

**JOINT MEETING
BOARD OF SUPERVISORS and MUNICIPAL AUTHORITY
MINUTES
January 3, 2007**

The meeting of the Bethel Township Municipal Authority was called to order by Secretary Darlene Orendo at 7:08 p.m. on January 3, 2007 at the Bethel Township Community Center. Bethel PA.

The Bethel Township Board of Supervisor's meeting was called to order by Chairman Randall Haag at 7:10 p.m. in the Bethel Township Community Center, Bethel PA. Attending the meeting were Randall Haag, Michael Orendo and Ken Norton. Also in attendances were Solicitor Stephanie Dake and Secretary, Jayne Seifrit.

Pledge of Allegiance

Roll Call

Secretary Orendo called the roll:

Rufus Geesaman - present

Harold Gruber - present

Kevin Stupp - present

David Younker - present

Carl Weaver - present

Also present were John Roche, Andrew Gaul of Fisher Engineering and Solicitor, Terry Parish.

The secretary took nominations for the Office of Chairman. Harold Gruber made a motion to nominate David Younker, Chairman. Rufus Geesaman voted to close the nominations. All agreed. Motion carried.

Chairman Younker then took nominations for the office of Vice Chairman. Rufus Geesaman made a motion to nominate Harold Gruber; David Younker then made a motion to close the nominations. All agreed. Motion carried.

Chairman Younker then took nominations for office of Secretary. Rufus Geesaman made a motion to nominate Darlene Orendo. Second by Harold Gruber. Kevin Stupp then made a motion to close the nominations. All Agreed. Motion carried. Harold Gruber then made a motion to set the pay scale of the secretary to \$12.75 /hr. Second by Rufus Geesaman. All agreed. Motion carried

Harold Gruber then asked the Board of Supervisor's if they would allow the Township to continue to pay the Authority Secretary through their payroll and have the Authority reimburse the expense to the Township as previously permitted. After discussion Supervisor Randall Haag made a motion to pay the secretary through the Township payroll and have the Authority reimburse the Township. Supervisor Ken Norton seconded the motion. All agreed. Motion carried.

Chairman Younker reported to all members that Carl Weaver was reappointed to another term on the Authority board by the Board of Supervisors at their reorganization meeting held on January 2, 2007.

Chairman Younker then took nominations for Assistant Secretary. David Younker nominated Carl Weaver. Second by Rufus Geesaman. Harold Gruber made a motion to close the nominations. All agreed. Motion carried.

Chairman Younker then took nominations for the office of Treasurer. Kevin Stupp made a motion to nominate Rufus Geesaman. Second by Harold Gruber. Carl Weaver made a motion close the nominations. All agreed. Motion carried.

Chairman Younker then took nominations for the office of Assistant Treasurer. Harold Gruber made a motion to nominate Kevin Stupp. Second by David Younker. Rufus Geesaman made a motion to close the nominations. All agreed. Motion carried.

David Younker made a motion to adopt Resolution 2007-01 appointing Terry L. Parish Esquire and the law offices of Ober & Associates as Solicitor for the Municipal Authority with no change to fee schedule for 2007. Second by Rufus Geesaman. All agreed. Motion carried.

Rufus Geesaman made a motion to adopt Resolution 2007-02 to appoint Fisher Engineering with attached fee schedule as Engineer for the Authority. Kevin Stupp seconded the motion, All agreed. Motion carried.

Harold Gruber made a motion to adopt Resolution 2007-03 appointing Frank Leber of Rhoads & Sinon LLP as Financial Counsel for the Authority. Fee to be discussed at a later date. Second by Rufus Geesaman. All agreed. Motion carried.

Rufus Geesaman made a motion to adopt Resolution 2007-04 to appoint First National Bank of Fredericksburg as the Authority's depository for funds. Kevin Stupp seconded the motion. All agreed. Motion carried.

Rufus Geesaman made a motion to appoint Faren Garcia & Garman PC as auditor for the Authority. Second by Kevin Stupp. All agreed. Motion carried.

After discussion, David Younker then made a motion to increase the Treasurer's bond to 1 million. Motion seconded by Harold Gruber. All agreed. Motion carried.

Public Comment on Agenda

No public comment

Approval of Minutes

Harold Gruber made a motion to accept the minutes of December 6 and December 28, 2006. Second by Rufus Geesaman. All agreed. Motion carried.

At this time Chairman Younker deviated from the agenda to discuss Old 22 Extension with the Board of Supervisor's listed under New Business.

Supervisor Randall Haag stated that the proposed 1 million foot warehouse located at the corner of Midway Rd and Old 22 has proposed their own sewage treatment plant. He also referred back to a feasibility study prepared for the Supervisors by Fisher Engineering to possibly extend the sewer line out Old 22. He commented that it gave the Board some options but at this time he is recommending this be placed on the back burner due to timing and finances.

Supervisor Ken Norton stated that it is not the right time for the extension given the facts that were presented to the both boards by Mr. Frank Leber, financial counsel.

Supervisor Michael Orendo stated his desire to move ahead with the current sewer project and agreed the extension should be tabled at this time.

After discussion by other Authority members Michael Orendo made and motion to table the Old 22 extension at this time. Second by Ken Norton. All agreed. Motion carried.

Supervisor Haag reported of the problems that Tulpehocken Township is experiencing after the fact with their newly installed sewage system and lines. He expressed his concern to the board that we learn from their mistakes. David Younker reassured the supervisor's there will be a construction inspection supervisor on site at all times. Kevin Stupp recalled the members previous visit to North Lebanon's treatment plant and mentioned they recommended construction be watched closely.

Michael Orendo made a motion to adjourn the Board of Supervisors meeting at 7:40 pm. Second by Ken Norton. All agreed. Motion carried.

Member Report

Rufus Geesaman gave a report to members concerning bids for the new computer and printer. The initial quote from Dell computers did not take into consideration the fact this it is to be used by a Government agency; therefore they gave a higher quote for the computer. Given this information, he then contacted Staples to obtain an estimate for a system and service package. David Younker recommended we contact Microaide in Bethel to obtain another comparison quote. Supervisor Ken Norton recommended Rufus send him the specs and he would check for other on-line sources.

David Younker thanked all members, Fisher Engineering and Attorney Parish for a job well done in 2006.

Solicitor Report

Attorney Parish reported that a form letter was sent to several potential developers as requested by the board last month. He received a call from Attorney Huckabee who represents Eugene and Carol Siegrist. They want to be included as a user of EDU's for the Frystown project. That is the only party that responded to the boards request so far.

Several other items listed under Old Business on the agenda will be reported by Attorney Parish at that time.

Engineer Report

The following is the monthly engineer's report.

1/3/07

Bethel Township Municipal Authority
Monthly Report for January '07

Village of Frystown:

1. We have begun once again work on the remaining **easements** in Frystown. We have a list of properties and their status for tracking and update purposes.
2. The various **sewer line revisions** as requested by the residents and approved last month (where feasible) have been completed. These revised line locations will now be incorporated into revised easement documents for the affected properties.

Village of Bethel:

3. The **Part II permit** applications, plans and supporting documents are still under review by the Commonwealth of Pennsylvania Department of Environmental Protection. We provided them additional information (alternative power supply) as discussed last month.
4. The **E&SPC Report** and Plan with the various General Permit and NPDES applications are currently under review by the Berks County Conservation District. One of the District's comments may require additional survey along the Old 22 corridor (west extension). We are planning on having a decision made for the Authority's consideration of this matter.
5. Easements (mapping and descriptions) are underway for the Village of Bethel. Our surveyor is currently finalizing the right-of-way lines (streets) in order to determine the need and extent of easements along the various roadways. Furthermore, we are providing the Authority a list of some properties that may require actual field survey (boundary) to ensure appropriate ownership questions which we will discuss this evening.
6. The right-of-way along Old 22 was researched. Apparently when PADOT gave the roadway back to the Township (1970's) they also provided them with all their records (maps showing widths, etc.). Since we were unable to secure the maps (PADOT & Twp. records) we are going to assume that the typical (minimum) right-of-way width of 33 feet exists for Old 22 and will prepare our easement documents with this assumption, unless directed otherwise by legal counsel.

General System Information & Logistics:

7. As an update to the **income survey** we should be receiving a report from RCAP within the next week or two. The results are still being tabulated; however, preliminary estimations are pointing to possible inadequate response rates. The most recent attempt to increase the response rate was unsuccessful. Tom Essig (RCAP) left door hangers requesting residents (non-respondents) to call him. Tom received no phone calls from the residents in response to this attempt.
8. We have been preparing the **Self-Liquidating Debt Report** and accompanying attachments and supporting documentation as needed for the upcoming closing (PENN WORKS financing). We will require some Board input and confirmation of our assumptions prior to forwarding the report to Rhoads & Sinon, LLP (Frank Leber's office). Some of the input required for this report includes the initial number of EDU's, the projected system connections and the rate established for the tap-in-fee as well as the quarterly user rate.
9. In an attempt to continue with the design process we have contacted several **Electrical Engineering firms** and have information to present this evening for the Board's further review and consideration. We would recommend the board select a firm as soon as possible in order to keep the design process moving.

John Roche reported of 3 easements in Frystown and 12 in Bethel that would require additional field survey work. David Younker made a motion to do the

additional survey work on questionable properties in order to know where easements are required. Second by Rufus Geesaman. All agreed. Motion carried.

Fisher Engineering will get the revised easements that were made upon requests by several residents at a prior meeting to Attorney Parish for revised document work.

A motion was then made by Rufus Geesaman to authorize the chairman and secretary to sign the E&SPC report and the agreement with Bethel Fire Co in between meetings as they are received.

The RCAP survey was discussed with several suggestions made by members to get the number of survey response higher. John Roche will follow up with the suggestions with Don Schwartz at RCAP later in the month.

A self liquidating debt report was passed out to all the members for their review. Members discussed plant construction costs and construction size. Members also discussed a guestimate of the monthly fee for users and the usage numbers for the IDA. These numbers are needed for the PENNWORKS settlement being prepared by Frank Leber, financial counsel. After discussion, Harold Gruber recommended Fisher Engineering put together some budget numbers and a time frame needed for the next meeting.

Information sheets of electrical engineers were presented to the board for their review by Andrew Gaul. Discussion will continue next month after more information is obtained.

Unfinished Business

- Frystown & Bethel easement updates – 7 easements were received back and recorded out of the 38 prepared and mailed. Attorney Parish will prepare a firm but fair letter to be mailed out as a follow up to the outstanding easements not returned by residents. Jayne Seifrit, Township Secretary mentioned she would be available for notary work at the scheduled evening township meetings.
- Assessment Appeal - Attorney Parish reported that the Assessment Office denied a change to the assessment appeal in December. Rufus Geesaman made a motion for the Chairman to sign the notice of appeal to the Court of Common Pleas on the half acre of land. Second by Harold Gruber. All agreed. Motion carried.
- Attorney Parish reported that we have not received an appraisal on the Printz property to date. He will give the appraiser a call for the next meeting.
- Mandatory Connection Ordinance Draft – tabled until a later date.
- PennWorks - previously discussed

New Business

A question about lateral inspection was raised with a request made to Fisher Engineering by the board to give a price estimate to compare with LTL.

Authorization Payment of Bills

Rufus Geesaman, Treasurer presented the following:

- Administrative Payroll \$69.58
- Engineer \$33,526.10

• Legal Fees	\$3,201.50
• Office Equipment	\$471.98
• Interest Expense	\$5,196.78
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Total	\$41,993.96

Rufus Geesaman made a motion to pay all bills and transfer \$12,000 from the line of credit and 31,000 from the new line of credit. Second by Kevin Stupp. All agreed. Motion carried.

Public Comment

None

Adjournment:

Harold Gruber made a motion to adjourn the Municipal Authority meeting at 9:32 pm. Motion seconded by Rufus Geesaman. All agreed. Motion carried.

Respectfully Submitted

Darlene M. Orendo
Secretary