

South Middleton Township Municipal Authority — September 13, 2021
Regular Meeting

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

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

Visitors: Brian O'Neill, SMT
Rita Young, 101 Hedgerow Lane

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 August 9, 2021 meeting were presented for approval. **Mr. Gembusia made a motion to accept the minutes as written. Mr. Aichele seconded the motion. The motion carried 5-0.**

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

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>
593	Trout CPA	\$ 1,515.00

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>
485	Trout CPA	\$ 1,515.00
486	GHD, Inc.	\$ 36,812.58
487	DOLI Construction	\$912,439.28

The following requisition was presented for payment from the **M & T Trust Company 2013 Water Clearing Fund:**

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
33	Water Operations Acct	\$300,000.00

* 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 2013 Sewer Bond Redemption and Improvement Fund: Req. No. 593, from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. Nos. 485, 486 and 487, and from the M & T Trust Company 2013 Water Clearing Fund: Req No. 33. Ms. Hewitt seconded the motion. The motion carried 5-0.

Public Input - Mr. Brown turned the floor over to Rita Young, resident of 101 Hedgerow Lane. Ms. Young expressed her distress over the condition of her yard since phase I of the Forge Road Acres water and sewer line replacement project under the Authority's contract with Anrich. Ms. Young stated that nothing has been done to restore her yard, and that she has received no

notifications from the Authority. Although she did state that she was advised many times through calls to the Authority office that there was a list of properties for restoration, and that her property was on that list. She maintains that there are several areas where the ground is not level; there are various ruts, and many weeds. Chairman Brown stated that Ms. Hall should coordinate with Ms. Young on the next business day to schedule a meeting to review her complaint, and to take the necessary steps to restore the yard if the claims are valid as it relates to the Anrich contract.

SMT Update/Issues: Mr. O'Neill had nothing to report outside of the scope of regular Agenda items, other than some minor issues with the placement of Doli's construction equipment for the Children's Lake waterline replacement project and appropriate signage for the project.

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.)

Ms. Hall informed the Board that Christopher Shover tendered his resignation via email at the end of the day, effective this date, with no notice. Mr. Shover had taken PTO for the day today. Ms. Hall was told earlier in the day that Mr. Shover's work phone was turned off and on his desk and not in his possession. She had intended to address that with Mr. Shover on the next work day. She informed the Board that staffing for operators and mechanics has gone from 9 people to 3. After a lengthy discussion about avenues for advertising the positions, how the Township and others could help with the work force, and incentive pay for an on-call week, and or week-end, the matter was tabled for Executive Session.

Ms. Hall reported that a meeting was held at the Municipal Authority office upon the request of Justin Kuhn of Integrated Development, LLC, Mike Kennedy, owner of Allenberry Resort, and Monroe's Engineer, Greg Rogalski. The basis for the meeting was to notify the Authority that Mr. Kennedy would like to build 164 residential units on the footprint of the Allenberry Resort. Ms. Hall reported that she advised Mr. Kennedy that the meeting was a bit premature as Allenberry is a sewer customer of Monroe. Additionally, she told all parties present at the meeting that the existing intermunicipal agreement with Monroe would need to be amended, or Monroe would need to make Allenberry a customer of SMTMA by negotiating a new agreement among all parties. A Board discussion ensued relative to ongoing I & I from White Rock, more capacity needed for the potential development of this request for housing, and the necessity to open up discussions relative to the intermunicipal agreement with Monroe. Ms. Hall stated that Mr. Kennedy's Engineer sent a letter to both the Monroe Township Board of Supervisors and Monroe's Authority requesting a decision on the matter so that Allenberry knows how to move forward. She has heard nothing further on the matter.

Ms. Hall reported that DOLI Construction has submitted their substantial completion certificate for Park Drive. That document will need to be executed pending Howard's review and approval. Mr. Butler will provide further comment under his report.

Ms. Hall reported that she is working with Michelle Miller from the Appalachian Trail Conservancy on an issue that was overlooked prior to the waterline construction at Children's Lake. The issue is specific to the portion of the trail in the wooded area near the footbridge to the iron furnace lot. The boring contractor needs to keep a pump set up to keep the pit clear of water and maintain the groundwater level so as not to flood the trail. It was noted that there is no formal easement for this section of the trail, but there was an agreement with the Authority to maintain it. When the furnace property was transferred to South Middleton Township, there was no apparent coordination to transfer the agreement between the trail conservancy and the Authority for that section of the trail. Ms. Hall reported that a snow fence was put up to deter hikers from the construction site. Ms. Miller, who is the regional contact for the Appalachian Trail office is working with the local group on how to proceed. Ms. Hall has not heard anything further.

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

Ms. Hall presented the Danowitz water easement for approval and execution with regard to the Family Ford property as it is relative to the York Road portion of the S Spring Garden Waterline Project. **Mr. Brown requested a motion to approve and execute the agreement. Mr. Manweiler made a motion to approve and execute the Danowitz water easement. Mr. Aichele seconded the motion. The motion carried 5-0.**

Health Insurance Renewal - Ms. Hall presented the Capital Blue Cross renewal options for healthcare for the 2021/22 plan year. The overall increase in cost for the plan premiums is 4.7 %. She added that the HR Committee met and reviewed the plan options. The recommendation by the HR Committee was to maintain the current plan coverage, but would make a change to increase the deductible. The co-pays for office visits increase as well as do the drug co-pays. These changes were done by Capital Blue Cross. However, the

HR Committee recommended that the employee portion of the deductible would remain at \$500.00. Ms. Hall reported that the Authority is still on track to receive a substantial refund of approximately \$35k. **Ms. Hall presented the Capital Blue Cross Plan for approval.**

Ms. Hewitt made a motion to approve and execute the Capital Blue Cross ASO/PPO 6000/0/30 RX250. Mr. Gembusia seconded the motion. The motion carried 5-0.

MERP Resolution 2021/22 - Ms. Hall presented Resolution 09-13-21-01 which amends and restates the Authority MERP plan for the 2021/22 Plan Year. **Mr. Gembusia made a motion to approve and execute Resolution 09-13-21-01. Ms. Hewitt seconded the motion. The motion carried 5-0.**

Banner of Truth Fire Suppression System - The Banner of Truth, 610 Alexander Spring Rd, Carlisle, presented a written request to Ms. Hall to request a waiver of the maximum flow rate for the proposed fire suppression system. Ms. Hall provided a summary of their request to the Board. Mr. Manweiler suggested that Mr. Hamilton, the South Middleton Township's Emergency Management Coordinator, review the request. **Mr. Aichele made a motion to table the matter until Ms. Hall can contact Mr. Hamilton to confirm that The Banner of Truth has a valid request. Mr. Manweiler seconded the motion. The motion carried 5-0.**

Jefferson Court II Request – Ms. Hall presented a request from Rock Road Construction, Contractor for Jefferson Court II. They are asking specifically for the issuance of sewer permits for Phase I of the development while constructing homes in Phase II and, further stated further that Home Occupancy Permits would not be issued for homes in Phase I until the completion of Phase II. There was a discussion as to the basis for the request, why the contractor was making the request, setting a precedence, and Authority liability. **At the completion of the discussion Mr. Manweiler made a motion to deny the request of the contractor. Mr. Gembusia seconded the motion. The motion carried 5-0.**

2022 MMO's for Tier I & Tier II - Ms. Hall presented the Minimum Municipal Obligations for both Tier I & Tier II employee pension plans as required by law. **Mr. Gembusia made a motion to accept the MMO's for Tier I & Tier II Pensions as presented. Ms. Hewitt seconded the motion. The motion carried 5-0.**

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 No. 38 – Design of Carlisle's PS 2 – Mr. Butler presented Task Order 38 for the amount of \$75,000.00 for the design to upgrade Carlisle's PS No. 2 as required to facilitate our request to adjust the allocation of sewer flows. This change order does not include the bidding process, or construction administration. **A motion was made by Mr. Aichele to approve Task Order No. 38 in the amount of \$75,000.00. Mr. Manweiler seconded the motion. The motion carried 5-0.**

Mr. Butler requested formal authorization to bid the York Road portion of the South Spring Garden Street Waterline Project. **Mr. Gembusia made a motion to authorize the bidding of the York Road portion of South Spring Garden Street. Steve Aichele seconded the motion. The motion carried 5-0.**

Flat Rate Cost for Hydrant Testing - Mr. Butler proposed a change from a time and materials rate for hydrant testing to a flat rate testing. He stated that there is an annual certification of the gauges and depending on the amount of testing done each year, the invoicing becomes cumbersome. He added that the costs for the testing are passed on to the developer. **It was the consensus of the Board that a flat rate fee be charged for hydrant testing in the amount of \$500.00.**

Mr. Butler presented the Certificate of Substantial Completion for the Park Drive Waterline Project for approval and execution. **Mr. Aichele made a motion to approve and authorize the execution of the Certificate of Substantial Completion to DOLI for the Park Drive Waterline Replacement Project. Mr. Manweiler seconded the motion. The motion carried 5-0.**

SOLICITOR'S REPORT— Mr. Wakefield presented the Developer Agreement with Diakon for the Cumberland Crossing Cottages for approval and execution by the Chairman. **Mr. Aichele made a motion to approve and execute the agreement with Diakon. Mr. Gembusia seconded the motion. The motion carried 5-0.**

Mr. Wakefield presented the Developer's Agreement with Forgedale Crossing LLC relative to Forgedale Phase 10A for approval and execution. Mr. Wakefield provided that there were a few adjustments to the standard form to include some pump station specifications that were included due to the developer's desire to make an upgrade/design change to the pump station. Those changes affect the total cost as well as the amount of financial security to be furnished. **A motion was made by Mr. Brown to approve and execute the Developer's Agreement with Forgedale Crossing, LLC. Mr. Aichele seconded the motion. The motion carried 5-0.**

Mr. Wakefield presented the Cooperation Agreement with Carlisle pertaining to the upgrade of Carlisle's Pump Station No. 2 for approval and execution. He added that all parties other than the Carlisle Authority have approved and signed the agreement. **Mr. Brown made a motion to approve and execute the Cooperation Agreement with Carlisle. Mr. Aichele seconded the motion. The motion carried 5-0.**

SPECIAL COMMITTEE REPORTS

Capital Projects Committee – Mr. Brown reported that he spoke with Ms. Hall prior to this meeting and they would like to set a committee meeting for early October so that they have an idea of proposed budget numbers for 2022. A meeting was set for the morning of October 6, 2021.

Tapping Fee Committee – Mr. Wakefield reported that Ms. Hall recently sent an updated Tapping Fee invoice to Land O Lakes as well as a copy of their currently delinquent water/sewer billing. He also reported that the attorney for Land O Lakes had tried to contact him prior to the updated invoice, after which Mr. Wakefield attempted to contact him by phone and made a second attempt to invite him to join a conference call, but Mr. Wakefield has had no response. Mr. Wakefield did send him an email to apprise him of the updated invoicing, and he did not reply.

HR Committee - Mr. Brown asked that Ms. Hall send an email to R. J. Hall Company to schedule a meeting with regard to their proposed pension options for the Tier II employees.

New Business – None

Executive Session - At 7:41 p.m. Chairman Brown stated that the Board would be moving into executive session for personnel matters. At 7:55 Chairman Brown reconvened the regular meeting.

Mr. Wakefield recommended that the agenda be amended to read that Section 6 of the agenda should include consideration to implement an on-call, flat payment rate for personnel. Mr. Gembusia made the motion to approve the amendment to the agenda as presented. Ms. Hewitt seconded the motion. The Motion carried 5-0.

Mr. Aichele made a motion that retroactive to August 2, 2021, employees who serve an on-call status for the entire week will receive a \$250.00 supplemental payment with their regular pay. Mr. Gembusia seconded the motion. The motion carried 5-0.

At 7:56 p.m. Mr. Aichele made a motion to adjourn the meeting. The motion was seconded by Mr. Gembusia. The motion carried 5-0.

Respectfully submitted,


Secretary/Asst. Secretary