

**South Middleton Township Municipal Authority—February 14, 2022**  
**Regular Meeting**

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

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

**Visitors:** Brian O'Neill, SMT Engineer  
Cory Adams, SMT Manager  
Brad Remig, PFM

**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 January 10, 2022 meeting were presented for approval. **Mr. Aichele made a motion to approve the January 10, 2022 minutes as presented. Mr. Gembusia seconded. Motion carried 5-0.**

The monthly operations invoices were presented for payment and all board members present initialed the payment register. **Mr. Aichele made a motion to pay the monthly operations invoices as presented. Ms. Hewitt seconded. Motion carried 5-0.**

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>
599	Control Systems 21	\$ 20,937.92
600	GHD, Inc.	\$ 51.75

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>
496	Control Systems 21	\$ 13,291.14
497	GHD, Inc.	\$ 5,405.67

\* 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. Manweiler made a motion to authorize payment of the following; from the M & T Trust Company 2013 Sewer Bond Redemption and Improvement Fund: Req. No. 599 & 600, and from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. No. 496 & 497. Mr. Gembusia seconded. Motion carried 5-0.**

**Public Input**— Phil Garland prepared and forwarded the Developer's Agreement for Phase 5 of the Morgan's Crossing Development to Mr. Wakefield to present to the Board. Mr. Wakefield indicated that he and Ms. Hall have reviewed the document, and all is in order. He asked for a motion to accept the Morgan's Crossing Phase 5 Developer's Agreement. **Mr. Gembusia made a motion to approve and accept the Morgan's Crossing Phase 5 Developer's Agreement as presented. Mr. Aichele seconded. Motion carried 5-0.**

Brad Remig, with PFM provided an informational packet for the Board's review related to refinancing the 2017 Bond Series which has a call date of August 1, 2022. The Board reviewed the comprehensive report on information regarding the current bond standings for the Authority and Mr. Remig's suggested direction for the Authority regarding closing and refinancing the 2017 Bond Series. After a discussion regarding the information provided in Mr. Remig's report, the Board directed that Mr. Remig move forward with the bond refinance and prepare a Parameters Resolution authorizing PFM to move forward to secure a new bond with the stipulation that a minimum investment savings of \$25,000.00 be achieved. Ms. Hall said that she will call Mr. Remig with the Board's directions. (Mr. Remig arrived after the Public Input section and received the Board's directives.)

**SMT Update/ Issues**—Mr. O'Neill reported that the Township has authorized Rettew Associates to move forward with an evaluation of Monroe Township Municipal Authority's southern sewer district related to the developer's agreement that was established for the construction of the Porches of Allenberry development. The study will value that system and look at the feasibility of South Middleton Township Municipal Authority acquiring the system.

Mr. O'Neil also reported that in speaking with Marie Holland, the representative from GMS, the firm that handles researching and securing grants for the Township and Authority, he inquired as to whether she could look into possible grant monies that may be available for the Fairview Street Sewer Extension project which is currently on hold for the Authority. She said she will begin looking at options for that project.

Mr. Adams informed the Board that Bryan Salzman, Township Solicitor, is working on preparing a draft of the proposed operations agreement between the Township and Authority. The draft will hopefully be ready to present to the Board at the March 14<sup>th</sup> meeting so that the Board may begin working through the details of the agreement.

**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.

**120Water—LCRR Inventory Proposal**—Ms. Hall informed the Board that in December 2021 the EPA passed new legislation that contains revisions to the existing Lead and Copper Rules for public water systems. The new legislation now requires public water systems to create a detailed log of the type of material that all water mains and service laterals are constructed of, and additionally the type of material that each individual property service line is. The information regarding the type of material the individual service lines are constructed of is not something that the Authority has record of because construction and maintenance to the service line from the curb stop into the property is the responsibility of the property owner. She reported that she has taken several seminars with the company, 120Water, which offers a service in which they will set up a program to gather information and compile an inventory list which would satisfy the EPA requirement. 120Water will use the Authority's mapping and customer database to prepare the property list. They will also work with the county to gather parcel information regarding the year properties were constructed. The company may also use mailers or sending out lead test kits to select properties in order to gather the needed information. The data base created will also be compatible with ArcGIS platform that GHD has created for the Authority. The proposed cost provided by 120Water for this service is \$15,880.00 excluding the cost of any individual customer outreach such as distribution of lead testing kits, mailers, etc. The deadline to submit the completed inventory to EPA is October of 2024. 120Water has indicated that their timeframe for completing the program is approximately 12 to 14 months. Ms. Hall asked for a motion to approve executing a contract with 120Water to compile system wide data for compliance with the revised EPA Lead and Copper legislation. **Mr. Gembusia made a motion to approve moving forward with the contract with 120Water in the amount of \$15,880.00 as presented. Mr. Aichele seconded. Motion carried 5-0.**

**Grant Application Resolution 02-14-2022-01 for S Spring Garden Street Watermain Replacement**—Ms. Hall presented Resolution No. 02-14-2020-01 authorizing GSM to move forward to seek grant funds for the S Spring Garden Street Watermain replacement project. **Mr. Gembusia made a motion to approve Resolution No. 02-14-2022-01 to apply for funds for the S. Spring Garden Street Watermain Replacement Project. Ms. Hewitt seconded. Motion carried 5-0.**

Ms. Hall asked for a motion to amend the agenda to discuss a request from a residential water customer (Acct. # 002154) to waive a late fee that was charged to their account. **Mr. Gembusia made a motion to add discussion of waiver of late fees for Cust. Acct. # 002154. Mr. Aichele seconded. Motion carried 5-0.**

Ms. Hall presented a request from a residential water customer, Acct. # 002154, to waive the late fee that was charged for the 4<sup>th</sup> Quarter 2021 bill. She explained that the customer received a higher than normal water bill in an amount over \$400.00 due to a leak. The customer was unaware of the leak and thus was not expecting such a high bill. The customer stated that he is retired and on a fixed income and could not pay the whole amount by the due date. He did make a partial payment on 2/14/22 and said that he could make payment in full by the end of March before the new bills were processed. In viewing the account with Jamie, a courtesy penalty credit had been issued for the 3<sup>rd</sup> Quarter bill for the same reason. Ms. Hall spoke with the property owner and told him that she would present his request to the Board as he had already received a credit the previous

quarter. **After discussing the matter Mr. Gembusia made a motion to reverse the penalty charge of \$43.34 provided payment in full is made on or before March 31, 2022. Mr. Aichele seconded. Motion carried 5-0.**

Ms. Hall finally reported that she had talked to Doli regarding the delayed pipe order for the York Road Water Main Replacement Project and they indicated the vendor had contacted them and said tentatively, the pipe order would be shipped in March. Mr. O'Neil stated that regarding this project, Doli, Inc. has not submitted the road closure and detour plans as required to begin the project.

Mr. Brown asked Ms. Hall if there was any new information from SRBC regarding the Well No. 3 aquifer testing. Ms. Hall stated that all documentation was submitted to SRBC in September of 2021 and she has not received any further information. The Board directed that Ms. Hall contact SRBC and request the status of the Well No. 3 aquifer testing.

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

**Task Order Update**—Mr. Butler reviewed the task order report, highlighting a few of the items.

**SOLICITOR'S REPORT**—Mr. Wakefield presented several items for the Board's consideration.

**Consideration & Potential Action on Amendment to Smith Farm Developer's Agreement**—Mr. Wakefield reported that he has been working with counsel for the Smith Farm subdivision and has received and reviewed the finalized agreement. Mr. Wakefield asked for a motion to approve the Smith Farm Developer's Agreement as presented contingent upon approval by South Middleton Township and receipt of the estimate for financial securities. **Ms. Hewitt made a motion to approve the Smith Farm Developer's Agreement contingent upon approval by the Township and receipt of the estimate for financial securities. Mr. Aichele seconded. Motion carried 5-0.**

**Consideration & Potential Action on Amendment to Cambria Place**—Mr. Wakefield presented an amended version of the original Cambria Place Developer's Agreement that modifies the original dates for final approval of the plan and the bidding and awarding of the project. The original date for final approval and bid and award of the project was March 1, 2022. Due to all the delays those dates were changed to June 30, 2022 for final approval and August 31, 2022 for bidding and award of the project. Mr. Wakefield asked for a motion to approve the agreement. **Mr. Aichele made a motion to approve the revised Cambria Place Developer's Agreement which revises the date for final approval of the project and bidding and award of the project as stated. Ms. Hewitt seconded. Motion carried 5-0.**

### **SPECIAL COMMITTEE REPORTS**

**HR Committee**—No new report.

**Capital Projects Committee**—No new report.

**Tapping Fee Adjustment Committee**—Mr. Brown asked that a meeting be scheduled for the 1<sup>st</sup> week of March to meet and review pertinent information.


**NEW BUSINESS**—None.

**At 7:05 p.m. Mr. Brown called for adjournment of the regular meeting to enter executive session to discuss potential litigation.**

**At 7:51 p.m. Mr. Brown called for adjournment of the executive session and return to the regular meeting.**

**At 7:52 p.m. Mr. Manweiler made a motion to adjourn. Mr. Aichele seconded. Motion carried 5-0.**

Respectfully submitted,



Secretary/Asst. Secretary