

**BETHEL TOWNSHIP MUNICIPAL AUTHORITY
MINUTES**

August 4, 2010

The meeting of the Bethel Township Municipal Authority was called to order by Chairman David Younker at 7:05 pm. on August 4, 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 – absent

Carl Weaver – absent

Also present were Solicitor, Liz Magovern, Engineer, John Roche, and acting Secretary for the Authority Jayne Seifrit.

Public Comment on Agenda

None

Approval of Minutes

Harold Gruber stated in the unfinished business section in number 2, Kevin Stupp seconded the motion not Kevin Younker. Harold Gruber made a motion to approve the minutes of July 7, 2010 with the correction of Kevin Stupp seconding the motion, seconded by Rufus Geesaman. All agreed. Motion carried.

Member Reports

Rufus Geesaman reported the following to members:

1. Penn Vest is looking for Annual reports, so they were faxed and mailed to comply with request.
2. Operator submitted the June report to DEP, no violations or findings to report.
3. County study for regionalization for sewer and water has been given to Vision Engineering to complete by August 13, 2010.
4. Camera has not been purchased to date will be purchased shortly.

Harold Gruber – nothing to report at this time.

David Younker – nothing to report at this time.

Solicitor's Report

Liz Magovern reported the following:

1. Klahr easement has been obtained and recorded, originals will be given to Rufus Geesaman
2. Township easement has been obtained and recorded; originals will be given to Rufus Geesaman.
3. Nine (9) citations have been filed with the Magistrates office for failure to connect, with the Hearings set for August 12, 2010. Three (3) of the nine, Koenig, Musser, and Dickerson, have since hooked to the sewer system, the Authority will withdrawal those three at the hearing on August 12, 2010.
4. Mike Setley, BCIDA Solicitor, reviewed and revised the agreement between the IDA and the BTMA. The BCIDA will be discussing, and hopefully approving agreement at their meeting August 9, 2010. Rufus Geesaman made a motion authorizing the Chairman to sign agreement with BCIDA contingent on Engineer and Solicitor clearing up any technical aspects and approving final document, seconded by Harold Gruber. All agreed. Motion carried.
5. Mays Drive – John Roche needs to look at the issues towards a resolution.
6. Bulk User – Billing of Mobile Home Parks and other bulk users will be looked into for next meeting.

Engineer's Report

A full copy of the report will be filed with the minutes. The following is what was discussed during the meeting.

John Roche presented sketches with possible connection routes.

Nelson Ebersole was present for John Ebersole, 570 Frystown Road, who has a property at 568 Frystown Road with a house on it. Thought they were exempt, but now being told they need to connect. They want to know which it is. Liz Magovern stated they reviewed the law and concluded it would be exempt if it was a vacant lot. They need to hook up. Rufus Geesaman made a motion giving them until October 31, 2010 to hook up contingent on John Ebersole getting the required permit in the next thirty (30) days, seconded by Harold Gruber. All agreed. Motion carried.

Philip Reihl would like to hook up to the sewer. BTMA could extend the lateral but charge to whom. Liz Magovern stated they would need an improvements agreement outlining process and cost. Rufus Geesaman stated he could get the estimated cost of boring under. Dave Younker stated Rufus Geesaman should get cost together and John Roche and Liz Magovern shall work on improvements agreement.

John Roche stated plan reviews are in his report.

John Roche handed out pay estimates for contracts 7 and 8. Contract 7 has to do with settling of ground, the Board feels the repair should happen now even though there is a two (2) year warranty.

John Roche's report stated there were posts, signs and grading which created a barrier adjacent to Green Alley and the Exxon. They have added this to the punch list. Rufus Geesaman stated there are tractor trailer type trucks traveling through the access and continue in the alley. Carl Kauffman III stated this happens frequently, and wants to

know what they are going to do about it. Rufus Geesaman stated he and Randall Haag priced signage for the access. The cost would be \$295.80 for the signage. Harold Gruber made a motion authorizing Rufus Geesaman to purchase signs and posts through EJ Breneman, seconded by Rufus Geesaman. All agreed. Motion carried.

Conservative Baptist Church – Rufus Geesaman stated there are two methods to get under Chestnut Street. The option that is the least expensive is the mole method at an approximate cost of \$1500.00. Rufus Geesaman made a motion to have Dale Becthold do the mole method under Chestnut Street in Frystown, seconded by Harold Gruber. All agreed. Motion carried.

Bethel Elementary School – the flows are two (2) times greater than previously estimated. There needs to be an adjustment made to the agreement. Rufus Geesaman made a motion authorizing John Roche to do testing and ascertain strength of flows when school is back in session, seconded by Harold Gruber. All agreed. Motion carried. It was stated Liz Magovern and John Roche will work together on the agreement adjustment language.

Northern Extension – Liz Magovern stated the easements have been received and recorded; her office received an e-mail from Attorney Leber's office stating closing in approximately two (2) weeks and an opinion letter needs to be received from her office.

Shared water and sewer lines – DEP insisted if MA wanted to for future both lines need to be incased in the same pipe. The cost to do this make it cost prohibitive. Ma will not be doing both lines at this time.

BCIDA – John Roche is working with Liz Magovern to finalize agreement.

John Roche stated we are holding payment from two (2) contractors until all is completed; those being Shannon Smith and TMI.

Dave Younker deviated from the agenda to take public concerns. They are as follows:

AMR Trading – They are not connected to date, legal action has been taken. Ms. Patel was present to explain the process she is going through to build a new building and would like to connect when that is completed. Rufus Geesaman made a motion to allow AMR Trading until March 31, 2011 to hook up the new building, seconded by Harold Gruber. All agreed. Motion carried. Rufus Geesaman made a motion to withdrawal citation for AMR Trading at the hearing to be held August 12, 2010, seconded by Harold Gruber. All agreed. Motion carried.

Holly Magrea and Ronald Guyer are trying to purchase the property at 9612 Old Route 22. They are going through FHA. They can not afford the one time payment of \$11,000.00. Rufus Geesaman made a motion to accept from Holly Magrea and Ronald Guyer the initial \$300.00 at the \$7500.00 rate and then \$165.00 a month for 72 months upon the mortgage going through for 9612 Old Route 22, seconded by Harold Gruber. All agreed. Motion carried.

Tom Zerbe – He owns a property at 61 Mays Drive. There is only a lot there now, and feels if he wants to develop it for his home the cost is astronomical. John Roche will look into the logistics and have by next meeting.

Helen Strickler – State law comes before any sewer connection, and she does not have to hook up per state law and she will not. She handed Rufus her bill. She spoke to the state and we are in violation of Agricultural rights. Liz Magovern stated again she has looked in to the state law and reiterated if there is a home on the property in the

service area it needs to be hooked up. A vacant lot is exempt. Her office has spoken to Sheila Miller and they are in agreement of improved property needs to hook up. Helen Strickler stated she will bring the state in to get resolved because the BTMA is wrong.

Delmar Locke – no comment at this time.

Unfinished Business

Plantings at Sewer Plant in Frystown have a 13 foot gap. The Board stated Marks will be replacing the dead ones and will get a price to fill in gap. If their price is more expensive the Board will get it done.

Insurance – Michael Malinowski will have a quote for September meeting.

PLGIT – Rufus Geesaman was explaining some of the produces that would benefit the Authority. They asked Liz Magovern to work on resolution for September's meeting. Place on agenda for next month.

Rufus Geesaman stated he received a letter from Kline's stating they are not going to pay bill. They stated they were not given the chance to correct. Harold Gruber made a motion authorizing Solicitor to send a letter giving Kline's fifteen (15) days to pay the bill of \$985.00 if no response to then file with the district justice, seconded by Rufus Geesaman. All agreed. Motion carried.

Randall Haag asked about the cracks on Legion Drive. John Roche stated it is included on the punch list. Liz Magovern will set up a meeting with Ralph on what is going to be done. Rufus Geesaman will get bids. Line painting equals \$40.24 for 535 feet according to Randall Haag.

New Business

Township is doing a newsletter again for October. Information needs to be received by September 21, 2010. Rufus Geesaman said he and Darlene Orendo will work on the information to be included.

Resident Letter – Anna Fabian and Hank Perry of 8474 Lancaster Ave, there is one lateral to cover two (2) properties. The original has the line going across 8472 Lancaster Ave. There is not an easement or any recorded documents for this. Dale Becthold will provide a cost estimate for the lateral. Dave Younker called an executive session at 8:51 pm. Meeting reconvened at 9:02 p.m. Liz Magovern stated the board reviewed the issue and concluded that Fabian/Perry agree to pay \$4,500.00 additional tap in fee or cost to put in the lateral. M. Hank Perry stated they shall put it in writing and get him a copy of proposal. Mr. Perry stated he almost did not have water because Met-Ed was shutting off electric; his water comes from the well on the 8472 Lancaster Ave Property.

Frystown Lions – They are requesting an exemption from hooking up, they have an out house. John Roche will look into and report back to the Board.

Barbara Weidman – She sold the property and they escrowed \$6,000.00. Rufus Geesaman made a motion to withdrawal citation at the hearing on August 12, 2010, seconded by David Younker. All agreed. Motion carried.

Phyllis Bennethum – She is 65 years old and owns property at 545 Frystown Road. She would like to exercise the option of not paying user fee due to selling of property. The Board would like to see the proof of listing and will discuss at the September meeting.

Purchase of spare paper elements and belts has been proposed at a cost of \$420.20. There should be spares to keep everything running. Rufus Geesaman made a motion authorizing the purchasing of spare oil, elements and belts for the price of \$420.20, seconded by Harold Gruber. All agreed. Motion carried.

Tap in rates – northern extension back to the other rates Bethel residents received. Resolution to be worked on by Solicitor.

Authorization of Payment of Bills

Rufus Geesaman made a motion to pay bills as presented and any others that come between meetings, seconded by Harold Gruber. All agreed. Motion carried.

Adjournment

Harold Gruber made a motion to adjourn, seconded by Rufus Geesaman. Adjourned at 9:21 pm.

Respectfully Submitted,

Jayne K Seifrit
Acting Secretary Municipal Authority