

**BETHEL TOWNSHIP MUNICIPAL AUTHORITY
MINUTES**

March 3, 2010

The meeting of the Bethel Township Municipal Authority was called to order by Chairman, David Younker at 7:05 p.m. on March 3, 2010 at the Bethel Township Community Center, Bethel PA.

Pledge of Allegiance

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 took minutes

Public Comment

Keith Labox, 437 Frystown Rd, questioned the Board on a letter issued back in 02/28/08 stating there would be no tap-in fee. Rufus responded that the financial circumstances had changed and land developers did not follow through with their proposed plans. In order to meet the self liquidating debt requirement the Authority had to charge a tap-in fee. Mr. Labox also asked if businesses were required to pay a tap-in fee. The board stated that they were.

Approval of Minutes

Harold Gruber made a motion to have the secretary change the word “submitted” to “received” in the first line of the second paragraph of the minutes of the meeting held on February 3, 2010 and approve them. Second by Kevin Stupp. All agreed. Motion carried.

Member Report

Rufus Geesaman reported the following to members:

1. Our current version of the QuickBooks software will no longer support the payroll function. Carl Weaver made a motion to upgrade to the 2010 version. Second by Harold Gruber. David asked if we should check other software options. The time and effort to convert to an entirely different software package would be too costly.
2. The Authority received the following information
 - a. A letter from Penn Dot asking for clarification of pavement restoration related to the Northern extension project.
 - b. A water report from Suburban Water testing.

- c. A sample county use letter from the Berks County Planning Agency stating that our land use plan was accepted.
3. A PMAA session will be held in April.
4. Rufus reminded board members to return Ethics forms to Darlene.
5. The Authority received an audit report from Pennvest stating that everything is in fine order.
6. The Operator submitted January report to DEP stating that everything is running smoothly.
7. Post Office box number 274 has been set up for the Authority.

Solicitor Report

Solicitor Magovern reported the following:

1. A fine was submitted to Aaron Gorman
2. We are waiting for a hearing on the Eisler lien
3. An easement agreement was sent to the Diem and Kinard property owners. We are awaiting response from their attorneys.
4. Concerning Frystown properties, the Board was advised that the properties at 568 and 610 Frystown Road are required to connect to the sewer and the property at 491 Frystown Road requires an easement to connect.
5. A letter was sent to the Bethel Township Supervisors concerning connection of the Township building. They would like to discuss it with the Authority.

~~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).

ACTION ITEMS FOR BOARD (POTENTIAL VISITORS):

1. * Tank Lining Work (Marks Contracting/Dutchland, Inc. & I.K. Stoltzfus): We received a response from the contractor to our prior correspondence on this work but not in enough time for any formal follow up. A meeting will be scheduled this month.
2. Various concerns, follow up and work items:
 - a. * The manhole (# 37) in Blackberry Alley was reviewed in the field and determined is not contributing to plowing problems. There may be other matters causing this problem (possibly roadway grading).
 - b. The storm water related concerns along and adjacent to properties along Lancaster Avenue (Salem Church & points south) remains on hold due to more pressing matters but will resume when time allows.
 - c. A cursory review of footer drain discharges (follow up) would generally reveal that they are permissible and non-regulated discharges (PADEP & US EPA (MS4)).

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 2/19/10) which would require Board action for payment. The payment details are attached (separate correspondence) and summarized as follows:
 - a. Contracts # 1, 2, 3, 4, 5 & 7 – NO PAYMENTS submitted this period.
 - b. Contract # 6 Mechanical Systems for WWTP and appurtenances (100% complete to DATE see attached).
 - c. Contract # 8 Electrical Systems for WWTP and appurtenances (99% 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. **Contracts # 2 – # 5 (BETHEL & FRYSTOWN)** the work on the various contracts continues in varying degrees.
 - i. CONTRACT # 2 (Bethel Collection Lines)
 1. The preliminary punch list has been issued but no items addressed this past month.
 2. This contract is open and waiting for the Northern Extension work to begin.
 - ii. CONTRACT # 3 (Bethel Pump Stations). The final punch list of items will need to be addressed by the contractor.
 - iii. CONTRACT # 4 (Bethel WWTP)
 1. * This office reviewed the final certification for the process design of the plant which needs to be revised to be consistent with the overall performance criteria (established in specs).
 2. The final punch list of items will need to be addressed by the contractor.
 - iv. Contract # 5 (Frystown WWTP).
 1. We have concurrence from Marks Contracting that they have completed any operational punch list items and the plant operator is cleared to begin the biological startup.
 2. *The structural engineer is currently evaluating some building issues and will have a full report hopefully later this week. We have included some photos of this matter.

3. We are awaiting the final certification (process design of the plant) for substantial completion.
- b. **Contracts # 6 - # 8 (M.E.P. Work Bethel & Frystown).**
1. * Contract # 6 – Mechanical Equipment (HVAC): The MEP engineer has determined this contract to be substantially complete. And although we do not take exception to this determination, we have asked for the final submittals before allowing the processing of the final payment.
 2. Contract # 7 – Plumbing Equipment: The MEP Engineer has identified several items to complete before substantial completion is determined.
 3. * Contract # 8 – Electrical Equipment: The MEP Engineer has determined this contract to be substantially complete, however there is one outstanding matter (Frystown building) that is under review (structural engineer) before we can concur with this determination.

OTHER MATTERS REQUIRING BOARD REVIEW AND/OR ACTION:

5. CHANGE ORDERS and FIELD CHANGES: We have some follow up to prior requests for accepting changes to plans from the contractor as a result of some oversights during construction as follows:
 - a. * Contract # 3 & # 4 (Bethel Pump Stations & WWTP): The contractor has requested the Board accept the current pipes embedded in concrete with no sleeves in lieu of the fix proposed by the structural engineer.
 - b. * Contract # 5 (Frystown WWTP): The contractor has requested the Board accept the current steps installed with no protective (non-slip) noses on the risers.
6. Sewer Connections and non-residential users:
 - a. This office will continue working on a policy for handling the various types of non-residential users.
 - b. * This office received a waiver request to allow for the use of recycled glass aggregate backfill materials. We have provided our recommendations and background information for the Board's consideration of this request.
7. NORTHERN EXTENSION (Klahr Road). As an update, the status of the final design and permitting are progressing as follows:
 - a. *The archeologist has submitted a revision to the FINAL report to the State (PHMC) which is awaiting review & concurrence.
 - b. The PENNDOT HOP permit is secured for the work but needs an amendment (has been resubmitted this month reflecting some changes).

- c. This office has submitted the Water Quality Management permit (amendment) to PADEP staff for processing and approval.
- d. This office has submitted the permits (NPDES, E & S & GP-5) to the Berks County Conservation District staff for processing and approval.

This office has forwarded two easements (properties south of 78) to the

- e. Attorney and will continue with the remaining easements.

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

The Structural Engineer is working on a report explaining the problem and a fix. Marks steel supplier made a significant design change that likely caused our problem.

Change Orders:

Rufus made a motion to not change the piping from the way it is and we get a credit for not installing link seals for contracts 3 and 4. Second by Kevin Stupp. All agreed. Motion carried.

Rufus made a motion leave the steps as they are, but asked that the contractor reimburse us for the cost of the treads. Second by Carl Weaver. All agreed. Motion carried.

Rufus made motion to allow alternate crushed glass as back fill in non-cartway areas. Second by Harold Gruber. All agreed. Motion carried.

Unfinished Business

Snyder Developers – Letter issued. The Board has not heard anything. Since 20 days have passed the engineer will send a follow up note.

Status of the DO meters – We haven't heard anything. Andrew said that we should hear something in the next day or two. Plant operator, Mike Kreiser said he heard that we would get a reimbursement of around \$1,500 for the defective meters.

Status of Frystown Permits: At this point 41 of the 86 were issued permits. We need to mail out a letter with additional dates to connect. Lamas Moyer volunteered to make phone calls. David Younker made a motion to set new hours, send letters to remaining residents and make follow-up phone calls. Second by Kevin Stupp. All agreed. Motion carried.

Rufus made a motion to extend the hook up for Frystown residents to June 1st as long as permit and tap in fee are paid by April 1st. Second by Harold Gruber. All agreed. Motion carried.

The Authority received an official letter concerning Act 537.

New Business

Rufus Geesaman made a motion to invest the tap-in fees into Bank Certificates of Deposit as follows: \$50,000 into a 91-day term, \$50,000 into a 180-day term and \$100,000 into a 1-year term. Motion seconded by Kevin Stupp. All agreed. Motion carried.

Penn Power Systems, installed all of our diesel generators and offered a contract for annual service. The Operator plans to start them on a monthly and suggested that we might want to consider a joint service plan with an adjoining township in order to get a better price. Rufus will get some bids.

Rufus mentioned that the Township got an alternate bid on insurance from the Marks agency. The Authority will also get a bid.

Authorization of Payment of Bills

Rufus received 31 late notices. The board discussed options. Liz will write up a recommendation.

Rufus Geesaman made a motion to pay all the bills and authorize payment of bills that come due before the next meeting. Second by Carl Weaver. All agreed. Motion carried.

Rufus and Darlene will draft an update from the Authority for the upcoming Township Newsletter.

John will confirm that everybody in Bethel is connected. Meters indicated that the daily flow in Bethel went around 15 to 20 gallons per day last week, however only 3 new users had hooked up during that time.

Executive Session

An Executive session was called for litigation purposes.

Adjournment

A motion to adjourn the meeting at 8:45 p.m. was made by Harold Gruber. Second by Kevin Stupp.

Respectfully Submitted,

Kevin S. Stupp
Assistant Secretary