

Bethel Township Municipal Authority
Meeting Minutes
April 6, 2011

The meeting was called to order by Chairman Kevin Stupp at 7:05pm followed by the Pledge of Allegiance.

The roll call was taken. In attendance were Kevin Stupp, Harold Gruber, Rufus Geesaman, Ken Norton and Carl Weaver. Also in attendance were Solicitor Elizabeth Magovern, Engineer John Roche and Secretary Lynnette Lawton.

Public Comment on Agenda Only – Chairman Stupp stated that this would be at a later time.

Attorney William Sturm spoke regarding Helen Strickler's property. Attorney Sturm suggested that someone from the BTMA come out and look at the Strickler property.

Harold Gruber made a motion to authorize Vision Engineering to look at the Strickler property and to grant a June 15, 2011 extension to Helen Strickler. Rufus Geesaman seconded. All agreed and the motion was passed.

Attorney Jonathan Cox from Rhoads and Sinon spoke. He stated that closure with Pennvest was on March 30, 2011. There is one small change to financing – Pennvest wants to leave the maturity date the same. The payments went from 320 to 305 total increasing the amount of the monthly payments.

Rufus Geesaman moved to approve resolution number 2011-08 (amortization schedule) and have Chairman Kevin Stupp sign. Carl Weaver seconded. All agreed and the motion was passed.

A motion was made by Harold Gruber to approve the minutes of the March 2, 2011 meeting and seconded by Rufus Geesaman. All agreed and the motion was passed.

Member reports

Harold Gruber – nothing at this time

Rufus Geesaman – Lehmas Moyer and Rufus Geesaman desire to attend Safety Days. Rufus Geesaman also stated that a PMAA letter was received in which it mentions a possible change increasing the time threshold for requiring bids and changing the need to use prevailing wages. Rufus Geesaman received DMR letters. There were no reportable incidents or violations for February and March.

Ken Norton – nothing at this time

Carl Weaver – he thanked everyone for the sympathy card that he received last month

Solicitor Report

Regarding the letter to Hank Perry – Solicitor Magovern has not heard anything. Rufus Geesaman added the legal fees to the bills where it is needed.

Engineer 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. The Change of Scope (Northern Extension) closing was finalized this month. The Authority’s Bond Counsel should be present this evening to summarize the transaction and associated details.

CONSTRUCTION MANAGEMENT AND LOGISTICS:

2. **CONTRACT # 2 – BETHEL COLLECTION LINES:** With the loan closing finalized the contractor is now completing the testing and would have the other following action or other items for the Board’s consideration and information:
 - a. **As a follow up to last month’s meeting this office issued a letter for the Klahr Property lateral (undeveloped lot).
 - b. This office met on site with representatives of the Authority, Township and contractor regarding the damage claims made to the Township roadways. The Township has requested the contractor completely restore Schubert Road including an entire overlay while the Township would be fully responsible for Klahr Road. Mark’s Contracting has reviewed this proposal and is in dispute of the work.
 - c. This office worked with Exeter Supply this month for the installation of manhole inserts to address the recent excessive infiltration experienced on the Northern Extension.
 - d. *Mark’s Contracting has submitted PAY ESTIMATE # 24 for work completed on the Northern Extension. We have our recommendations for the Board’s consideration.
3. ***CONTRACT # 3 – BETHEL PUMP STATIONS:** The contractor has requested the Board reconsider various items listed below:
 - a. Change Order Request No. 9 (Revised) – Painting of Ductile Iron Piping in Wet Wells. A credit in the amount of \$1,000 total (\$500 per wet well). MBA estimated \$3,000 per wet well. Denial of Change Order Recommended.
 - b. Change Order Request No. 10 – ARV Drain Line Supports. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 1, 2011.

- c. Change Order Request No. 11 – Cable Retrieval Systems. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 1, 2011.
 - d. Change Order Request No. 12 – Arborvitae Replacement. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 1, 2011.
4. ***CONTRACT # 4 – BETHEL WWTP:** The contractor has requested the Board reconsider various items listed below:
- a. A Pay Estimate has been submitted this month for consideration which we have recommendations for the Board attached.
 - b. Change Order Request No. 12 – Arborvitae Replacement. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 7, 2011.
 - c. Change Order Request No. 13 – ARV Drain Line Supports. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 7, 2011.
 - d. Change Order Request No. 14 (Revised) – Painting of Ductile Iron Piping in Wet Well. A credit in the amount of \$500. MBA estimated \$3,000 per wet well. Denial of Change Order Recommended.
 - e. Change Order Request No. 15 – Cable Retrieval Systems. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 7, 2011.
 - f. Change Order Request No. 16 – Interest Payment. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 7, 2011.
5. ***CONTRACT # 5 – FRYSTOWN WWTP:** The contractor has requested the Board reconsider various items listed below:
- a. A Pay Estimate has been submitted this month for consideration which we have recommendations for the Board attached.
 - b. Change Order Request No. 11 – Lintel Repair. No new information submitted. Previously denied by BTMA Board and determined by Structural Engineer as Corrective Work.
 - c. Change Order Request No. 12 – Asphalt Price Adjustment. No new information submitted. Previously tabled.
 - d. Change Order Request No. 13 - Arborvitae Replacement. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 8, 2011.
 - e. Change Order Request No. 16 – ARV Drain Line Supports. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 8, 2011.
 - f. Change Order Request No. 17 - Cable Retrieval Systems. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 8, 2011.
 - g. Change Order Request No. 19 - Interest Payment. No new information submitted. Previously denied by BTMA Board and notified by Vision Engineering on February 8, 2011.

OTHER MATTERS REQUIRING BOARD REVIEW AND/OR ACTION:

6. ***Annual Chapter 94 Reports and PADEP certifications:** This office has come across some conflicts with preparing the Chapter 94 Reports and the current terms (proposed by Operator) of the holding tank receiving station and have prepared a memo to discuss with the Board.
7. **Acceptance of Wastewater from other sources:** This office has been working with the Authority's Solicitor with the protocols, administrative & legal protections and requirements this past month. However the original terms and PADEP guidance has met with some conflict with the Operator and the current "market" conditions for wastewater strength. We would defer the policy decisions back to the Board Members and would be available for a meeting to answer any remaining questions in that regard.
8. ***Sludge Handling Options:** As an update we have received an initial and cursory evaluation of the used Belt Filter Press. We have also recently received some information on other alternatives (reed beds) but due to the recent information have not had time to summarize our findings and recommendations.
9. **Sewer Connections and non-residential users:**
 - a. ****Bethel Elementary School:** This office has prepared a draft letter itemizing the evaluation of the school's flows (volume and strength) for Board discussion and action in this regard.
 - b. **Horning's Market:** This office was contacted this afternoon requesting the Board's attorney provide a standard Grinder Pump Agreement. Since this will be the first type agreement we can work with Liz as directed by the Board in this regard.

The following notes were taken during the Engineer's Report:

Testing was delayed due to stolen equipment. Rufus Geesaman stated to expedite this in order to be complete with Pennvest.

Rufus Geesaman made a motion that once the testing is done that will be a substantial completion of contract no. 2. Kevin Stupp seconded. All agreed and the motion was passed.

Rufus Geesaman made a motion to send a connection letter stating mandatory hookup by April 20, 2011 and allow residents 60 days to connect. Harold Gruber seconded. All agreed and the motion was passed.

Rufus Geesaman made a motion to keep the fee structure the same except for the user fee. Carl Weaver seconded. All agreed and the motion was passed.

Rufus Geesaman has proposals for the manhole inserts. Discussion followed.

Rufus Geesaman made a motion to pay estimate no. 20 on contract no. 2 (\$471,274.45). Ken Norton seconded. All agreed and the motion was passed.

Rufus Geesaman made a motion to approve change order no. 9 on contract no. 3 and change order no. 14 on contract no. 4. Carl Weaver seconded. All agreed and the motion was passed.

Rufus Geesaman made a motion to pay estimate no. 25 on contract no. 4. Carl Weaver seconded. All agreed and the motion was passed.

Rufus Geesaman made a motion to pay estimate no. 24 on contract no. 5. Kevin Stupp seconded. All agreed and the motion was passed.

Rufus Geesaman will obtain information on receptor systems.

Solicitor Magovern will compose a resolution regarding surcharges and costs.

Rufus Geesaman made a motion to authorize John Roche of Vision Engineering to revise a letter to the Tulpehocken Area School District with additional tap-in fees, surcharges, User fees, and the monthly total cost for the user. Ken Norton seconded. All agreed and the motion passed.

Rufus Geesaman made a motion for Solicitor Magovern write a standard grinder pump agreement. Carl Weaver seconded. All agreed and the motion was passed.

Unfinished Business

Morgan's Welding – Rufus Geesaman is to obtain a bid from Dale Bechtel. Morgan's Welding asked that the oil interceptor be waived and the tap-in fee reduced.

Harold Gruber made a motion that the BTMA deny a request for a reduced EDU price. Carl Weaver seconded. All agreed and the motion was passed. Solicitor Magovern will send Morgan's Welding a letter stating this.

Frystown Extension – discussion followed.

Martin subdivision cost recapture – A letter went out to them and John Roche spoke with them.

Ethics forms – Lynnette Lawton stated that one more is needed.

Oil purchase – Rufus Geesaman is pursuing this.

Belt press unit – It is 30 years old. The BTMA may not want to invest in it. John Roche is working on other options.

Klahr property lateral – A letter was sent out.

Bethel Fire Co. hydrant line – BTMA may take their backhoe and the fire company will pay for the clamp. John Roche will get the information for this.

Paving restoration – discussion will follow (an executive session later)

Township letter (flood plain) – Frystown is in a flood plain. The BTMA needs to contact our insurance carrier regarding a flood insurance quote. Rufus Geesaman will contact Mike Malinowski.

Non-residential user letters

Wilkins – requested a May 16, 2011 extension

Midway Trucking – requested a May 31, 2011 extension

AMR Trading – requested a December 31, 2011 extension

Rufus Geesaman made a motion to grant an extension of May 31, 2011 to Wilkens, Midway Trucking, and AMR Trading. Kevin Stupp seconded. All agreed and the motion was passed.

Bankruptcy/billing – Rufus Geesaman is to keep sending the bills.

Pennsylvania letters – Rufus Geesaman has to fill them in regarding use tax. Solicitor Magovern stated that Rufus Geesaman should put “0.” Additionally, there is a letter requiring the Authority to provide the state info on not having a retirement system.

Mowing bid for 2011 – The bid from Hower Landscaping has increased by \$5.00 from 2010. The bid is \$155.00 for mowing at all four (4) places and \$175.00 for weed killer.

Kevin Stupp made a motion to accept the 2011 mowing bid of Hower Landscaping. Ken Norton seconded. All agreed and the motion was passed.

Operator e-mail – possible merging of the holding tank income (per gallon charge)

An Executive Session was called at 9:28pm for potential litigation of Schubert Road paving. The meeting reconvened at 9:40pm.

Payment of bills

Rufus Geesaman stated that other townships are only testing once and we are testing twice. John Roche will look into this.

Rufus Geesaman made a motion that we accept the report, pay current bills and any future bills before the next meeting. Carl Weaver seconded. All agreed and the motion was passed.

Adjournment

Kevin Stupp made a motion to adjourn the meeting. Harold Gruber seconded. All agreed and the motion was passed. The meeting adjourned at 9:45pm.

Respectfully submitted,

Lynnette Lawton
Secretary