

**South Middleton Township Municipal Authority – May 9, 2022**  
**Regular Meeting**

**Board Members Present:** William Brown, Chairman, Bryan Gembusia, Vice Chairman and Duff Manweiler, Secretary

**Staff Present:** Josephine Hall, Manager, Robert Kissinger, Advisor,

**SMTMA Professionals:** Howard Butler, Engineer & Isaac Wakefield, Solicitor

**Public/Visitors:** Cory Adams, SMT Manager  
Brian O'Neill, SMT Engineer

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

The minutes from the meeting of April 11, 2022, were presented for approval. **Mr. Gembusia made a motion to accept the minutes as amended. Mr. Manweiler seconded the motion. The motion carried 3-0.**

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. Mr. Manweiler seconded the motion. The motion carried 3-0.**

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

<b><u>Req. No.</u></b>	<b><u>Payee</u></b>	<b><u>Amount*</u></b>
606	GHD, Inc.	\$ 479.50
607	Trout CPA	\$ 750.00

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

<b><u>Req. No.</u></b>	<b><u>Payee</u></b>	<b><u>Amount*</u></b>
501	GHD, Inc.	\$ 14,254.26
502	Trout CPA	\$ 750.00

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

<b><u>Req. No.</u></b>	<b><u>Payee</u></b>	<b><u>Amount*</u></b>
34	SMTMA Water Operations	\$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. Nos. 606, and 607, from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. Nos. 501, and 502, and from the M & T Trust Company 2013 Water Clearing Fund: Req. No. 34. Mr. Manweiler seconded the motion. The Motion carried 3-0.**

**Public Input** - None

**SMT Update/Issues:** Mr. Adams deferred to Mr. O'Neill who provided that he had nothing to report other than the bids for the Children's Lake Dam Project were way over the estimate. He added that it is highly likely that the project will be rebid.

**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 reported that the property owner at 26 West Hunter Road called to report that water was running on their property. Upon inspection, it was discovered that the old curb stop valve failed on the property owner's side of the meter pit. This property would have been part of the Forge Road Acres Phase II project, and Ms. Hall reported that the contractor would have excavated only to the meter pit, and not beyond. The leaking valve was 18" beyond the meter pit. However, the homeowner's opinion, based on their contractor's findings, was that the Authority should be responsible since the meter pit was installed during the water and sewer replacement project. Ms. Hall also presented that the homeowner was requesting some rate relief on their quarterly water bill. **After a discussion concerning the validity of the request, whether a warranty would apply, and where the responsibility for the leaking valve lies, Mr. Gembusia made a motion to amend the agenda to reflect the homeowner's rate relief request. Mr. Manweiler seconded the motion. The motion carried 3-0. Mr. Gembusia then made a motion to allow Ms. Hall to negotiate rate relief on the water bill, only if needed and up to a maximum amount of \$200.00. Mr. Manweiler seconded the motion. The motion carried 3-0.**

**York Road Project** – Ms. Hall reported that all pipe has arrived. Potential start date early June. She will follow up with DOLI to make sure all traffic flow patterns have been provided to the Township.

**Forgedale Crossing PS #7** – Ms. Hall reported that she provided the Developer with the amended agreement prepared by Mr. Wakefield, and reflects DEP requirements, indemnity language for the Authority, and provisions for getting sewage flow to the treatment plant, all due to a delay in the pump package for the new station as discussed at the April meeting. Ms. Hall provided that she received the signed agreement this date and presented it for the Authority's approval and execution. Mr. Wakefield stated that the agenda would need to be amended to reflect the action. **Mr. Manweiler made a motion to amend the Agenda to read approval and execution of the First Amendment to the Forgedale Crossing Agreement. Mr. Gembusia seconded the motion. The motion carried 3-0. Mr. Gembusia made a motion to approve and execute the First Amendment to the Developer's Agreement with Forgedale Crossing LLC, related to Forgedale Crossing, Phase 10A. Mr. Manweiler seconded the motion. The motion carried 3-0.**

**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).

Mr. Butler provided an overview of the major progress developments for the month.

**SOLICITOR'S REPORT** - Mr. Wakefield reported that he presented the draft resolution to Ms. Hall for the flat rate for water usage as discussed at the April meeting. Ms. Hall did not have a chance to review but reported that a shipment of over 100 meters arrived, and that we are still awaiting the transmitter component for the reading of the meters. She did add that we do know the manufacturer is currently not manufacturing MXU's.

**Allenberry Resort Development Agreement** - Mr. Wakefield reported that he had discussed the Allenberry Resort Development Agreement with Mr. Salzmann, and explained to him that the Developer's counsel had the agreement for over three months. Mr. Salzmann reached out to the Developer's Solicitor and informed Mr. Wakefield that the agreement is under review by his clients. He added that they were surprised to see a lump sum Tapping Fee payment requirement. Mr. Wakefield responded that if their counsel's client needs a payment plan or some sort of consideration with regard to the tapping fee requirement, they should advise.

## **SPECIAL COMMITTEE REPORTS**

**Capital Projects Committee** - Mr. Brown asked Ms. Hall to set up a meeting prior to the June Authority meeting.

**Tapping Fee Adjustment Committee** – Ms. Hall reported that she met with the new Environmental Engineer for Land O'Lakes, and her immediate supervisor. She wanted to introduce herself to Ms. Hall and asked that Ms. Hall to bring her up to speed with the historical details of the water usage, and the background for the tapping fee agreement. Ms. Hall asked for information about the Reverse Osmosis System. They told her that the project to install a Reverse Osmosis System was approved and they believed the system was ordered.

**HR Committee** - Nothing to report other than staffing changes that occurred with Martin Hovis retirement.

**Transition Committee** - Nothing to report.

**New Business:** Nothing to report.

At 6:52 p.m. the Board moved into executive session to discuss potential action regarding the Mt. Holly Permit Order. At 7:18 p.m., the Board reconvened and a motion was made by Mr. Gembusia to authorize Ms. Hall's signature on a letter to Mt. Holly after some minor modifications, and that Ms. Hall will deliver the letter by hand to Mt Holly as well as by certified mail. Mr. Manweiler seconded the motion. The motion carried 3-0.

At 7:20 p.m., Mr. Manweiler made a motion to adjourn the meeting. The motion was seconded by Mr. Gembusia. The motion carried 3-0.

Respectfully submitted,



Secretary/Asst. Secretary