

**South Middleton Township Municipal Authority — March 8, 2021**  
**Regular Meeting**

**Board Members Present:** William Brown, Chairman, Bryan Gembusia, Vice Chairman, Duff Manweiler, Secretary, Steve Aichele, Treasurer & Mauritia Hewitt, Asst.Sec/Treasurer

**Staff Present:** Josephine Hall, Manager, Robert Kissinger, Advisor, Howard Butler, Engineer & Isaac Wakefield, Solicitor

**Visitors:** Cory Adams, SMT (via zoom)  
Brian O'Neill, SMT (via zoom)  
Jennifer Caron; Eckert Seamans (via zoom)  
Scott Wyland; Salzmans Hughes (via zoom)  
Brad Remig; PFM (via zoom)

Public participation and public comment are made available via Zoom or through written comments submitted by email to the Authority Manager.

Chairman Brown called the meeting to order at 6:00 p.m.

The minutes from the February 8, 2021 meeting were presented for approval. **Mr. Aichele made a motion to accept the minutes as presented. Mr. Gembusia seconded the motion. The motion carried 5-0.**

The monthly invoices were presented for payment and all board members initialed the warrant list. **Ms. Hewitt made a motion to pay the monthly invoices as presented. Mr. Gembusia seconded the motion. The motion carried 5-0.**

The following requisitions were presented for payment from the **M & T Trust Company 2019A Project Fund - Sewer:**

<u>Req. No.</u>	<u>Payee</u>	<u>Amount *</u>
S-14	GHD, Inc.	\$ 1,707.75

The following requisitions were presented for payment from the **M & T Trust Company 2019A Project Fund - Water:**

<u>Req. No.</u>	<u>Payee</u>	<u>Amount *</u>
W-24	GHD, Inc.	\$ 12,503.75

The following requisitions were presented for payment from the **M & T Trust Company 2013 Sewer Bond Redemption Fund:**

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
583	Carlisle Borough	\$ 62,031.25

The following requisitions were presented for payment from the **M & T Trust Company 2013 Water Bond Redemption Fund:**

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
474	GHD, Inc.	\$ 6,154.04

\* A Description of all payments is shown on the Summary of Requisitions report distributed in the meeting packet and will be filed with the minutes as a permanent record.

**Mr. Gembusia made a motion to authorize payment of the following requisitions from the M & T Trust Company 2019A Project Fund—Sewer: Req. No. S-14, from the M & T Trust Company 2019A Project Fund—Water: Req. No. W-24, from the M & T Trust Company 2013 Sewer Bond Redemption and Improvement Fund: Req. No. 583, and from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. No. 474. Mr. Aichele seconded the motion. The Motion carried 5-0.**

**Public Input** - Chairman Brown turned the floor over to Mr. Remig to facilitate the steps for refinancing of the 2016 Series Bond. Mr. Remig reiterated that the underwriter that the Authority had previously used, was no longer doing municipal bond work. Mr. Remig presented the names of the firms that submitted proposals. The lowest proposal was from Piper Sandler. Mr. Remig added that he had previously contacted Ms. Hall and Mr. Kissinger to get their feedback and questions with regard to that proposal. Mr. Remig stated that Piper Sandler was a qualified, experienced, underwriter but opened the floor for questions and concerns. A discussion was held to secure the name of the underwriter as well as to determine the lowest minimum savings threshold to be written into Resolution No. 03-08-21-01 that was prepared by Ms. Caron. After some discussion, Resolution 03-08-21-01 was presented for approval and execution. **Mr. Gembusia made a motion seconded by Ms. Hewitt to approve and execute requisition No. 03-08-21-01 to include Piper Sandler as the underwriter and to establish a net savings threshold of \$50,000.00. Mr. Manweiler seconded the motion. The motion carried 5-0.**

#### **SMT Update/Issues:**

**Children's Lake Discussion:** A discussion was held with regard to easements for the Children's Lake Project, specifically the need for easements and placement of the same, and to coordinate the Children's Lake Project with the Township's plans for the parking area at the fly fishing area. Ms. Hall stated that previous authorization was given to Honor Engineering to do some additional survey work to determine who owns various parcels. Mr. Butler added that another reason for the additional survey work is to confirm that no private easements are needed. Ms. Hall suggested that SMT, GHD, and SMTMA set a time to meet after Honor completes the survey work in order to have further discussions with regard to any additional quantities before bidding the project.

**Cambria Place** - Mr. O'Neill provided that 600 trees will need to be planted under the Wellhead Protection Plan to replace the trees that will be removed with respect to the Cambria Place Project (Old Sprint Building/Walnut Bottom Rd). Discussions are ongoing with regard to water and sewer allocation. They currently have Conditional Use approval only.

**MANAGER'S REPORT**— Ms. Hall's monthly report was included in the meeting packet for the Board's review. (A copy of the Manager's report is filed as a permanent record with these minutes.)

**Monthly Budget Review** — the monthly budget report was included in the meeting packet.

**The Porches/Trinity** – Ms. Hall presented a request from Mr. Kennedy/Trinity for the Authority to consider an addendum to the agreement with Trinity to add one more EDU for water. This request is in regard to the lot that was slated for construction of the Community Building as part of Phase I, but will now take place in Phase II. The Developer would like to utilize the installed water service from the Phase I location as a watering point for the HOA. Ms. Hall provided the information to Monroe Township as it will add an additional EDU to the original Developer's Agreement. It was the consensus of the Board to move forward with the addendum to the Agreement contingent upon Monroe's approval. Mr. Wakefield will work on drafting the addendum to the agreement.

**VITRO Update** – Ms. Hall reported that she delivered the reimbursement check to VITRO for 100% of the tapping fees paid as part of the 2017 agreement. She has not been provided any additional information with regard to emergency capacity. Ms. Hall reiterated that VITRO is aware that no discharge will be accepted from Outfall 003 until such time as an agreement is developed that would permit it. Both she and Amy Hacker certified the reading on the flow meter and signed the form that states the same.

Additionally, Ms. Hall reported that VITRO signed their temporary easement for the Park Drive Water replacement Project, and she requested approval to authorize execution of the document. **Ms. Hewitt made a motion to authorize the Chairman's signature on the temporary easement for VITRO. Mr. Gembusia seconded the motion. The motion carried 5-0.**

**Park Drive Easements** – Ms. Hall reported that all the residential, temporary easements have been received with the exception of one. Mr. Wakefield recommended that Ms. Hall and/or Mr. Kissinger attempt to contact them in person to explain the need for the temporary easement. If they are unsuccessful, Mr. Wakefield could take legal action. **Mr. Aichele made a motion to grant authorization for Mr. Wakefield to proceed with the “Declaration of Taking” subject to the exhaustion of all other avenues of communication. Mr. Manweiler seconded the motion. The motion carried 5-0.**

**Review of the Southern District** - Chairman Brown asked Ms. Hall about the list of items to be submitted to South Middleton Township as requested at a prior Board meeting. The list of items is part of South Middleton Township's agreement with Monroe to perform a review of Monroe's Southern District. Ms. Hall stated that she and Mr. Kissinger compiled a list of items as they relate to the impact on the infrastructure as well as a list with regard to financial impact to the Authority. She presented those to Mr. Butler for comment or additions. Mr. Butler had nothing additional other than to suggest that Ms. Hall contact the Authority's Auditor to see if there would be anything they would add. Ms. Hall was directed to submit the list to Brian O'Neill.

**CONSULTING ENGINEER'S REPORT (GHD)**—Mr. Butler presented the monthly memorandum, as distributed in the meeting packet, detailing the progress of the Task Orders prepared by GHD. (Memorandum is filed with these minutes as a permanent record).

Mr. Butler reported that he had come from Well No. 3 and that the 72 hour draw- down test is progressing smoothly at this point. The test began at 9:30 a.m. this date. Ms. Hall and staff will be monitoring the well until Thursday, March 11<sup>th</sup> at 9:30 a.m.

**Mt Holly Intermunicipal Agreement** – Mr. Butler reported that he had reviewed the draft agreement prepared by Mr. Wakefield, and he had no suggestions or questions for the document, other than more details need to be ironed out with regard to the reciprocal service portion, or those properties that cross boundary lines.

Mr. Butler reported that Doli, Inc. submitted a request to open-cut a portion of Park Drive as opposed to directional drilling as outlined in the specifications for the Park Drive Waterline replacement. After some discussion, it was the consensus of the Board that Mr. Butler contact Doli, Inc. for more information/clarification. The initial consensus of the Board is to stay with directional drilling as outlined in the contract.

**SOLICITOR'S REPORT**— Mr. Wakefield reported that he contacted Land O' Lakes in-house counsel with regard to the lack of communication/response concerning the Tapping Fee Agreement. Mr. Wakefield had heard nothing and reached out again today. Land O' Lake's counsel informed Mr. Wakefield that it was not his area of expertise and that Land O' Lakes had engaged a local, environmental attorney. Mr. Wakefield offered to contact the environmental attorney directly, but received no response. Mr. Wakefield has given Land O Lakes until the end of April to respond.

**Children's Lake Agreement** - Mr. Wakefield drafted an Agreement for Children's Lake. The agreement states that \$565,000 is the estimated cost of the work with the quote, and to include that the DGS reimbursement amount is limited to \$400,000.00. Mr. Wakefield presented the Agreement in final form for approval and execution. **A motion was made by Mr. Manweiler to approve the Children's Lake Agreement as presented. Ms. Hewitt seconded the motion. The motion carried 5-0.**

Mr. Wakefield presented Resolution #03-08-21-02, which establishes a schedule of attorney fees with regard to collections of delinquent accounts and the establishment of attorney fees for liens with regard to severely delinquent properties. These fees are all incurred by the customer/property owner. **Mr. Gembusia made a motion to approve Resolution 03-08-21-02. Ms. Hewitt seconded the motion. The motion carried 5-0.**

**Tapping Fee Resolution** – Tabled until April

### **SPECIAL COMMITTEE REPORTS**

**Capital Projects Committee** – Nothing to report.

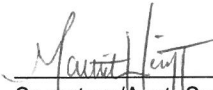
**Tapping Fee Committee** – Nothing to report.

**HR Committee** - Mr. Brown reported that he and Mr. Aichele met briefly with Ms. Hall to discuss her evaluation and they will be doing some work to further evaluate and report back to the Board with their recommendations.

**New Business** – Mr. Brown presented a request by the property owner at 12 E Hunter Road, for work that he would like to have done to his yard and driveway. Ms. Hall relayed her knowledge of the situation from past experiences with Mr. Bublinec as did Mr. Butler. After some discussion with regard to Authority and Township responsibility and extent of work to be done, **Mr. Gembusia made a motion to defer to the Township with regard to sealing the driveway at the road, and to authorize reimbursement to Mr. Bublinec for restoration of his yard for a “not to exceed” amount of \$815.00 upon proof of paid receipt. Mr. Aichele seconded the motion. The motion carried 5-0. Ms. Hall will reiterate the Board’s decision in a formal letter to Mr. Bublinec.**

At 7:58 p.m. Mr. Aichele made a motion to adjourn the meeting. The motion was seconded by Mr. Manweiler. The motion carried 5-0.

Respectfully submitted,

  
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~~Secretary~~/Asst. Secretary