

**BETHEL TOWNSHIP MUNICIPAL AUTHORITY
MINUTES**

June 2, 2010

The meeting of the Bethel Township Municipal Authority was called to order by Chairman, David Younker at 7:03 p.m. on June 2, 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 & Darlene Orendo, Secretary.

Public Comment

At this time Chairman Younker acknowledged Larry & Betty Manbeck, 8409 Lancaster Ave, Bethel to discuss their driveway. They had met with the board last November to discuss some restoration work to their driveway. They had not heard anything regarding this issue since that time. Rufus Geesaman and John Roche advised they had been out to look at the issues and they both agreed it needed to be repaired. It is currently on the punch list. Rufus will call them before Mark's Construction comes out to complete the restoration.

Approval of Minutes

Kevin Stupp noted a correction to the minutes. Change the Street Name to Chestnut not Center , under the paragraph (b. of Sewer Connection). Rufus Geesaman made a motion to approve the minutes as corrected. Second by Kevin Stupp. All agreed. Motion carried.

Member Report

Rufus Geesaman reported the following to members:

1. PMAA will be holding a conference in Pittsburgh.

2. Thomas Insurance has requested copies of the operator reports to verify for liability claims.
3. Operator submitted the April report to DEP, no violations or findings to report.

Solicitor Report

Solicitor Magovern reported the following:

1. She spoke to Yvonne Dundore regarding a payment agreement for the property at 8474 Lancaster Ave for outstanding connection and user fees owed by her mother, Gloria Eisler. She also received a check from Yvonne for \$365.00 for one month's fees. The agreement was presented to the Board for approval and a signature by the chairman. Rufus Geesaman made a motion to have the chairman sign and the Board approve the agreement. Second by Carl Weaver. All agreed. Motion carried.
2. Klahr easement – want some modifications to the agreement before signatures. Rufus Geesaman made a motion to approve the modifications. Second by Harold Gruber. All agreed. Motion carried. Solicitor Magovern will work with the representatives of Mrs. Klahr on the details to reach a final agreement.
3. Has been working with Attorney Orlando regarding a Township Easement Agreement. A revision was submitted to the Board of Supervisor's and Attorney Orlando to review and execute.
4. Working with John Roche and Attorney Orlando on amendments to the current Connection Ordinance.

At this time Supervisor Randall Haag discussed the change in the designated detour route for Brown road. The change is necessary due to the Northern Extension work. He told members the Township Secretary spoke to a representative from Penn Dot and advised they are planning a detour off I-78 that does not include Brown Road for a four month period. They need a start date so they can contact the County 911 system and be sure that all their signage is complete. After discussion it was decided to use a start date of June 30 to October 30, 2010. Marks Construction will set up the signage for Brown road that will only allow local traffic and delivery. The State will coordinate with 911 for the detour route. Solicitor Magovern will contact Attorney Orlando regarding the details.

Engineer's Report

RE: Monthly Report for May '10

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. BCIDA Development: In response to recent submissions and requests by the BCIDA's engineer this month this office has reviewed the various submissions and matters with the Authority's solicitor (Elizabeth Magovern). As a result of our conversations and meetings it was determined that all actions by the Board on the various requests made should be suspended until a new agreement is worked out between this board and the BTMA since the current agreement in place is inconsistent with the current requests and direction made.
2. Horning's Market: This office received a revised plan package this month and expect to review the plans this month and will advise the Board of any outstanding comments.

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 5/21/10) which would require Board action for payment. The payment details are attached (separate correspondence) and summarized as follows:
 - a. Contracts # 1 & 5 – NO PAYMENTS submitted this period.
 - b. * Contract # 2 Bethel Village Collection Lines (see attached).
 - c. * Contract # 3 Bethel Pump Stations and appurtenances (see attached).
 - d. * Contract # 4 Bethel Wastewater Treatment Plant and appurtenances (see attached).
 - e. * Contract # 6 Mechanical Systems for WWTP and appurtenances (see attached).
 - f. * Contract # 7 Plumbing Systems for WWTP and appurtenances (see attached).
 - g. * Contract # 8 Electrical Systems for WWTP and appurtenances (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 # 1 (FRYSTOWN COLLECTION LINES)** – This office will complete the one year warranty inspection (maintenance bond) this month as required in order to issue any corrective actions necessary prior to the effective date expiring (7/31/10). Therefore, any outstanding corrective work should be brought to our attention so it can be included at this time.
 - b. **Contract # 2 (BETHEL COLLECTION LINES)** - The change order (#9) approved last month (boring under Interstate 78) was begun and completed this month (200 lineal feet of casing pipe) without incident and without needing to close Brown Road as initially anticipated.

- c. **Contracts # 3 – # 5 (BETHEL & FRYSTOWN)** The work on the various contracts is wrapping up and continues primarily with punch list work.
- d. **Contracts # 6 - # 8 (M.E.P. Work Bethel & Frystown).** Various punch list work remaining.

OTHER MATTERS REQUIRING BOARD REVIEW AND/OR ACTION:

- 5. **CHANGE ORDERS:** This office will be presenting the following change orders for the Board's further consideration as follows:
 - a. **CONTRACT # 7 (Plumbing Systems Various sites):** The change orders previously submitted and approved by the Board (# 1 - #4) required various changes due to disputes the Plumbing Engineer had with the contractor (sales tax, material substitutions, etc.) as follows:
 - i. *** Change Order # 1** – Oil Interceptor (extension) Bethel WWTP.
 - ii. *** Change Oder # 2** – Eye Wash Station (Bethel WWTP).
 - iii. *** Change Order # 3** – (CREDIT CHANGE ORDER) for elimination of Shower Stall and Sump Pump (Frystown Building).
 - iv. *** Change Order # 4** – Eye Wash Station (Frystown WWTP).
- 6. **Sewer Connections and non-residential users:**
 - a. Conservative Baptist Church Sewer Connection (Frystown). As a result of last month's discussion we have forwarded our sketch of this property to Marks Contracting for a cost proposal but have not received anything to date.
 - b. A sewer connection (pressure test) failed for the first time and we wanted to confirm the Board's policy on this matter for the re-inspection required and any associated fees.
- 7. **NORTHERN EXTENSION (Klahr Road).** As an update, the status of the final design and permitting are progressing as follows:
 - a. Upon the Authority securing the remaining easements the PENNVEST loan closing should be scheduled prior to the notice to proceed with the work.
 - b. As discussed last month we have provided the Township with a detour plan for the required closing of Brown Road during construction (collection lines).
 - c. As a follow up to our discussion last month the contractor in placing the casing pipe is fairly certain that a second carrier pipe (future water line) may be possible if the Board desires us to pursue this matter any further.

JOINT MATTERS COORDINATING WITH THE BOARD'S SOLICITOR AS REQUIRED:

- 8. **BCIDA Development.** This office met with Liz to discuss the BCIDA's recent requests for permits and improvements.

9. Process Design Report for Wastewater Treatment Plants. This office had an initial meeting with Liz discussing this ongoing matter. We are providing final documents for their review so they are thoroughly familiar with the details but we are anticipating some type of meeting to discuss this matter with all parties involved.
10. Non-residential Users requirements. As discussed before we had an initial meeting with the Liz to establish some of the overall parameters and guidelines we will follow in consolidating the two current documents (BTMA and Township) and hope to present some draft documents over the next few months.
11. Asphalt Sealing questions (restoration of Contract 2 work). This office has been working with Liz in the matter pertaining to this item. We are currently awaiting material certifications from the contractor.
12. Asphalt Price Adjustment (Contract 5 Change Order # 9): This office worked with Liz to evaluate the cost increase associated with the asphalt price adjustment. Although the Authority's contract does NOT have this provision (more typical in road contracts) in the contract documents, the Board did act favorably before on this request (other contracts) due to the extraordinary increases. With that being said, if the Board would want to pay this increase they could offer to pay it without the profit included but would be for the Board's consideration and decision.

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

BCIDA Development: The current agreement with the BCIDA has them owning, constructing and maintaining their own system. The agreement is to be amended for the Authority to maintain the pump station. BTMA will also be involved with the design. Solicitor Magovern recommended Two Board members meet with the BCIDA along with John and herself to discuss the details of the agreement. John will get some figures together and meet one hour earlier before the meeting to discuss. The meeting will be held Tuesday, June 8 at the Township office. Rufus Geesaman made a motion to meet with the BCIDA to amend the current agreement to have them pay the costs and allow the Authority to be involved in making the decisions. Motion seconded by Kevin Stupp. All agreed. Motion carried.

At this time Supervisor Herb Zechman gave members some updates on the BCIDA site that were presented to them by the County at the Planning Commission. They are looking at proceeding ahead and have made some modifications to the plan.

Change Orders – Contract #7 – Change orders 1-4 were previously approved by the Board. There were some reductions to them since they were approved. Rufus Geesaman made a motion to approve Change orders 1-4 to Contract #7. Motion seconded by Carl Weaver. All agreed. Motion carried.

Northern Extension –c.-after discussion members requested John gather some costs of a water line that the Authority could use to negotiate with BCIDA.

Joint Matters:

11. Asphalt Sealing – A motion was made by Rufus Geesaman to have Solicitor Magovern write a letter informing them that we are drawing from the performance bond

to pay for the asphalt resealing if they do not take action. Second by Kevin Stupp. All agreed. Motion carried.

12. Asphalt Price Adjustment – Rufus Geesaman also made a motion to have the Authority pay for the increase price of asphalt but not for profit. Motion seconded by Kevin Stupp. All agreed. Motion carried.

Unfinished Business

Joint service plan for generators – Rufus reported we have currently have a 1 year service plan with Penn Power. We also have a 3 year warranty for parts and 1 year service plan with Dyna -Tech. We will get bids and a decision will be made after that time.

Eugene Siegrist shared a concern about the lighting on the Frystown treatment plant building and how it is directed on his property. John will check into this. Eugene also had a concern of the 30 ft gap in the arborvitaes planted on the north side of the Frystown treatment plant. John will also look into this issue.

New Business

Rufus reported of a problem with a broken lateral in Bethel. There is a suspicion of foul play. After Board discussion with the Solicitor, Rufus Geesaman made a motion to have Dale Bechtold Construction do the repair and take photos. Second by Kevin Stupp. All agreed. Motion carried. Action will be taken once the facts have been determined.

Rufus reported that it was recommended the Authority separate from the Township Insurance policy. We are considered a private corporation and need to make sure we are adequately insured. He will send documents to the Solicitor for review.

Authorization of Payment of Bills

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.

Adjournment

A motion to adjourn the meeting at 8:53 p.m. was made by Harold Gruber. Second by Kevin Stupp.

Respectfully Submitted,

Darlene M. Orendo
Secretary