

South Middleton Township Municipal Authority — October 9, 2023
Regular Meeting

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

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

SMTMA Professionals: Cindy Zawrotuk, Engineer (GHD) & Matt Boyer, Solicitor (Salzmann Hughes)

Public/Visitors: Ann Walters-Cool, Land O' Lakes
Katie Anorve-Andress, Land O' Lakes
Neha Shah, Land O' Lakes
Phil Garland, Lexington Land Developers

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

Public Comment— No public comment, members of the public present will comment on listed agenda items.

The minutes from the meeting of October 9, 2023, were presented for approval. **Mr. Brown made a motion to approve the minutes as written. Ms. Abeln 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. Brown 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 Water Bond Redemption Fund:**

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
529	GHD, Inc.	\$ 50,323.25

The following requirements were presented for payment from the **M & T Trust Company 2013 Water Clearing Fund** – for transfer of funds for daily operation expenses.

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
39	SMTMA Water Operations	\$ 300,000

* 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. Aichele made a motion to authorize payment of the following requisitions from the M & T Trust Company 2013 Water Bond Redemption and Improvement Fund: Req. No. 529 and from the M & T Trust Company 2013 Water Clearing Fund: Req. No. 39. Ms. Abeln 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.) Mr. Kissinger 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. Mr. Aichele seconded the motion. The motion carried 4-0.**

Monthly Budget Review—Mr. Kissinger presented the Draft Operating Budget for discussion and review. Mr. Brown stated there are no rate increases at this time and employee inflation is at 3%. Mr. Kissinger stated that at the November meeting the budget will be presented for approval.

Discussion and Potential Action on Land O' Lakes Project and Extension Request—Ms. Walters-Cool stated they are up and running and have begun the Pennsylvania Department of Agriculture testing for Category 1. She explained that they do not need the extension as discussed at the last meeting but would like to extend the monitoring timeframe. Ms. Shah stated that they have been running since Sept. 27, 2023, and began testing on the 30th. Day 9 of their testing will commence on October 13th. She explains that if everything goes well on Friday (October 13, 2023), they will start a staggered startup employing it into production by the following week. This week they will be hooking up the cooling towers to the system and should be seeing water reductions this week. Ms. Shah explained that there are 3 parts to the startup of the plant, they will be starting with the system that washes the trucks as they will be getting trucks every day. Ms. Shah explains that after regulating that system they will move on to the other parts of the plant and if everything runs smoothly the plant will be fully operational by Oct. 27, 2023. Ms. Shah estimates that Land O' Lakes should be online by October 31, 2023. Ms. Shah is asking the Board to extend the monitoring period from 30 days to 90 days. She said that more time gives a more accurate reflection of how their site runs as a balancing plant. Ms. Shah explained that it will allow them to see their usage at a low point during their peak of Thanksgiving and Christmas. Mr. Brown suggested that it would be an amendment to the contract and would need to be presented at the next meeting. No motion at this time.

260 York Road Will Serve Request and Planning Module— Mr. Kissinger stated that there is now a requirement for the Manager to seek approval to issue a will serve. Mr. Kissinger presented an updated request from the engineer Frederick Siebert to increase from 2,000 gallons a day to 2,400 gallons daily. Mr. Kissinger said that they provided a sewer exemption mailer as well. **Mr. Brown made a motion to approve the increase the water usage to 2,400 gallons a day. Mr. Aichele seconded the motion. Motion carried 4-0.**

CONSULTING ENGINEER'S REPORT (GHD) – Ms. Zawrotuk 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—Ms. Zawrotuk stated there are 2 components with the status of the project. PSI is waiting on equipment because there have been delays. She stated their team has been calling and pushing vendors for delivery dates. Ms. Zawrotuk explained regarding the Force Main, on 9/19 the Army Core did issue a permit. They are still waiting on the conservation district but as of this meeting, they have yet to hear from them. Ms. Zawrotuk told the Board that she will be getting hold of them in the next couple of days. She explained that DEP did publish a notice in the PA Bulletin. They are ready to issue a permit but waiting on the conservation district. She explained that Mr. Parthemore called Mr. Malarich (Carlisle Borough) to get papers of the agreement and once he has those in hand, he wants to get a preconstruction meeting planned.

South Spring Garden Street Project Update— Ms. Zawrotuk said they finalized the design. She explained that Mr. Parthemore met with Ms. Hall and Mr. Kissinger to go over the design. It was advertised and uploaded to PennBid on Sept. 29th. The Pre-bid meeting will be Oct. 17 with final bids due Oct. 31st.

Storage Tank 6 Project Update— Ms. Zawrotuk said that CFA cancelled their last meeting, and the next meeting is in November. She explains how waiting for the grant money has been holding up this project and once grants are approved the market is going to be flooded with contractors which impacts pricing. Ms. Zawrotuk said to the Board that she will not be able to make the current budget work with the design because of the project starting in 2020 and rates have gone up. She explained that by the next Board meeting they will be looking to do a change order for the budget. GHD did meet with CS21 to discuss the instrumentation and controls with the design. Ms. Zawrotuk explained that they are finalizing the ENS information and are 85-90% finished with the design of the project. She explained that they are waiting on electrical to finish and plan to have the final plan and specifications to Ms. Hall by the end of October.

Pump Station 6 Capacity Evaluation Update— Ms. Zawrotuk said that in the original draw down test, the station was pumping less than its capacity and believed the force main was clogged. She explained that after the line was unclogged the station is hitting close to its design capacity. The available capacity is 36 EDU's. Ms. Zarowtuk will be amending the original memo to detail the line cleaning and updated results from the current draw down test. She is asking that the station be on a 6-month schedule to flush the line.

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

Discussion and Potential Action of Deed of Dedication for Water Service Extension Plan— Rose Business Park—Mr. Boyer explained they have received all easement documents. Mr. Boyer said they want to move to accept dedication subject to final solicitor's review and recording of the documents. **Mr. Brown made a motion to accept the deeds of dedication. Ms. Abeln seconded the motion. Motion carried 4-0.**

Discussion and Potential Action of Easement with Brightspeed of Pennsylvania— Mr. Boyer said that he would like to record the easement and move for the same motion as the one prior. **Mr. Brown made a motion to record the assessment and deeds of dedication. Mr. Aichele seconded the motion. The motion carried 4-0.**

Discussion and Potential Action of The Reimbursement Agreement for Limestone Creek—Mr. Garland had provided a maintenance bond for Jefferson Court and provided copies for the Board. Mr. Garland had provided a \$25,000 check to cover upfront costs. Mr. Boyer pointed out there are a couple of changes to the agreement. Mr. Boyer stated that a provision has been added to the reimbursement agreement. It states that the payment obligation will not be effective or diminished based on an action by SMT or Supervisors to deny the request or approval of the project or otherwise place conditions on the approval that may be unacceptable to the developer. Specifically, if the South Middleton board of supervisors is not a party to the agreement nothing in this agreement shall bind or otherwise restrict the SM Board of Supervisors or acting on any plan related to the project in any manner. Mr. Boyer stated that this agreement is not to be construed as a developer's agreement and does not bind the Authority to reserve any capacity. Provisions were made to state that the Authority is under no obligation to do anything. Mr. Boyer explained that the number of EDU's has been increased to 225. **Mr. Brown made a motion to approve the reimbursement agreement. Ms. Abeln seconded the motion. Motion carried 4-0.**

SPECIAL COMMITTEE REPORTS

Capital Projects Committee—Meeting next month for the 2024 budget. Waiting for information to gather all intel.

Tapping Fee Committee—Ms. Hall has sent out the letters for invoices.

New Business:

At 6:58 p.m. Mr. Gembusia asked to move to the executive session to discuss potential litigation and negotiations with Land O Lakes. Mr. Aichele seconded the motion. Motion carried 4-0.

Respectfully submitted,


Secretary/Asst. Secretary