

South Middleton Township Municipal Authority — September 11, 2023
Regular Meeting

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

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

SMTMA Professionals: Cindy Zawrotuk, Engineer & Bryan Salzman, Solicitor

Public/Visitors: Omar Alatar, Land O' Lakes
Katie Anorve-Andress, Land O' Lakes
Brian Engle, Rettew
Phil Garland, Lexington Land Developers

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 August 14, 2023, were presented for approval. **Mr. Brown made a motion to approve the minutes as written. Mr. Aichele 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. Aichele made a motion to approve the payments made by South Middleton Township on behalf of the Authority as presented. Mr. Brown 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>
528	GHD, Inc.	\$ 33,592.25

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

<u>Req. No.</u>	<u>Payee</u>	<u>Amount*</u>
41	SMTMA Sewer Operations	\$ 500,000

* 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. 528 and from the M & T Trust Company 2013 Sewer Clearing Fund: Req. No. 41. 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.**

Monthly Budget Review—Ms. Hall requested the Board approve the Monthly Budget Report. Ms. Hall asked if the Board had any questions or comments regarding the report. **Mr. Brown made a motion to approve the Monthly Budget Report. Mr. Aichele seconded the motion. Motion carried 4-0.**

Private Easement for 709 Sandbank Road— Ms. Hall obtained a final easement which was recorded. Ms. Hall received the easement from the Garners at the courthouse. Ms. Hall will be working with the Garners moving forward with regards to payment of tapping fees and the inspection of that. At the request of the Board, the Garners provided an easement for that lateral.

Discussion and Potential Action on Land O' Lakes Project and Extension Request— Ms. Hall had a meeting with Katie Anorve-Andress, Environmental Manager for Land O' Lakes, last week to discuss the status of the project. Ms. Hall stated that Land O' Lakes is on track to do the pressure testing next week for the system. Omar Alatar, Senior Manager – Engineering, provided an update on the project detailing why extension request. Mr. Alatar stated the installation is to be completed by the end of next week, with the Pennsylvania Department of Agriculture (PDA) scheduled to come to the facility September 20, 2023, for inspection. Mr. Alatar stated per PDA requirements sampling needs to be conducted every day over a two-week period, with each sample passing or the two-week process restarts. Mr. Alatar explained that 3 months is enough time and there is a contingency plan in place. Ms. Anorve-Andress stated that the extension helps their process as well because start-ups never go the way they are intended. Ms. Anorve-Andress said that the extension offers assurances that Land O' Lakes is going to start up correctly so that the project will be a long-term success and ensure that the wastewater treatment system is maintained during the concentration adjustments Mr. Alatar further explained that the system was engineered to reduce the public water demand by 300,000 gallons of water a day. Mr. Alatar discussed that this is not the first time Land O' Lakes has built this system, and the sister plant is in Minnesota. Mr. Gembusia said that there should be financial consideration for the extension as the agreement was carefully written and reviewed by both parties involved. There was no motion and will be further discussed next meeting to allow time to assess whether the Authority will grant the extension or not.

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 informed the Board that that GHD has received submittals for the generator. Ms. Zawrotuk explained that GHD has not received an adequate schedule from PSI with missing components, so it was returned. Ms. Zawrotuk will reach out to PSI to see what the status is of the updated schedule. Ms. Zawrotuk explained that in respect of the force main, things are moving forward but behind the scenes there are issues out of their control. This issue was put on the agenda for the Township meeting. County Conservation, DEP and the Army Corp all received copies of the response from GHD to their respected questions. Ms. Zawrotuk discussed that DEP published a notification for the permit in the Pennsylvania Bulletin on August 26, 2023, and that opened their 30-day comment window. There is the possibility of republishing and opening the comment window by another 30 days. Ms. Zawrotuk explained that if there happen to be community concerns, there is potential to lean on the Army Corp. Engineers for assistance.

South Spring Garden Street Project Update— Ms. Zawrotuk said the developer's agreement has been signed and things are moving forward. The remainder of the project there is a schedule to advertise the week of September 18th. The bids are due the week of October 31st and the recommendation for an award will be at the November Board meeting. Ms. Zawrotuk explained that if everything goes according to plan, GHD should be in line to issue notice to proceed for January 1st. There is grant funding tied to the project in the amount of \$1.1 million. Ms. Zawrotuk asked the board for permission to advertise next week. **Mr. Brown made a motion to approve the advertisement of the project. Ms. Abeln seconded the motion. Motion carried 4-0.**

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

Discussion and Potential Action of Deeds of Dedication for Morgans Crossing Phase IV and Jefferson Court II Phases I and II—Mr. Salzman explained that both deeds have been negotiated. Ms. Hall informed the Board that Mr. Garland has executed them both. Mr. Salzman asked the Board to except the deeds of dedication. **Brown made a motion to accept the deeds of dedication. Ms. Abeln seconded the motion. Motion carried 4-0.**

Discussion and Potential Action of The Reimbursement Agreement for Limestone Creek—Mr. Salzman provided a Reimbursement Agreement to Mr. Garland's attorney, David Getz. Based on comments received from Mr. Getz, Mr. Salzman does not believe it is ready to be acted on. Mr. Garland explained that there is currently inadequate public sewer capacity available for the project and requested 46 EDUs. Mr. Salzman explained that the Reimbursement Agreement is to address the capacity needs of the proposed development. The Authority would have to purchase more capacity from Carlisle Borough for this project. A lengthy discussion was held regarding the timeline for this project as it relates to the purchase of additional capacity. Mr. Garland wants to hold off on the agreement and requested the Authority to provide approximate cost for the capacity required from the Carlisle Borough. **Mr. Brown made a motion to table the agreement with Mr. Garland. Ms. Abeln seconded the motion. Motion carried 4-0.**

SPECIAL COMMITTEE REPORTS

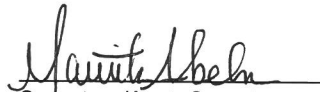
Capital Projects Committee—Scheduled for the 1st week of October. Budget draft for October meeting and final will be ready by November meeting.

Tapping Fee Committee—Ms. Hall said there are letter and invoices preparations in progress. Will go out next week.

New Business: Mr. Aichele brought up questions regarding Well Head Protection Policy and requested that any waivers be brought.

At 7.25 p.m. Ms. Abeln asked to move to 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