

South Middleton Township Municipal Authority — March 14, 2022
Regular Meeting

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

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

Public/Visitors: Cory Adams, SMT Manager
Brian O'Neill, SMT Engineer
Bryan Salzmann, SMT Solicitor
Phil Garland, Lexington Land Developers
Ryan Mentzer, Eckert Seamans

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

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

The minutes from the meeting of February 14, 2022 were presented for approval. Ms. Hewitt made a motion to accept the minutes as presented. Mr. Aichele seconded the motion. The motion carried 4-0.

The monthly invoices were presented for payment and all board members initialed the warrant list. Mr. Aichele made a motion to pay the monthly invoices as presented. Mr. Manweiler seconded the motion. The motion carried 4-0.

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>
601	Carlisle Borough	\$ 4,281.45
602	GHD, Inc.	\$ 1,776.00

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>
498	GHD, Inc.	\$ 4,708.50

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

<u>Req No.</u>	<u>Payee</u>	<u>Amount</u>
35	SMTMA Sewer Operations	\$500,000.00

* 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. Aichele made a motion to authorize payment of the following requisitions from the **M & T Trust Company 2013 Sewer Bond Redemption and Improvement Fund:** Req. Nos. 601 & 602, from the **M & T Trust Company 2013 Water Bond Redemption and Improvement Fund:** Req. No. 498, and from the **M & T Trust Company 2013 Sewer Clearing Fund:** Req #35.. Ms. Hewitt seconded the motion. The Motion carried 4-0.

Public Input - Mr. Gembusia turned the floor over to Mr. Garland, who was present to discuss the Townhome phase of Morgan's Crossing, which is the portion that will flow to PS#4. Mr. Butler stated that there should be no problems receiving the flow to the station with adjustments to the pumps, and that this additional flow falls within the limits of the capacity for that station. Mr. Kissinger informed the Board that the Board should also be aware that the sewage force main is in bad shape and either needs pigging to clean out the main or to replace the force main entirely. He also stated that two pumps cannot run at the same time. Ms. Hall shared Mr. Kissinger's concerns, and Mr. Butler agreed, however, did not think it an immediate threat to proceeding with Mr. Garland's request to move forward. It was the consensus of the Board that Mr. Garland may move forward with the Townhome phase of Morgan's Crossing.

SMT Update/Issues: Nothing to report other than the anticipated start date for the Children's Lake Dam Project is June 1, 2022.

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. She provided a brief overview of the items mentioned in the report.

Ms. Hall presented a request that came to her this date from a representative of Garman Builders regarding construction of the Forgedale Crossing Pumping Station. He asked her if it was a project that was governed by the "PA Steel Act". Mr. Wakefield responded that , "No, it is not a public works project".

Ms. Hall presented the Refinancing Resolution for authorization and execution for the refinancing of the 2017 Bonds. **Mr. Aichele made a motion to approve and authorize the execution of the Refinancing Resolution No. 03-14-2022-01. Mr. Manweiler seconded the motion. The motion carried 4-0.**

Ms. Hall presented the Local Share Account Grant Program Resolution No. 03-14-2022-02, which will increase the amount of grant monies the Authority could secure from \$500,000.00 to \$750,000.00. This Resolution will replace the one that was previously approved at the February meeting. Ms. Hall stated that she has also provided GMS with a matching funds letter as part of the total packet. **Mr. Manweiler made a motion to approve and execute Resolution No. 03-14-2022-02. Mr. Aichele seconded the motion. The motion carried 4-0.**

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

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).

SOLICITOR'S REPORT

Mr. Wakefield presented the Waiver Request for approval and execution, which would allow for Salzman Hughes to work on the Management Agreement as counsel for both the Authority and Township. Mr. Aichele presented some questions and concerns, as did Ms. Hewitt. Mr. Aichele confirmed that the waiver is revocable. **After a lengthy discussion to address all questions and concerns, and to state the purpose of the waiver, Mr. Manweiler made a motion to approve and execute the Waiver Request for the Management Agreement. Mr. Aichele seconded the motion. The motion carried 4-0.**

Allenberry Resort Development Agreement - Mr. Salzman reported that he worked with Ms. Hall and Mr. Butler to come up with some terms and conditions to monitor the flow for the Allenberry Agreement. He presented a draft of the agreement to counsel for the Developer, and he has asked for additional time to review. There was no action taken on the agreement.

SPECIAL COMMITTEE REPORTS

Capital Projects Committee - Nothing to Report

Tapping Fee Adjustment Committee – Nothing to Report

HR Committee - Nothing to Report

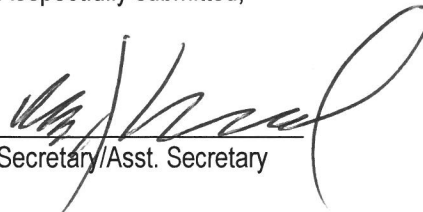
New Business:

Formation of Transition Committee – A motion was made by Ms. Hewitt to form a Transition Committee to work through the details of the proposed Management Agreement, and to appoint Mr. Brown and Mr. Aichele to that committee. Mr. Gembusia seconded the motion. The motion carried 4-0.

At 7:10 p.m. the Board moved into executive session to discuss potential litigation.

At 8:10 p.m. the Board reconvened and a motion was made by Mr. Gembusia to adjourn the meeting. The motion was seconded by Ms. Hewitt. The motion carried 4-0.

Respectfully submitted,



Secretary/Asst. Secretary