

South Middleton Township Municipal Authority – July 11, 2022
Regular Meeting

Board Members Present: William Brown, Chairman, Duff Manweiler, Secretary, Steve Aichele, Treasurer and Maurita Abeln
Asst. Secretary-Treasurer

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

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

The minutes from the meeting of June 13, 2022, were presented for approval. **Mr. Aichele made a motion to accept the minutes as written. Ms. Abeln 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>
609	GHD, Inc.	\$ 37.00
610	Carlisle Borough	\$10,388.79

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>
504	GHD, Inc.	\$11,013.18

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>
36	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.

Ms. Abeln 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. 609, and 610, from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. No. 504, and from the M & T Trust Company 2013 Sewer Clearing Fund: Req. No. 36. Mr. Aichele seconded the motion. The Motion carried 4-0.

Public Input - None

SMT Update/Issues: Mr. Adams deferred to Mr. O'Neill who provided that he had nothing to report other than a sketch plan for 850 townhomes between the quarry and the airport. A meeting is scheduled for July 14th to discuss 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. She provided a brief overview of the items mentioned in the report.

Ms. Hall reported that DOLI construction has begun the project on York Road and has encountered some problems with locating the Ductile Iron Pipe and informed the Board that she would be securing the services of Nate Stauffer, from Fluid Conservation Technologies, to help with the locating of the lines. She also informed DOLI that they should drill some additional test pits.

Ms. Hall reported that Mt Holly requested second quarter flows. Ms. Hall stated that she also reiterated the need for the 2021 true-up and 2022 budget figures that are a requirement of the intermunicipal agreement at the end of the first quarter each year. Mr. Rogalski informed her that Mt. Holly has secured the services of an Auditor to do that work. She also provided to the Board that the Authority has not made any payments to Mt. Holly for sewer charges for 2022. Mr. Wakefield suggested that Ms. Hall make a phone call to Mr. Rogalski to reiterate that the engineer is required to calculate true-ups and provide budget figures as part of the intermunicipal agreement.

Ms. Hall reported that the position of Office Manager has been advertised. She has reached out to several candidates but has had no progress in that regard. Ms. Hall also reported that advertisements have been placed for an additional maintenance staff member. There have been several replies and they are actively pursuing those.

Ms. Hall reported that Mr. Kissinger has been diligently pursuing those developers who have not dedicated older phases of development to the Authority. He reminded those persons that the onus is on them for such dedication. Ms. Hall reported that Mr. Kissinger received a response late Friday afternoon from a representative of Little Women, LP for Phase 9 of Forgedale Crossing. The developer requested that the Authority waive the eighteen-month maintenance bond as a dedication requirement as the sewer and water infrastructure has been in place for ten years. Ms. Hall stated that the agenda must be amended to entertain approval to waive the maintenance bond requirement to pursue finalization of the dedication by the Developer. **Mr. Brown requested a motion to amend the meeting agenda to reflect approval for waiver of the maintenance bond for Phase 9 of Forgedale Crossing . Mr. Aichele made a motion to approve the amendment to the agenda to waive the bond requirement for Little Women LP. Ms. Abeln seconded the motion. The motion carried 4-0.**

Mr. Kissinger presented a potential problem regarding non-compliance once the waiver for the maintenance bond is approved. **Mr. Aichele made a motion to waive the maintenance bond provided that the dedication is approved and executed within sixty days. Mr. Manweiler seconded the motion. The motion carried 4-0.**

Ms. Hall reported that she would be signing a document that Mr. Stump will be an agent for the Authority in the sale of a vehicle and trailer at the COG (Council of Governments) auction.

Lastly, Ms. Hall reported that Special Counsel must be appointed in the WellSpan matter, due to a conflict of interest for Salzmann Hughes, who represent WellSpan. She reported that she, Mr. Aichele and Mr. Brown met with Attorney Steven Stine as a potential candidate to represent the Authority, and after discussion related to his background and history with negotiations, they recommended that the Board secure his services in this matter. **Mr. Aichele made a motion to appoint Steven Stine as Special Counsel going forward to negotiate the Developer's Agreement between the Township, WellSpan and the Authority. Mr. Brown seconded the motion. The motion carried 4-0.**

Monthly Budget Review— The monthly budget report is part of the meeting packet as permanent record.

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.

York Rd/S Spring Garden Street - Mr. Butler reiterated that DOLI has started the project. He reported that DOLI has requested an extension of time on this project due to the supply delay for the pipe. The dates for substantial completion and final completion for the project will be extended to September 16th and October 14th, 2022.

Mr. Butler reported that he would like to discuss a time extension for the upgrade work for Carlisle's PS #2, to serve Cambria Place. Mr. Butler was directed to reach out to Mr. Salzmann who will communicate with the Developer.

SOLICITOR'S REPORT - Mr. Wakefield reported that Cambria Place Developers changed their name and did not divulge that information to the Township. Therefore, Mr. Wakefield presented Resolution No. 07-11-2022-01 for adoption, which gives the Board authorization to all Board members and required staff to execute all documents to facilitate an assignment of the developer's agreement to the new entity. Mr. Brown asked for a motion to adopt the resolution. Mr. Aichele made a motion to adopt Resolution No. 07-11-2022-01. Mr. Manweiler seconded the motion. The motion carried 4-0.

SPECIAL COMMITTEE REPORTS

Capital Projects Committee - Ms. Hall will provide the updates from the last committee meeting to Mr. Butler.

Tapping Fee Adjustment Committee – Nothing to report.

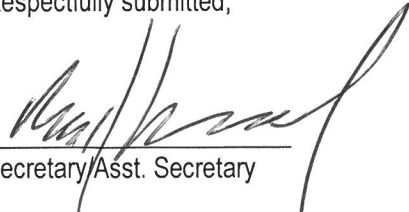
HR Committee - Mr. Brown would like to set up a meeting with whatever issues may be outstanding for the joint agreement that are HR related. Mr. Adams will look at dates for a meeting and reach out to Mr. Brown and Mr. Manweiler.

Transition Committee - Mr. Brown suggested that it may be appropriate to secure the services of special counsel should any specific issues arise with the transition, and suggested that after discussions with Steve Stine, he may be one option. He also suggested contacting one or two other attorneys who have experience in these matters. **As such, Mr. Brown made a motion to create a Special Counsel Committee and to appoint Mr. Aichele and Ms. Abeln to that committee. Mr. Manweiler seconded the motion. The motion carried 4-0.**

New Business: Nothing to report.

At 7:02 p.m., Mr. Aichele made a motion to adjourn the meeting. Mr. Manweiler seconded the motion. The motion carried 4-0.

Respectfully submitted,


Secretary/Asst. Secretary