

**BETHEL TOWNSHIP MUNICIPAL AUTHORITY
MINUTES**

January 30, 2008

A special meeting of the Bethel Township Municipal Authority was called to order by Chairman David Younker at 7:05 p.m. on January 30, 2008 at the Bethel Township Community Center, Bethel PA.

Pledge of Allegiance

Roll Call

Chairman Younker called the roll:

Rufus Geesaman – present

Harold Gruber – present

Kevin Stupp –present

David Younker – present

Carl Weaver – present

Also present were Terry Parish, John Roche, Vision Engineering, Inc. and Darlene Orendo, Secretary.

Public Comment on Agenda

No public comment

Approval of Minutes

Harold Gruber made a motion to approve the minutes of January 3, 2008. Second by Rufus Geesaman. All agreed. Motion carried.

Kevin Stupp made a motion to approve the minutes of January 14, 2008. Second by Harold Gruber. All agreed. Motion carried

Chairman Younker called an executive meeting at 7: 08 p.m. to discuss easements and hook up fees. Solicitor Parish, John Roche & Frank Leber, bond counsel were also in attendance.

The meeting reconvened at 7:40 p.m. Solicitor Parish announced that the executive session was to discuss:

1. Strategy in litigation for pending sewer easement
2. Discussion workshop on several matters including financial matters, tap in fees and treatment fees.

No formal decision was made.

Member Report

Rufus Geesaman reported he had received a letter from the auditor requesting financial information to complete the audit. He also received an email from Shelly Corwell from DCED regarding the status of the BCIDA project. Rufus referred her to Tom McKeon. He also reported the board received a “Thank You” note from David Younker. A course catalogue was received from the Pa. Construction Academy.

Solicitor Report

Solicitor Parish reported to members that 2 additional construction easements are required from Eugene & Carol Siegrist due to some line changes. These changes would also address a request from their attorney back in September 07 responding to the board's request for a temporary construction easement. There were 3 items they were looking to obtain one being a lateral under Camp Swatara Road. He spoke to their attorney regarding this action and was looking for some direction from the board his evening. Rufus Geesaman made a motion to authorize Solicitor Parish to take action to allow a lateral with stipulations as needed. Carl Weaver seconded the motion. All agreed. Motion carried.

Solicitor Parish will send a draft letter of the Authority's action to John Roche to ensure he covers all the details before sending to their attorney for consideration.

The rest of his report will be covered under unfinished business.

Engineer's Report

Bethel Township Municipal Authority
Interim Monthly Report for January '08

PENNVEST FINANCING MATTERS:

1. We will continue to gather any and all documents necessary for submission to PENNVEST and forward the documents either electronically (upload to their website) or transfer them as necessary through the process.
2. We have contacted the PADEP (Ed Ruch) to verify that all requirements have been met for the upcoming closing. Ed forwarded two (2) forms (Specification Certification & EPA compliance) that he has asked us to complete. We have completed these forms and would request the **Board consider authorizing the Chairman and/or the Engineer (as may be appropriate) signing these forms** this evening so we can forward them to PADEP.
3. This office is coordinating efforts with Terry Parish's office as well as Frank Leber's Office. We have ongoing conference calls in order to communicate various status updates on the progress of documents.
4. We have prepared a preliminary draft budget for the Authority to review and comment on prior to the closing with PENNVEST.

Tap in Fee's and Rate Analysis:

5. As part of the upcoming closing and various reviews and certifications we have completed some calculations for the Board's further review and action regarding tap in fees, rates, etc. (separate correspondence).

CONSTRUCTION MANAGEMENT AND LOGISTICS:

6. As updated a few weeks ago we have initiated both the preliminary survey stakeout and the video taping of the lines (existing features and terrain). The videos and survey stakeout has been significantly completed (field work) in

Frystown. The work will continue in Bethel over the next weeks (weather permitting).

7. Marks' Contracting has requested additional plan sets for the anticipated construction project (Contracts # 2-5). We distributed the copies directly to them.

STATUS OF EASEMENTS:

8. We do have a matter (potential plan revision) to discuss with the Authority relative to the acquisition of easements which may be an appropriate executive session as deemed by the Solicitor.

STATUS OF PERMITS:

9. As an update there are a few remaining Highway Occupancy Permits which need to be re-filed with additional information for PENNDOT'S final review. The outstanding HOP's are as follows:
 - a. HOP for the Frsytown WWTP driveway. Although this permit has been verbally OK'd (PENNDOT) we have not received the official permit back. We actually had a phone call request to provide them additional information for their review which we provided to PENNDOT.
 - b. HOP for the Bethel WWTP driveway. We received the official letter from PENNDOT disallowing the driveway permit to be issued for this site since a permit has already been issued in this same vicinity (current property owner). The current permit will be utilized for this construction as requested by PENNDOT.
10. Lastly, the NPDES permit for Bethel has been resubmitted for the Berks County Conservation District's final review. The review staff did not anticipate a problem with the permit being issued prior to the PENNVEST closing but we will verify the status of the permit issuance.

Public Relations/ Misc. Information:

11. As a reminder the Authority was planning on having an informational meeting for the public after the easements were obtained and after the financial matters were clearly known. The Authority may want to schedule a specific time for this meeting since it may be helpful prior to the start of construction.
12. As discussed before, we should have our website up and running very shortly (early February). Any information the Authority may want to have accessible on the website, please let us know. Initially some possibilities would include (meeting minutes, public announcements and/or information, actual construction plan sheets, videos of existing terrain, etc.). We could certainly use the website during construction as well in order to keep the public posted on the construction progress, etc.

DEVELOPMENT PLAN STATUS:

13. This past month (January) we have now received plans for the following projects:
 - a. Industrial Development Authority property (Route I-78 Industrial Park at Bethel). Consisting of the development of approximately 400 acres.

- b. Werner Truck Terminal (Frystown) site (commercial trucking facility).
- c. Eugene & Carole Seigrist (Frystown) site (approximately 55 unit residential development).

We will begin the review of these plans with the completion of the PENNVEST closing documents and information. However, the Authority should discuss logistics of reviews and whether separate accounts should be established with these developers for review fees.

During the report Kevin Stupp made a motion to authorize Chairman Younker and John Roche sign a Specification Certification and EPA compliance form from PADEP. Second by Rufus Geesaman. All agreed. Motion carried. This will verify we have met all the requirements with them for the upcoming PennVest closing.

Solicitor Parish will work with Rhoads and Sinon regarding logistics and setting rates for review fees for plans from developers.

Unfinished Business

Bids: David Younker had a question regarding the return of deposit checks from the bidders. Solicitor Parish advised members that we will do that once we award the contracts. He will look to see how the bid document reads.

Easements: Solicitor Parish reported we have all the easements with the exception of 1 in Frystown and 2 in Bethel.

MetEd: John reported it is as far along as it could be at this time.

Community Meeting: The board will consider dates at next month's meeting to set up an informational night for the public sometime in March

At this time Chairman Younker deviated from the agenda and acknowledged Frank Leber, bond counsel, to present financial documents that need to be approved and signed this evening by the Authority and discuss the timeline and logistics for the PennVest closing. A draft closing agenda prepared by Mr. Leber for the PennVest closing was given to members. It had notations of responsibility by either himself, Solicitor Parish or John Roche that were required for the closing date of February 28, 2008. He also gave each member a copy of an email sent out by PennVest that was an agenda of outstanding items that were to be obtained to complete closing. Mr. Leber reiterated to the board that he is trying to ensure that we have all the paperwork complete to finalize the closing.

After discussion with members, a resolution approving the PennVest loan and grant was presented. Kevin Stupp made a motion to approve and adopt Resolution #2008-20 as required to close the PennVest funding. Second by Rufus Geesaman. All agreed. Motion carried.

A resolution authorizing and approving an agreement with the Authority and the Township entering into agreement where the Authority will acquire, construct, own and operate sewage collection facilities was presented to the board for action. Rufus Geesaman made a motion to have the chairman and secretary sign Resolution # 2008-21 an agreement with the Township and Authority to build and operate the sewer system. Second by Carl Weaver. All agreed. Motion carried.

A request for a liability insurance certificate as noted on the PennVest agenda was discussed. The secretary will contact Thomas Insurance Group for an updated liability certificate.

A resolution to accept the proposals of the successful contractors and direct the engineer to have the successful contractors furnish Performance Bonds and Payment Bonds was presented to the board for action. Rufus Geesaman made a motion to adopt Resolution 2008-22 to award the contracts to the low bidder as attached in Exhibit A. Second by Harold Gruber. All agreed. Motion carried.

Drafts of resolutions regarding tap in fees and user charges designated "A" & "B" were handed out to members for review.

Rufus Geesaman stated that in a discussion with Shelly Cornwell of PENNWORKS she mentioned it may be good to consider extending the time for the grant money. Frank Leber will be in contact with Shelly and their legal counsel.

At this time the secretary and chairman signed the necessary paperwork.

New Business

The secretary was requested to write a letter to thank the Fire Police for their service in directing traffic while trees were removed from the Township office property to comply with the HOP permit from Penn Dot.

Authorization of Payment of Bills

No action was taken tonight.

Solicitor Parish reported that he had paid the constable a fee of \$450.00 for serving condemnation notices. His office will invoice the Authority for reimbursement.

Chairman Younker shared his concern for back up training of the Treasurer's responsibility. He recommended the Treasurer, Assistant and Carl Weaver get together for coordination and training on finances and practices.

Public Comment

Wesley Weiant, Bethel, had a question regarding an easement on his property. It is currently being reviewed and revised by John Roche. Members decided to discuss this after the meeting with Mr. Weiant and John Roche.

Michael Musselman, Frystown had a question regarding the status of the project. He was updated by Chairman Younker and Solicitor Parish.

Adjournment

A motion to adjourn the meeting at 9:08 p.m. was made by Harold Gruber. Second by Rufus Geesaman. All agreed. Motion carried.

Respectfully Submitted,

Darlene M. Orendo
Secretary