

South Middleton Township Municipal Authority—July 8, 2019
Regular Meeting

Board Members: William Brown, Chairman, Bryan Gembusia Vice-Chairman, Duff Manweiler, Secretary and Stephen Aichele, Treasurer

Staff Present: Robert Kissinger, Manager, Josephine Hall, Assistant Manager, Howard Butler, GHD Engineer Isaac Wakefield, Solicitor

Visitors: Cory Adams, South Middleton Township Manager
Mike Baldwin, Paul & Joyce Stone, Allen and Stephanie Stauffer; Forge Road Acres Residents

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

The minutes from the meeting of June 10, 2019, were presented for review and approval. **Mr. Gembusia made a motion to accept the minutes as presented. Mr. Manweiler seconded the motion. The motion carried 4-0.**

The monthly operations invoices were presented for payment. The Board members present initialed the payment register. **Mr. Aichele made a motion to pay the invoices as presented. Mr. Gembusia seconded the motion. The motion carried 4-0.**

The following requisitions were presented for payment from **the M & T Trust Company 2017 Project Fund – Sewer:**

<u>Req. #</u>	<u>Payee</u>	<u>Amount</u>	<u>Purpose For Which Incurred</u>
S-28	GHD, Inc. DEPT LA 23922 Pasadena, CA 91185-3922	\$ 11,910.19	Forge Rd Acres Phase I 47% Sewer Invoice No. 122578, Forge Rd Acres Phase II 47% Sewer Invoice No. 122582

The following requisitions are presented for payment from **the M & T Trust Company 2017 Project Fund – Water:**

W-32	GHD, Inc. DEPT LA 23922 Pasadena, CA 91185-3922	\$ 17,532.39	Inv. No. 119346 Forge Rd 53% Phase I Inv. No. 122581 S Spring Garden Waterline Replacement Project Inv. No. 122582 Forge Rd 53% Design Phase II
W-33	Kaylor, Allwein & Hartman, Inc. 1529 East Chocolate Avenue Hershey, PA 17033	\$ 2,240.00	Professional Services Relative to South Spring Garden Street Invoice No. 1265

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

438	GHD, Inc. DEPT LA 23922 Pasadena, CA 91185-3922	\$ 5,423.50	Inv. No. 122579 Water Model Inv. No. 122580 Water Sys Disconnects Inv. No. 122587 Water ST No. 6 Study
-----	---	-------------	--

439	Greenawalt & Company, P.C. 400 W Main Street Mechanicsburg, PA 17055	\$ 775.00	2018 Audit of Water Trust Accounts Invoice No.7837
440	SMTMA Water Operations PO Box 8 Boiling Springs, PA 17007-0008	\$ 26,812.26	Reimbursement for Meter Items Purchased for The Porches at Allenberry: Core & Main No. K220482 & L/B Water Service Nos. 3272799, 3267961 & 3262306

The following requisition is presented for payment from the M & T Trust Company 2013 Sewer Bond Redemption and Improvement Fund:

555	Greenawalt & Company, P.C. 400 W Main Street Mechanicsburg, PA 17055	\$ 775.00	2018 Audit of Sewer Trust Accounts Invoice No.7837
556	Carlisle Borough 53 W South Street Carlisle, PA 17013	\$360,606.28	Capital Reimbursement Letort Interceptor June Invoice No. 0030584 & 2 nd Qtr Invoice No. 0030586 Capital & Administrative Costs for WWTP

The following requisitions are presented for payment from the M & T Trust Company 2019A Project Fund – Water:

W-1	GHD, Inc. DEPT LA 23922 Pasadena, CA 23922	\$ 3,112.25	Park Drive Waterline Replacement Invoice No. 122586
-----	--	-------------	--

Mr. Gembusia made a motion to authorize payment of Requisition Nos. S-28 from the M & T Trust Company 2017 Project Fund Sewer, Requisition Nos. W-32 & W-33 from the M & T Trust Company 2017 Project Fund Water, and Requisition Nos. 438, 439, & 440 from the M & T 2013 Water Bond Redemption & Improvement Fund, and Requisition W-1 from the M & T Trust Company 2019 A Project Fund Water. Mr. Manweiler seconded the motion. The motion carried 4-0.

Public Input – Residents of Forge Road Acres Phase I Project were present to voice their frustration relative, in their various opinions, to the subpar work with the ongoing construction and restoration by Anrich. Chairman Brown stated that the Board shares their frustrations and summarized the Board's position to do all within the Authority's legal capabilities to ensure an appropriate and satisfactory outcome for the residents and the Authority.

SMT Update/Issues – Mr. Adams reiterated the need to continue discussion on a stormwater district for Westgate Development. Ms. Hall reported that she had a recent conversation with Jamie Meffert, the Authority's Billing Clerk, regarding the ability to add a billing code/line item for the charge, or the potential to create an invoice solely for stormwater billing on South Middleton Township letterhead. Ms. Hall also reported that Ms. Meffert shared that it should be possible to collect the monies and potentially deposit those monies into a Township Account if she is provided with deposit slips. The legality of those options with regard to segregation of duties will need to be explored and outlined in a management agreement. Mr. Adams suggested that the next step be a meeting between the applicable Township and Authority staff.

MANAGER'S REPORT— Mr. Kissinger'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.) Mr. Kissinger presented the monthly budget for review and discussion.

Mr. Kissinger presented a document from M & T Bank to add Josephine Hall as a signatory on the Water and Sewer Revenue Account. This account was overlooked when submitting documents to the Board for all other Authority Accounts. Mr. Kissinger presented the documents for the Board's approval and execution. **Mr. Gembusia made a motion to authorize the execution of the documents presented. Mr. Aichele seconded the motion. The motion carried 4-0.**

Mr. Kissinger presented a construction agreement for the Summerbridge Commercial Phase for Board approval and execution. **Mr. Gembusia made a motion to approve and execute the construction agreement for the Summerbridge Commercial Phase. Mr. Manweiler seconded the motion. The motion carried 4-0.**

Mr. Kissinger reported that the Authority has been approached by two different entities this month with regard to cell tower proposals. Mr. Kissinger presented the first proposal from Black Dot with regard to the T Mobile lease extension proposal for their cell tower that in effect requests a reduction of the amount of the lease and to also reduce the term of the lease to less than five years. Mr. Kissinger reported that he did not reply to the request. He presented it for the Board's review and action. Mr. Kissinger deferred to Mr. Wakefield. Mr. Wakefield summarized the terms of the lease and suggested that the Authority take no further action. **After some discussion with regard to notification for termination of the lease, and Authority rights/obligations, the consensus of the Board was to take no action.**

Mr. Kissinger presented a second proposal from Shentel (a Sprint Affiliate), to install approximately twelve antennae on the ST No. 5 Site. The proposal indicates that they will pay for all costs relative to the installation other than legal fees. **It was the consensus of the Board that the current offer is low and should at least meet the minimum amount of the existing lease before any favorable consideration is given.**

ENGINEER'S REPORT – Mr. Butler presented the Task Order Update and reviewed the progress for all existing Task Orders. (His report is attached with the minutes).

Mr. Butler reintroduced Local Limits Task Order 28 from last month. Mr. Butler reported that after the presentation last month, he had a conference call with Mr. Kissinger, Ms. Hall, and Ms. Musselman of GHD to go over the scope of the Task Order and to address Mr. Kissinger's questions and concerns with various factors for existing limits and for fair application should changes occur with future processing at VITRO. Task Order 28 essentially remains as it was last month, and Mr. Butler presented it for approval in the "Not to Exceed" amount of \$15,000.00. **Mr. Gembusia made the motion to approve. Mr. Manweiler seconded the motion. The motion carried 4-0.**

Mr. Butler presented the South Spring Garden Street Task Order No. 25, Amendment 1 for approval. The amount of the Amendment is \$64,500.00 and resulted due to the complexity of the work on York Road. The additional costs include changes to the design with a significant bump in linear footage, drawings, permitting, surveying and a small amount for the bidding process. After Mr. Butler's presentation, **Mr. Gembusia made a motion to approve Task Order No. 25, Amendment No. 1 for the amount of \$64,500.00. Mr. Aichele seconded the motion. The motion carried 4-0.**

Lastly, Mr. Butler reported that Forge Road Acres, Phase II is ready for bid.

SOLICITOR'S REPORT - Mr. Wakefield reported on the status of the "Declaration of Taking" for the Hall Trust Property for the water line easement relative to The Porches at Allenberry Project. Mr. Wakefield reported that the paperwork was filed but in order to occupy and use the easement, the Authority should tender payment of estimated compensation. The property owner has six years to file with a Board of Review to fight the value that has been offered. **Mr. Gembusia made a motion to approve and authorize an offer of \$1,500.00, tender the amount to the property owner, and execute the documents to move forward with condemnation of the property. Mr. Aichele seconded the motion. The motion carried 4-0.**

Mr. Brown reported that he, Ms. Hall and Mr. Aichele had a meeting to continue to review the policies in the HR Manual. The committee is nearing completion for presentation of changes to the Board. The biggest change would be the Sick Leave Policy which is currently a restrictive, open-ended policy for sick leave only to a Personal Leave Policy that would be less time accrued, but not as restrictive.

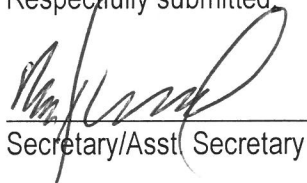
NEW BUSINESS – Mr. Gembusia presented a concern with commercial tapping fees, specifically with regard to the permitting and assessment of fees for the construction of hotels in the Township, and requests by the Developer/Owner for a reduction in the assessed tapping fees. The topic was discussed, but more information is needed and will be revisited at a future date.

At 8:11 p.m. Mr. Brown announced that the Board would be moving into an executive session to discuss potential litigation. At 8:57 p.m. the Board resumed the regular meeting agenda.

Mr. Aichele made a motion to approve a “Not to Exceed” amount of \$10,000.00 to remove PS No. 8. Mr. Manweiler seconded the motion. The motion carried 4-0.

At 8:59 p.m., Mr. Aichele made a motion to adjourn. Mr. Gembusia seconded the motion. The motion carried 4-0.

Respectfully submitted



Secretary/Asst. Secretary