

South Middleton Township Municipal Authority—February 13, 2023
Regular Meeting

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

Staff Present: Josephine Hall, Manager, Robert Kissinger, Consultant

Professional Services Present: Howard Butler, Engineer (GHD Engineering) Bryan Salzmann, Solicitor (Salzmann Hughes)

Visitors: Cory Adams, SMT Manager, Brian O'Neill, SMT Engineer
Steve Rose, RSJ Holdings
Steve Stine, Special Counsel

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

The minutes from the January 9, 2023 meeting were presented for approval. **Mr. Aichele made a motion to approve the January 9, 2023 minutes as presented. Ms. Abeln seconded the motion. The 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. Abeln seconded the motion. The 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>
617	GHD, Inc.	\$ 591.00

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>
518	GHD, Inc.	\$ 5,598.55

* 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. No. 617, and from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. No. 518. Mr. Aichele seconded the motion. The motion carried 5-0.

Public Input—Mr. Steve Rose was present and noted that the SMTMA website is not up to date with approved meeting minutes. He asked if that information could be updated. Ms. Hall said she would take care of getting the website updated.

SMT Update/ Issues—Mr. O'Neil reported that the Developer for the Smith Farm has an issue with an item in the original agreement which requires the developer to install a new section of water main along S. Spring Garden Street. Mr. Salzmann stated that at this time there is a communication delay between the original developer's attorney and the new developer's attorney. He also stated this issue was just brought up at the last Township Supervisor's meeting, so the plan was tabled. The parties were instructed to have these issues cleared up as soon as possible so that the Township has time to review the plan again for consideration at the last Supervisor's Meeting in March.

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.)

Monthly Budget Review—There were no items to address.

Ms. Hall reported that an inspection of the water system was conducted by the federal EPA on January 26, 2023. The system inspection included review of all water system records and emergency response protocol and a visit to all the wells and storage tanks. The EPA will be preparing a detailed report of the inspection and when received, Ms. Hall will provide the inspection for the Board's review.

Dickinson College Farm Project—Ms. Hall presented information regarding a project at the Dickinson College farm related to the addition of treatment process for farm waste at the farm which, by Township requirement, will need a fire hydrant installed at the property. Ms. Hall requested direction from the Board as to whether a tapping fee be charged for a dedicated service line to the hydrant. She said that in the past, there are instances when the Authority has waived the tapping fee charge for a dedicated line for fire suppression. After discussing the matter, **Mr. Aichele made a motion to waive the tapping fee charge for the new line which will supply water only to the single hydrant, but advise that at any time in future, the Authority may require a meter be installed for monitoring of the hydrant line. Mr. Manweiler second the motion. Motion carried 5-0.**

Handbook Update—With the upcoming transition of Authority employees to the Township employees, Ms. Hall asked for approval from the Board to adopt the new township employee handbook approved by Township Supervisors in January. Ms. Hall feels that as the Management Agreement has been officially approved, and current Township staff will be functioning under the new handbook, it would be beneficial to have current Authority staff to make that transition as well. Ms. Hall is currently going through the new handbook and changing references of South Middleton Township to South Middleton Township Municipal Authority until the actual transition of staff is completed. Ms. Hall would like the handbook transition to be effective February 27, 2023. **Ms. Abeln made a motion to approve the adoption of the new employee handbook for all SMTMA staff effective February 27, 2023. Mr. Brown seconded the motion. Motion carried 5-0.**

Discussion and Potential Execution of WellSpan Agreement—Ms. Hall asked Mr. Salzmann to review the proposed development of the WellSpan tract and the Developer's Agreement prepared for that project. Mr. Salzmann detailed the layout of the buildings proposed for the tract and detailed the main items of the Developer's Agreement. **After a lengthy discussion of the information, Mr. Brown made a motion to execute the WellSpan agreement as prepared and presented. Mr. Manweiler seconded the motion. Motion carried 5-0.**

Following the WellSpan discussion, Mr. O'Neil asked that since the possibility of running sewer under Walnut Bottom Road exists per this agreement, would it be advisable to send written notice to the Borough of Carlisle that with the execution of the WellSpan Developer's Agreement the possibility of sewer being directed to their Pump Station No. 3 is now on the books and the Authority would then be using the existing capacity at that station. The Board agreed and directed that Ms. Hall prepare a letter to Carlisle Borough Authority informing them of this information.

Discussion and Consideration of DOLI Change Order No. 2—Ms. Hall requested direction from the Board on a change order request received from DOLI for the York Road Water Main Extension project. After a short discussion of the items requested, Mr. Salzmann directed that this discussion be discontinued and indicated that the discussion should continue in the Executive Session at the end of the meeting due to possible cause for litigation.

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 a few items in the monthly update.

Fair Oaks Water Service—Mr. Butler reported that contact was made by Honor Engineering, the project engineer for South Middleton Township, regarding the extension of the water and sewer to the Fair Oaks School building owned by the Township. It is the consensus of himself and Ms. Hall that the lines for both sewer and water will be Township owned and not part of the Authority's systems.

SOLICITOR'S REPORT

Discussion and Potential Action of the USA Spares Agreement—Mr. Salzmann presented information received on the USA Spares Agreement related to the request for a grace period for connection to the public sewer. In the first draft of the

agreement prepared and presented at the January 9, 2023 meeting, the developer was requesting a 20-year grace period for connection to the sewer system. The Board at the last meeting directed the solicitor to inform the developer that the Authority would be willing to approve a 10-year grace period. The developer has returned a request asking for a grace period of 15 years. A discussion was held and the Board agreed that a 15-year grace period would be acceptable and directed Mr. Salzmann to draw up the agreement accordingly. **Mr. Brown made a motion to approve the developer's agreement with USA Spares with a 15-year grace period for connection to the public sewer. Mr. Manweiler seconded the motion. The motion carried 5-0.**

SPECIAL COMMITTEE REPORTS

HR Committee—Nothing to report.

Capital Projects Committee—Mr. Brown would like a meeting to be scheduled for the committee in March/April.

Tapping Fee Adjustment Committee—Nothing to report.

Transition Committee—Nothing to report.

Special Counsel Committee—Nothing to report.

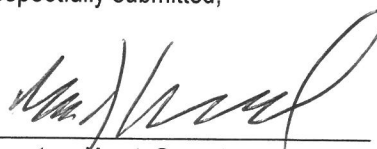
NEW BUSINESS—None.

At 7:29 p.m. Mr. Gembusia adjourned the regular meeting to enter executive session to discuss matters of potential litigation.

At 8:07 p.m. the regular meeting was reconvened. No action was taken related to the executive session.

At 8:07 p.m. Mr. Gembusia made a motion to adjourn. Mr. Brown seconded the motion. The motion carried 5-0.

Respectfully submitted,



Secretary/Asst. Secretary