 27, 2008.

Chairman Younker then acknowledged David Walters of the Larson Design Group, the Township Engineers. David is the Engineer for water/wastewater for the Township. He handed out aerial maps of the Frystown sewer service area and a flow

analysis sheet for reference. David discussed some of John's summary comments from the letter. Discussion between the Boards, David, Solicitor Parish and Vision Engineering took place. Several issues of concern could not be answered and Solicitor Parish advised all he would like to consult with the legal counsel of Rhoads and Sinon LLP. He would need a month or so to sort out and get back to the boards. David Younker requested David Walter, Vision Engineering and Solicitor Parish work together to get a plan that can be correctly submitted. Supervisor Ken Norton expressed his concern of adverse effects on the residents and said the Board of Supervisor's would also need some time to review the plan before it was submitted.

Solicitor Report

Solicitor Parish reported that he had not heard anything from Trammel Crow regarding the remaining outstanding easement from Henry Martin.

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).

FINANCING MATTERS (PENNVEST & PENNWORKS):

1. *This office is recommending payment of invoices (separate correspondence to the Board) for the construction project for the following listed contracts (through to 10/24/08) which would require Board action for payment. The payment details are attached (separate correspondence) and summarized as follows:
 - a. Contract # 2 Bethel collection lines (81% complete to date).
 - b. Contract # 3 Bethel Pump Stations (30% complete).
 - c. Contract # 4 Bethel Wastewater Treatment Plant (38% complete).
 - d. Contract # 5 Frystown Wastewater Treatment Plant (34% complete).
 - e. Contract # 8 Electrical Systems for WWTP and appurtenances (4% complete).

CONSTRUCTION MANAGEMENT AND LOGISTICS:

2. *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. The work this past month included walk thru with the paving contractor & Township (road master) determining the paving limits. Generally, the substantial remaining work includes the following items:
 - i. Continued Trench Restoration.
 - ii. Paving of the alleys and Roadways.

- b. **Contract # 2** – Bethel Collection Lines. The work on the collection lines (Gravity) in Bethel is now complete. Generally, the outstanding main line work at this point includes the following areas:
 - i. Both Force Main Installations (vicinity of Blackberry Alley and along Lancaster Avenue).
 - ii. Continued Trench Restoration.
 - iii. Paving of the alleys and Roadways.
 - 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. *Due to the timing and coordination of the various submittals, equipment, tanks, power service, etc. the contractor (Marks) is requesting an extension of time.
 - ii. We will be setting up a project meeting next week (all contractors) to review the current and anticipated schedule for coordinating all the various contractors.
3. Now that the sewer stakeout (survey) is completed for the collection lines, this office will begin (next weeks and months) the as-built survey of the entire collection system (Bethel & Frystown).

PLAN REVISIONS AND/OR CHANGE ORDERS:

- 4. As authorized, Alternative Environmental Solutions (AES) has initiated the field work in order to better determine the source (and proposed solution) in addressing the groundwater (bethel collection system) in the vicinity of Green Alley and the Lancaster Avenue pump station. The field work has been completed and we are expecting the final report shortly. We will forward copies to Board members as soon as it is received.
- 5. *Excavation this month (Frystown wet well) has revealed significant groundwater in the vicinity of the Frystown facilities (influent lift station and building). We asked AES to provide the Board with a proposal for their services (groundwater investigation) for their consideration. Our concerns would be related to the amount of groundwater with respect to the adjoining pump and buildings.
- 6. No significant plan changes (only field modifications) occurred this past month. However, we do have the following change order(s) requested for Board consideration:
 - a. *Contract # 8: J.B. Electric has submitted a change order to address a concern the Electrical (Arris) engineer pointed out with the various submittals. The electrical engineer is recommending the use of a color (larger) screen for the plant operations in order to better service the facilities.

PUBLIC RELATIONS/ MISC. INFORMATION:

7. 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:

8. The following listed items Draft are a secondary priority as the review of submittals (shop drawings, development plans, etc.) diminishes:
 - a. Draft Technical Manual.
 - b. Lateral Specifications and details (Board directed last month to utilize the SDR-35 pipe for laterals).
 - c. Nutrient credits versus infrastructure improvements.
9. This office continues working as needed with the ongoing 537 plan revisions. As an update, this past month the following items were addressed:
 - a. This office has reviewed the DRAFT 537 plan revision (received Monday 9/29/08) as prepared by Larson Design Group and has provided review comments on that plan for the Board's consideration.
 - b. The Township Board of Supervisors has scheduled a joint meeting (this evening) to discuss the current Plan revisions with the Authority members.

ITEMS REQUIRING FURTHER BOARD INPUT/DIRECTION:

The electrical contractor (J.B. Electric) has requested payment of stored materials due to the project delays and timing. The Board should fully discuss this matter

The following notes were taken as discussed during the Engineer's report.

Contract #2 – John advised members that paving and restoration for Bethel will be done as the weather cooperates. He will continue to work with Supervisor Haag on the defining the paving limits.

Contract #3-#8- John gave members a copy of a letter to him from Marks Construction requesting an extension of an additional 122 days from the board to a substantial completion date of April 4, 2009 and completion by May 29, 2009. This would be for Contract's 3, 4 & 5. Solicitor Parish recommended John respond to Marks Construction with some strong language to express the Authorities concern to meet the extension deadline. A motion was made by Kevin Stupp that the Board reluctantly agreed to authorize an extension to Marks Construction to April 4, 2009 and completion no later than May 29, 2009. Motion seconded by Rufus Geesaman. All agreed. Motion carried.

Met Ed was discussed. To date we do not have any service at either site. Supervisor Ken Norton mentioned that a letter to Met Ed may be needed and also contact with either Representative Jim Cox and or State Senator Mike Folmer along with the PUC. John will make contact again and get a firm schedule.

Contract #8 – A change order was submitted by JB Electric Corp. A letter was in the packet for member's review. A motion was made by Carl Weaver to authorize the

change order to JB Electric Corp. Motion seconded by Rufus Geesaman. All agreed. Motion carried.

Kevin Stupp expressed a concern for resident's knowledge regarding the timeline for completion. It was recommended that John add this to the website and also put this in the Township's spring newsletter next year.

Unfinished Business-

Phillip's/Bootsma easement – Solicitor Parish will contact the land owner.

New Business

Harold Gruber advised both boards effective April 09 he would be moving out of Bethel Township. He mentioned this because he is up for reappointment to the Board in January. He will issue a letter to the Board of Supervisor's.

A list of meeting dates for 2009 were given to members to discuss. The only change to be made will be December 9, 2009 due to hunting season. The dates will be advertised by the Township.

Rufus Geesaman read a letter from resident, John Seiverling, 8405 Lancaster Ave, Bethel regarding the pipe required for hook up. The pipe size he used was a different grade than what is required, and is already installed under his paved driveway. He is therefore requesting a waiver from the Board. Rufus Geesaman recommended the Board table the decision until next month.

Rufus Geesaman mentioned that Supervisor Randall Haag gave him some information on some backhoes that Plaster Equipment Co. currently has in stock. He wanted to bring this to the attention of the Board. Rufus was instructed to get the specs on the equipment for the next meeting.

Authorization of Payment of Bills

Rufus made a motion for authorization to pay the bills. Motion seconded by Harold Gruber. All agreed. Motion carried.

Public Comment

Eugene Seigrist advised the Board his land along Rte 645 is not in mow-able condition. He also advised members that he has contacted Joao Bradley Construction three times regarding the top soil taken from him. He also had a concern regarding the storage by Marks Construction on his land. He then mentioned he had spoken to his attorney regarding these issues and was advised to come back to the Authority to take some action. Solicitor Parish expressed his appreciation to Eugene for what he has done for the Board, but advised him it would be a misappropriation of Authority funds to try and take legal action for him. He also advised him we cannot enforce something that took place between the Contractor's and Eugene. Solicitor Parish also advised Eugene he would contact his attorney regarding the issue. David Younker reminded Eugene the Authority had waived some review fees to work with him on this issue. Eugene expressed

his disgust that the Authority couldn't waive the full amount of the review fees. John Roche was then instructed to contact Joao Bradley regarding the mowing issue and the Authority's concern for the situation.

Wesley Weiant, Old Rte 22, advised the Board he has contacted DEP regarding the easement. He also expressed that we are outside the easement. John told him we are within the easement; Rufus Geesaman also confirmed the fact. Wesley also felt top soil was taken from him and the landscape issue was not fair.

Gloria Eisler, 8474 Lancaster Ave asked what the amount for business to hook into the system. She was advised it is 3,000.00 with another \$3,000.00 waived with the grant money. She advised members as of 12/31/08 she would be closing her business.

Christian Swope asked whether the collection lines are on schedule. He was advised the Board has given an extension.

Eugene Seiverling, 8413 Lancaster Ave stated that the survey done to identify the water source entering the newly constructed sewer lines is not accurate. He would like to talk to John Roche after the meeting regarding the issue.

Rufus Geesaman requested a motion be made for the Authority to sign the easement requested by Verizon. Carl Weaver made a motion to sign the easement. Second by Rufus Geesaman. All agreed. Motion carried.

Adjournment

A motion to adjourn the meeting at 9:38 p.m. was made by Harold Gruber. Second by Rufus Geesaman. All agreed. Motion carried.

Respectfully Submitted,

Darlene M. Orendo
Secretary