

South Middleton Township Municipal Authority — August 14, 2023
Regular Meeting

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

Staff Present: Josephine Hall, Manager, Robert Kissinger, Advisor, Brian O'Neill, SMT Engineer, Cory Adams, SMT Manager

SMTMA Professionals: Howard Butler, Engineer & Bryan Salzman, Solicitor

Public/Visitors: Conor Surgeoner, Hyland Engineering
Stewart Byers, USA Spares, Inc
Andrew Conley, USA Spares, Inc
Phil Garland, Limestone Creek

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

Public Comment—No public comment at this time.

The minutes from the meeting of July 10, 2023 were presented for approval. **Ms. Abeln made a motion to approve the minutes as written. Mr. Manweiler seconded the motion. The motion carried 4-0.**

The monthly invoices paid by South Middleton Township on behalf of the Authority were available for the Board's review. **Mr. Manweiler made a motion to approve the payments made by South Middleton Township on behalf of the Authority as presented. Ms. Abeln seconded the motion. The motion carried 4-0.**

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

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
624	GHD, Inc.	\$ 3,212.25

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

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
527	GHD, Inc.	\$ 16,900.53

* 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. 624, and from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. No. 527. Mr. Brown seconded the motion. The motion carried 4-0.

SMT Update/Issues—No update at this time.

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. **Mr. Brown made a motion to accept the Manager's Report as presented and approve the direction stated within. Ms. Abeln seconded the motion. The motion carried 4-0.**

Discussion of Will Serve Request Letter for Smith Farm Lot # 1—Ms. Hall addressed a letter of request for availability of sewer and water capacity from Integrated Development Partners, LLC for Lot # 1 of the Smith Farm. They are requesting confirmation of ability to serve 48 EDUs for each water and sewer. Ms. Hall asked for Board questions or comments. With no questions or comments from the Board, Ms. Hall will be sending out a "Will Serve" letter confirming the availability of the 48 water and sewer EDUs for this project.

Discussion of Will Serve Request Letter for S Spring Garden Street— Ms. Hall addressed a letter of request for availability of sewer and water capacity from Integrated Development Partners, LLC for S Spring Garden Street. They are requesting confirmation of ability to serve 10,000 gallons per day for each water and sewer. Ms. Hall asked for Board questions or comments. With no questions or comments from the Board, Ms. Hall will be sending out a “Will Serve” letter confirming the availability of the 46 EDUs of water and sewer for this project.

Discussion of Will Serve Request Letter for Alexander Spring Rd Hotel—Ms. Hall presented a final Will Serve Request Letter from Hyland Engineering for 39.1 EDU's of water and 29.64 EDU's of sewer for a proposed hotel on Alexander Spring Road. This project happens to fall in the sewer drainage area which at this time does not have enough sewer capacity available to allocate for the project. The sewer area involved is the drainage to Carlisle Borough's Ridge Street Pump Station which is in the process of a major upgrade. Ms. Hall stated that she could issue a Will Serve letter for the water capacity requested but the Authority does not have the sewer capacity available at this time. After discussion with Mr. Surgeoner and Mr. Salzmann, Ms. Hall will be issuing the will serve letter for the water capacity only.

Tapping Fee Adjustment Evaluation Update—Ms. Hall would like to schedule a meeting with the Tapping Fee Committee to discuss the current evaluations of tapping fees for the non-residential properties. Mr. Brown and Ms. Abeln said they would be available in the next week or two to meet.

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 will be filed with these minutes as a permanent record).

Carlisle Pump Station 2 Project Update—Mr. Butler updated the Board on the status of the Pump Station project. The pump station project had an original date of January 2024 for substantial completion, but the contractor has come back with a revised substantial completion date of May 16, 2024. This is due to supply chain issues for the actual pumps for the project. The contractor has given a worst-case scenario date of April 17, 2024 for delivery of the pumps from the supplier, Gorman Rupp. Mr. Butler stated that he will be returning the submittals tomorrow and will be working closely with the contractor and the suppliers to move things along as quickly as possible.

Carlisle Pump Station 2 Force Main Project—Mr. Butler informed the Board that the Force Main portion of the project was bid and 5 contractors did submit bids. The apparent low bidder for the project is E.K. Services, Inc. in the amount of \$ 1,198,882.30. There are a few minor items in the bid specifications which need to be addressed with the contractor. Substantial completion is set for March 2024.

Digester Tank Concrete Repair Task Order # 42—Mr. Butler presented a new task order for approval for the Digester Tank Concrete repair. The amount of Task Order # 42 is \$15,000.00 for design of the project and \$5,000.00 for bid and award of the project. He asked for a motion to approve Task Order # 42 in a total amount of \$20,000.00 for the Digester Tank Repair project. **Mr. Brown made a motion to approve Task Order # 42 in the amount of \$20,000.00 for the Digester Tank Repairs upon staff review and approval. Mr. Gembusia seconded the motion. Motion carried 4-0.**

SOLICITOR'S REPORT—Mr. Salzmann reported on the following items:

Discussion and Approval of Financial Support Letter to Carlisle Borough-Pump Station 2 Force Main Project—Mr. Salzmann presented the financial support letter to be sent to Carlisle Borough in regard to the awarding of the Force Main Project for the Ridge Street Pump Station # 2. This is the same letter that was sent for the Pump Station Construction Upgrade Project which was bid previously. Mr. Salzmann asked for a motion to authorize Ms. Hall to sign the letter and forward it to the Borough for action at their September 14th meeting. **Mr. Manweiler made a motion to authorize Ms. Hall to sign the Financial Support letter for the Pump Station 2 Force Main Project and forward it to Carlisle Borough. Ms. Abeln seconded the motion. Motion carried 4-0.**

Discussion and Potential Action of Developer's Agreement with Smith Farm and Zenith Construction—Mr. Salzmann presented the final draft of the Developer's Agreement for Smith Farm and Zenith Construction (Lot # 7). Mr. Salzmann reviewed the information regarding the Developer's responsibility for the extension and installation of the water line and the payment schedule and amount for payment of tapping fees. He asked for a motion to execute the Smith Farm/Zenith Apartments Developer's Agreement. **Mr. Manweiler made a motion to approve and enter into the developer's agreement with South Middleton Township Municipal Authority, South Middleton Township and Smith Farm and Zenith Construction. Ms. Abeln seconded the motion. Motion carried 4-0.**

Discussion and Potential Action of Developer's Agreement with Smith Farm, Lot # 6 Developer's Agreement Modification—Mr. Salzmann presented a request for modification to the Smith Farm and Burkentine (Lot # 6) Developer's Agreement. The modification request was presented by the developer at last month's meeting asking for an extended payment schedule for collection of the water and sewer tapping fees. The existing agreement would require payment in full of all tapping fees for the development upon execution of the agreement. The Board tabled that request to allow for additional discussion. Mr. Salzmann stated that the issues of concern have been addressed and presented an amendment to the Smith Farm Lot # 6 Developer's Agreement. The amendment would require the 1st payment of tapping fees upon execution of the agreement and the 2nd and final payment upon request and issuance of the 1st building permit. **Mr. Brown made a motion to approve the 1st amendment to the Developer's Agreement between South Middleton Township Municipal Authority, Smith Farm Partners LP, Burkentine & Sons Builders and South Middleton Township. Ms. Abeln seconded the motion. Motion carried 4-0.**

SPECIAL COMMITTEE REPORTS

Capital Projects Committee—Mr. Brown said the committee met in July and reviewed the status of current projects and laid out upcoming planned projects for 2024 which will be considered in preparing the 2024 budget. He would like the committee to meet one more time before the 2024 Budget is finalized.

Tapping Fee Committee—Nothing to report.

New Business: Nothing to Report.

At 6:55 p.m. Mr. Gembusia asked to move to executive session to discuss potential litigation and negotiations with Land O Lakes.

At 7:40 p.m. Mr. Gembusia made a motion to adjourn the meeting from the executive session. Ms. Abeln seconded the motion. Motion carried 4-0.

Respectfully submitted,


Secretary/Asst. Secretary