

South Middleton Township Municipal Authority—October 11, 2021
Regular Meeting

Board Members Present: William Brown, Chairman, Bryan Gembusia, Vice Chairman, Steve Aichele, Treasurer, Duff Manweiler, Secretary, Maurita Hewitt, Asst. Sec./Treas. (Arrived 6:10) (All Present in Person)

Staff Present: Josephine Hall, Manager, Howard Butler, Engineer (GHD), Isaac Wakefield, Solicitor, Robert Kissinger (All Present in Person)

Visitors: Cory Adams, SMT Manager
Phil Garland, Lexington Land Developers
Roger Amsbaugh, SMT Resident

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

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

The minutes from the September 13, 2021 meeting were presented for approval. **Mr. Aichele made a motion to approve the September 13, 2021 minutes as presented. Mr. Manweiler seconded. Motion carried 4-0.**

The monthly operations invoices were presented for payment and all board members present initialed the payment register. **Mr. Gembusia made a motion to pay the monthly operations invoices as presented. Mr. Aichele seconded. Motion carried 4-0.**

The following requisition was presented for payment from the **M & T Trust Company 2013 Sewer Bond Redemption and Improvement Fund:**

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
594	Lexington Land Developers Corp.	\$14,295.00

The following requisition was presented for payment from the **M & T Trust Company 2013 Water Bond Redemption and Improvement Fund:**

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
488	GHD, Inc.	\$ 23,701.67
489	The Sentinel	\$ 148.60

* 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. Aichele made a motion to authorize payment of the following; from the M & T Trust Company 2013 Sewer Bond Redemption and Improvement Fund: Req. No. 594, and from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. No. 488 & Req. No. 489. Mr. Gembusia seconded. Motion carried 5-0.

Public Input—Phil Garland from Lexington Land Developers Corp. was in attendance to discuss the status of the Developer's Agreements for the Jefferson Court II, Phases 1 and 2, and Morgan's Crossing IV Land Developments. He furnished the Letter of Credit for Jefferson Court II as well as a replenishment of the escrow account for both developments. The Authority indicated that formal action on the two developments would be considered under the Solicitor's Report.

Mr. Roger Amsbaugh, a local resident, stated that he had submitted a job application for the advertised position and had not received any response and was inquiring as to whether the position had been filled. Ms. Hall indicated that the position has not been filled as of yet. The Authority is still receiving applications and all applications are being reviewed.

SMT Update/ Issues—Mr. Adams informed the Board that the purchase of the Carlisle Airport is finally official. Along with many slated improvements to be made to the airport, the Township will be coming to the Authority in the future to get the facility connected to the public water and sewer system.

MANAGER'S REPORT— Ms. Hall's monthly operations status 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.)

Ms. Hall reviewed several items on the monthly report with the Board.

Delinquency Processing-Payment Plan Request Acct. # 019126—Ms. Hall presented a request from a property owner whose account has become severely delinquent, for a payment plan. She informed the Board that this property owner had contacted her and requested a payment plan during the last collection cycle in May of 2021. As per past direction from the Board, as the manager, she can authorize one payment plan per account, which she did for this customer. On May 27, 2021 Ms. Hall approved the plan requested by the customer to begin payments of \$75.00 bi-weekly on the delinquent amount and make on-time payments, in full, of all future billings. The customer made two payments of \$75.00 in the month of June and has failed to make any additional payments to date. Additionally, this customer did not make the payment for the following bill issued for the 2nd Quarter of 2021 which was processed and sent on July 3, 2021. She asked for direction from the Board as to how to move forward with this account and the customer's request.

A lengthy discussion was held related to how delinquency processing should be handled for accounts that accumulate sizeable delinquencies. As per recommendations from Mr. Wakefield, the Board arrived at the following policy for collection: Collections should continue for all delinquent accounts as per the existing defined collection procedures in the Authority's Rates, Rules and Regulations. In the instance that any customer account accumulates a delinquency amount of \$1,000.00 or more, the manager may allow the customer to enter into a formal payment agreement, for which a formal document will be prepared and signed by the customer. Mr. Wakefield said he will forward the standard payment plan document his office has for clients to use. Provision for a payment plan will be offered as a one time option to the property owner and failure to follow through with the agreement arrangements will void the plan and any and all other collection methods can be used to collect the delinquent charges on the account. Also, with any account that accumulates delinquent charges of more than \$1000.00, the Authority may direct the solicitor to initiate the filing of a municipal lien on the property.

The Board also approved, as policy, the use of collection by means of termination of the water supply to the property as well as processing of municipal lien against the same property per the collection resolutions established by the Authority, or by any other means available at the Board's discretion.

As for the request presented from the property owner of account # 019126 addressed by Ms. Hall, the board approved an offer of a payment plan in which a lump sum of \$500.00 must be made to initiate the plan and then continue with bi-weekly payment of \$75.00 until the delinquency is caught up. Additionally, under the payment plan, all current bills processed must be paid on time according to the Authority's normal billing policy. If the property owner agrees to enter into a payment plan, the plan must be accepted within 5 days of the offer.

Banner of Truth Request—Ms. Hall reported that she had contacted Ron Hamilton, Emergency Management Coordinator, regarding the request for a waiver of the requirement for a fire tank for the new facility being constructed. Mr. Hamilton indicated that a fire tank would not be required for the location. She asked for a motion to approve the waiver request. **Mr. Gembusia made a motion to approve the request from Banner of Truth for a waiver of the fire tank for the property at 610 Alexander Spring Road. Mr. Manweiler seconded. Motion carried 5-0.**

Hiring Authorization—Ms. Hall indicated that she would request an executive session to discuss personnel matters.

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).

Task Order Update—Mr. Butler reported that on the Children's Lake project all the drilling has been completed and all of the piping is in the ground. He also reported that the Park Drive water main replacement is also near completion. He is reviewing

punch list items and is pushing for them to get the paving done before the end of the paving season, but it may not happen as all contractors are trying to get paving jobs done before the asphalt plants shut down.

York Road Water Main Replacement Bid Results—Mr. Butler reported that bids were opened for this project and the low bid came in considerably lower than the engineer's estimate of \$2,000,000.00. The apparent low bidder is Doli Construction Corp., Inc. with a bid amount of \$1,797,220.00. Mr. Butler asked for a motion to award the bid subject to the solicitor's and engineer's review of the contract documents. **Mr. Gembusia made a motion to award the York Road Water Main Replacement project to the apparent low bidder, Doli Construction Corp. Inc. subject to final review of all contract documents by the solicitor and engineer. Ms. Hewitt seconded. Motion carried 5-0.**

Potential Waiver for PA Steel Compliant Products—Mr. Butler presented information regarding a possible issue which may arise with some of the Authority's upcoming projects related to the legislated requirement for use of PA Steel Compliant Products. This requirement is written into all contract bid documents, but indications are that it may come to the point where parts and products needed for the job will not be available due to the economic and supply problems that are prevalent at this time. Availability issues could cause major delays to a project. He has spoken to Mr. Wakefield about the ability to request a waiver of compliance if this should occur and he feels that the Authority could request such a waiver if it comes to major delays for completion of any of the Authority's projects.

SOLICITOR'S REPORT—Mr. Wakefield reported that he has been in contact with the attorneys for Land O Lakes and has arrived at a general agreement with them to begin preparing the water and sewer agreement which should be ready for review and final approval by the end of this year.

Approval for Jefferson Court II Phases 1 & 2 Developer's Agreement—Mr. Wakefield asked for a motion to approve the Jefferson Court II Phases 1 & 2 Developer's Agreement, contingent upon the revision of wording stating that attachment of the approved final development plans from the Township be included with the agreement. **Ms. Hewitt made a motion to approve the Jefferson Court II Phases 1 & 2 Developer's Agreement, with the conditions noted. Mr. Manweiler seconded. Motion carried 5-0.**

Approval for Morgan's Crossing IV Developer's Agreement—Mr. Wakefield asked for a motion to approve the Morgan's Crossings IV Developer's Agreement contingent upon the same revision as the Jefferson Court II Agreement. **Ms. Hewitt made a motion to approve the Morgan's Crossing IV Developer's Agreement with the conditions noted. Mr. Manweiler seconded. Motion carried 5-0.**

Banner of Truth Developer's Agreement—Mr. Wakefield asked for approval of the Banner of Truth Developer's Agreement with the inclusion of the waiver of the fire tank requirement as approved earlier in the meeting. **Mr. Gembusia made a motion to approve the Banner of Truth Developer's Agreement as presented. Mr. Aichele seconded. Motion carried 5-0.**

Easement Agreements With SMT—Mr. Wakefield asked for amendments to tonight's agenda related to this discussion item. Mr. Wakefield asked for a motion to approve amending the October 11, 2021 agenda to indicate consideration to grant the Deed of Easement and Right of Way for Children's Lake Project. **Mr. Gembusia made a motion to approve amending tonight's agenda to reflect consideration to grant approval of the Deed of Easement and Right of Way for Children's Lake project. Ms. Hewitt seconded. Motion carried 5-0.**

Mr. Wakefield asked for approval to grant the Deed of Easement and Right of Way for Children's Lake to South Middleton Township. **Mr. Gembusia made a motion to grant the Deed of Easement and Right of Way for Children's Lake to South Middleton Township. Ms. Hewitt seconded. Motion carried 5-0.**

Mr. Wakefield asked for a motion to approve amending the October 11, 2021 agenda to indicate consideration to relinquish the existing Deed of Easement and Right of Way for Children's Lake Project. **Mr. Gembusia made a motion to approve amending tonight's agenda to reflect approval to relinquish the existing Deed of Easement and Right of Way for Children's Lake project. Ms. Hewitt seconded. Motion carried 5-0.**

Mr. Wakefield asked for approval to relinquish the existing Deed of Easement and Right of Way for Children's Lake to South Middleton Township. **Mr. Gembusia made a motion to relinquish existing the Deed of Easement and Right of Way for Children's Lake to South Middleton Township. Ms. Hewitt seconded. Motion carried 5-0.**

SPECIAL COMMITTEE REPORTS—HR Committee—None.

Capital Projects Committee—The Capital Projects Committee met last week to review project status for the remainder of 2021. They also focused on the financial standings for projects slated for 2022. The upcoming projects slated have been estimated to come in at a cost of about \$20 million dollars.

Tapping Fee Adjustment Committee—None.

NEW BUSINESS—None

At 7:18 p.m. Mr. Brown called for adjournment of the regular meeting to enter executive session to discuss personnel matters.

At 8:07 Mr. Brown called adjournment of the executive session and return to the regular meeting.

Mr. Gembusia made a motion to authorize Ms. Hall to hire a part time licensed operator at an hourly wage not to exceed \$20.00 per hour. Mr. Manweiler seconded. Motion carried 5-0.

Mr. Brown made a motion to authorize Ms. Hall to hire a vehicle mechanic at an hourly wage not to exceed \$28.00 per hour. Ms. Hewitt seconded. Motion carried 5-0.

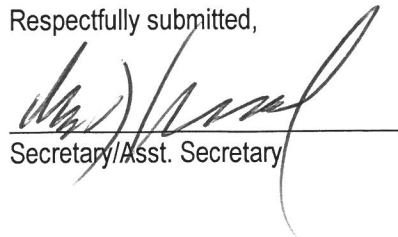
Mr. Manweiler made a motion to authorize the board members on the HR committee to make immediate decisions on hiring of any staff and approve wages on behalf of the Authority Board. Ms. Hewitt seconded. Motion carried 5-0.

Mr. Gembusia made a motion to authorize payment of a retention bonus to current full-time staff in the amount of \$3,000.00 to be paid over the next 6-month period and a \$1,500.00 retention bonus for all current part time employees over the next 6-month period. Additionally, to authorize a sign-on bonus to all new full time employees hired in the amount of \$3,000.00 over a 6 month period beginning with the first pay after hire and a \$1,500.00 sign-on bonus for any part time employee hired beginning with the first pay after hire. Mr. Manweiler seconded. Motion carried 5-0.

Mr. Gembusia made a motion to increase the hourly rate of the current operator of record to an hourly wage of \$28.00 per hour. Ms. Hewitt seconded. Motion carried 5-0.

At 8:10 p.m. Ms. Hewitt made a motion to adjourn. Mr. Aichele seconded. Motion carried 5-0.

Respectfully submitted,



Secretary/Asst. Secretary