

**BETHEL TOWNSHIP MUNICIPAL AUTHORITY  
MINUTES**

**December 9, 2009**

The meeting of the Bethel Township Municipal Authority was called to order by Chairman, David Younker at 7:02 p.m. on December 9, 2009 at the Bethel Township Community Center, Bethel PA.

**Pledge of Allegiance**

Rufus Geesaman made a motion to pass Resolution 2009-014 appointing Elizabeth Magovern to the position of Solicitor at the rate of \$150 per hour. Carl Weaver seconded. All agreed motion carried.

**Roll Call**

Chairman Younker called the roll:

David Younker – present

Harold Gruber – present

Rufus Geesaman – present

Kevin Stupp – present

Carl Weaver – present

Also present were Solicitor, Liz Magovern and Engineer, John Roche  
Assistant Secretary Kevin Stupp kept minutes

**Public Comment on Agenda**

None

**Approval of Minutes**

Rufus Geesaman made a motion to approve the minutes of the meeting held on November 4, 2009. Second by Harold Gruber. All agreed. Motion carried.

**Member Report**

Rufus Geesaman received a letter indicating that Penn Vest has \$90 million available in 2010 to fund projects that support clean water initiatives.

Rufus Geesaman received a letter from Marks contracting concerning the \$100,000 retainage amount that we are holding. They are asking that we pay them 1% interest retro-active from May 2009. The letter was given to the Solicitor.

Rufus Geesaman reported that there were no problems with the recent audit.

Rufus Geesaman sent a letter November 18 to 9 Bethel residents that have not yet paid the permit and tap-in fees.

## **Solicitor Report**

Solicitor Magovern brought up a resolution 2009-015 which in summary would allow residents age 65 years or older to request exemption from paying the monthly fee as long as their house is vacant. Carl Weaver made a motion to approve the resolution to. Seconded by Kevin Stupp. All agreed. Motion carried.

## **Engineer's Report**

Monthly Report for November '09

Dave and Board Members,

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. Frystown resident concerns and work items:
  - a. \*\*As discussed last month this office has reviewed plans adjacent to the Frystown Treatment Plant site and has forwarded our findings to the Board.
2. Bethel Resident concerns and work items:
  - a. \*\*This office has reviewed the drainage concerns (driveway restoration) along Lancaster Avenue and forwarded our findings to the Board members. The corrective work will be placed on the punch list (contract # 2).
  - b. Bethel residents have been connecting to the sewer system. This office has reviewed several and various waiver requests for the connections this past month as directed.
  - c. The storm water related concerns along and adjacent to properties along Lancaster Avenue were placed on hold this month due to more pressing matters but will resume over the next month or two working on a report for the Board on this matter.

### **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 11/27/09) which would require Board action for payment. The payment details are attached (separate correspondence) and summarized as follows:
  - a. Contract # 1 Frystown collection lines NO WORK THIS PERIOD.
  - b. Contract # 2 Bethel collection lines NO WORK THIS PERIOD.
  - c. Contract # 3 Bethel Pump Stations NO WORK THIS PERIOD.

- d. Contract # 4 Bethel Wastewater Treatment Plant NO WORK THIS PERIOD.
- e. Contract # 5 Frystown Wastewater Treatment Plant (96% complete to DATE see attached).
- f. Contract # 6 Mechanical Systems for WWTP and appurtenances NO WORK THIS PERIOD.
- g. Contract # 7 Plumbing Systems for WWTP and appurtenances (99% complete to DATE see attached).
- h. Contract # 8 Electrical Systems for WWTP and appurtenances (98% complete to DATE see attached).

**CONSTRUCTION MANAGEMENT AND LOGISTICS:**

- 4. Our inspection reports are available to the Board members (via our website) and can be furnished (paper copies) upon request. In summary the work has been progressing as follows:
  - a. Contract # 2 – The contractor has made two (2) separate requests regarding the northern extension work (Change of Scope) for the Board’s review and consideration:
    - i. Requesting interest payment on retained payments (due to timing).
    - ii. Requesting the Board consider allowing construction of some of the lines to begin prior to permitting (non-PENNDOT areas).
  - b. **Contracts # 3 – # 8** The work on the various contracts continues in varying degrees.
    - i. The lining project for the village of Bethel (Bethel WWTP tanks and the pump stations) has been evaluated by Sherwin Williams (lining material supplier). Sherwin Williams has been fully engaged in providing technical services with the Frystown lining work (began this week) in order to fully address our concerns with the prior work.
    - ii. The contractor has requested the project be determined substantially complete for the Bethel WWTP (contract # 4). However, we are awaiting the final certification for the process design of the plant (which has been requested since May, 2008) before concurring with the substantial completion.
    - iii. Work continues to progress in Frystown (contract # 5). At this point the schedule is affected by the lining work which is weather sensitive. Lining work is expected to be completed within the next few weeks allowing completion of the remaining work.

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

5. **\*\*Lateral protective sleeves and delineators:** As requested this office has prepared the final list of laterals requiring either protective sleeves or delineators and forwarded this to Board for their further consideration.
6. **CHANGE ORDERS:**
  - a. We have included documentation for the Board's consideration in concurrence of change orders for the two plant sites as requested by the contract operator.
    - i. Contract # 4 (Bethel WWTP) CHANGE ORDER # 7 (see attached document) this is to provide valves requested by the plant operator.
    - ii. Contract # 5 (Frystown WWTP) CHANGE ORDER # 6 (see attached document) this is to provide valves requested by the plant operator.
7. **ACT 537 PLAN REVISION UPDATE:** This office issued our final review comments in advance of the Township Supervisors meeting (November 16, 2009).
8. **NORTHERN EXTENSION (Klahr Road).**
  - a. The current status of the final design and permitting are progressing on the following order:
    - i. The archeologist has completed the field work and is expecting to deliver a DRAFT copy of his report to our office for review before completion and sending off.
    - ii. This office has submitted the documents to PENNDOT for permitting but is awaiting environmental clearances before submitting the PADEP permits.
    - iii. We are anticipating the submission of the PADEP permits this month and would require a \$ 500.00 application fee (made payable to Commonwealth of PA, DEP).

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

Rufus moved that the Solicitor review the subdivision plans and concerns of run-off at the Frystown treatment plan. Second by Harold Gruber. All agreed. Motion carried.

John Roche stated that the driveway drainage concerns from a Bethel resident should be fixable and will be added as a punch list item.

The Contractor is asking if they can begin construction in NON-PENNDOT areas, even though PENNDOT permits are not approved. The board agreed that it is too risky

to allow this since a number of other things that impact the timeline are not complete, including the archeological study, DEP permits, etc.

We have experienced more problems with the lining of the tanks. There seems to be differences in the actual tests that are being performed and the literature. The new Solicitor will be brought up to speed to help determine next steps.

The engineer is estimating that the Frystown plant will possibly be ready for testing in mid-January.

Rufus Geesaman made a motion that we order 40 delineators at a price of \$762.80. Motion seconded by Carl Weaver. All agreed. Motion carried.

The board discussed options on how to proceed with the installation of the 18 protective sleeves. The reason for a sleeve is to prevent the pipe from being crushed. The Solicitor will look into creating an addendum to ensure that the quality of the work is sufficient.

Rufus Geesaman made a motion to approve change orders #4 and #5. Second by Carl Weaver. All agreed. Motion carried.

Rufus made a motion to authorize the \$500 PADEP application fee for the Northern Extension project. Second by Harold Gruber. All agreed. Motion carried.

## **Old Business**

### **Agreement – BCIDA**

BCIDA drafted an agreement stating that they will reimburse BTMA up to \$400,000. of the cost to drill the pipe under the highway. Rufus made a motion to sign the agreement. Second by Kevin Stupp. All agreed. Motion passed.

### **Fine/Penalties for non hookup**

A letter was sent stating that if we didn't receive the permit and connection fee by January 1, we will start billing usage fees in the month of December. As a next step, Rufus moved that we have the Solicitor send a letter to the residents that have not responded, stating that possible subsequent actions could include issuing a citation to the resident or placing a lien against the property. Harold Gruber seconded the motion. All agreed. Motion carried.

Rufus got four quotes on snow blowers and trimmers. David Younker moved that we purchase the equipment from Newswanger. Rufus seconded. All agreed. Motion carried.

We received a tax assessment notice for the driveway property at one of the pump stations. Rufus moved that our Solicitor look into why we received this. Second by Harold Gruber. All agreed. Motion carried.

Snyder builders purchased three buildings and are asking for an exemption from hooking up because two will be torn down and one moved. The board will discuss at the next meeting.

### **New Business**

Carl Weaver made a motion to approve the following meeting dates for 2010 and have them advertised – 1/6, 2/3, 3/3, 4/7, 5/5, 6/2, 7/7, 8/4, 9/1, 10/6, 11/3, 12/8. Second by Kevin. All agreed. Motion approved.

The Board discussed easements that are required in order to go to closing on the Penn Vest financing for the Northern Extension. Rufus made a motion to have the Engineer work with those involved to draw up the easements and forward them to the Solicitor to distribute before January 6. Seconded by Harold Gruber. All agreed. Motion carried.

Rufus is getting bids to hook up the 4 properties that BTMA will be responsible for.

BTMA received a letter asking for exemptions from paying the user fee due to broken plumbing. The Solicitor advised against this. Rufus made a motion to deny the request. Second by Harold Gruber. All agreed. Motion carried.

BTMA received a letter from the Legion requesting exemption from paying user fees due to minimal usage. The Solicitor suggested that the Legion be asked to disable the toilet so that it can not be used. David Younker made a motion that the Legion be exempt as long as the toilet is not operational and that they send a letter every 6 months stating so. Second by Harold Gruber. All agreed. Motion carried. Rufus Geesaman and Carl Weaver are Legion members and abstained from the vote.

Rufus received a letter from the US Geological Department asking if they could place a water gauge at our pump station. The Solicitor suggested that we might be able to receive a fee for this. She will follow up.

BTMA received a letter from AWK Consulting Engineers, Inc. with information concerning the US 501 overpass replacement.

A resident that has already paid the discounted tap-in fee has asked for reimbursement and would like to be re-billed the non-discounted amount. Rufus Geesaman made a motion to grant this request change Carl Weaver seconded. All agreed. Motion carried.

Rufus spoke with First National Bank of Fredericksburg regarding an option to allow electronic payment of monthly fees. Rufus made a motion to set this up and notify the residents of this option in an upcoming billing. Kevin Stupp seconded. All agreed. Motion carried.

**Authorization of Payment of Bills**

Rufus Geesaman made a motion to approve payment of all the bills. Second by Harold Gruber. All agreed. Motion carried.

**Public Comment**

Harold Zechman asked if there was a job description for the maintenance position and suggested a possible candidate.

Mike Kreiser noticed that the fence at the Old 22 pump station is low enough that somebody could step over it. John will look into it.

Teresa Lock asked if we have a preliminary plan available for the Northeast Extension project. The Board stated that it has not yet been finalized.

Brian Eisenhower asked if the electronic payment option required an account with Fredericksburg Bank. The Board stated that it was not a requirement.

**Adjournment**

A motion to adjourn the meeting at 8:47 p.m. was made by Harold Gruber. Second by Carl Weaver.

Respectfully Submitted,

Kevin S. Stupp  
Assistant Secretary