

The Sewer Authority, Chairman Dave Boyer, Nelson Brenneman, Jose Carrio, Russell Fuhrman and Keith Hunnings met with the Township Board of Supervisors, Chairman Barry Rebert, Dennis Luckenbaugh, Tanya Crawford and Township Manager Mark Derr met for an executive session at 6:00 P.M. Also present: Attorney Craig Sharnetzka, Engineer Terry Myers and the Recording Secretary, Brenda Trowbridge. Alphonse Miller with M&T Bank received Annual Report of the Consulting Engineer and gave notice to the Authority that they have 30 days to correct a default shown in the budget. Jens Damgaard with Rhoads & Sinon advised tweaking of the budget to correct the default. Prospects of refinancing are good and the Authority plans to meet with the financial advisor on January 18, 2010. The Authority was seeking a commitment from the BOS to guarantee the funds. Tanya Crawford requested a copy of the budget. No action was taken. The BOS left and the December 21, 2009 meeting was called to order by Chairman, Dave Boyer at 7:00 P.M.

I. CALL TO ORDER

- A. Meeting opened at 7:00 P.M. with the Pledge to the Flag.

II. MINUTES

MOTION by Keith Hunnings second by Jose Carrio to approve the minutes from November 16, 2009 as presented. All members voted aye; motion carried.

III. COMMUNICATIONS

A. The DMR October Report was given that the WWTP is operating well at this time and there were no violations. Dave Boyer had followed up with the Operator about back up reports on pump station operations reporting that fuel levels were low and that oil needed to be added. Fred Walton replied that an oil change is scheduled and that the fuel tanks are deliberately left until less than half a tank is remaining to make it worth while for a hauler to deliver fuel of at least 250 gallons and fuel delivery will be scheduled soon to top off all the tanks. Brenda Trowbridge noticed that the phone bill did not list calls out from Salem Springs Pump Station and brought the issue to the attention of the Operator. Fred Walton found that the auto dialer needs to be replaced and will have this done. There was a motor issue with the SBR#1 air valve. The system was placed in single basin mode on Friday night. Terry Myers reported that there are at least four of the same type motors and Fred is getting a price quote on a replacement motor and have a back up motor in place. The effluent was reported to be cloudy and treatment test results will be reported. This did cause an odor problem and the office received one complaint call. Brenda Trowbridge was directed to contact Fred Walton asking him to let the Authority know ahead of time when there may be an odor problem.

B. M&T Bank has requested a copy of the Insurance Certificate which was forwarded December 14, 2009.

C. Copy of Atty. Poole's November 23, 2009 letter was emailed to members.

D. Letter received from Peifer regarding 5 vacant lots being charged user fees.

E. Letter from Peifer wishing to returning the 21 EDUs he reserved for park expansion and asking for release of his letter of credit.

F. York County Conservation District report was reviewed. Routine follow up on stabilization of area 5 in Whispering Springs was completed.

IV. TREASURER'S REPORT

A. The operation and maintenance invoices will be addressed later in the meeting.

B. Copies of the M&T statement were distributed to members for their review. Jose Carrio reviewed the M&T statements for November.

C. Possibility of financing will be discussed January 18th.

D. Budget was reopened to correct the default. Several line items were looked at that reflected increased flows anticipated from the Colonial Crossings development. Reserved capacity changed by 21 EDUs being returned from CountrySide Mobile Home Park. The budget was looked at again line by line making several adjustments. **MOTION** by Keith Hunnings second by Jose Carrio to approve the revised 2010 budget bringing the net income after debt service to \$8,377. All members voted aye; motion carried.

Discussion on the borrowing between Jens Damgaard and Atty. Sharnetzka suggested the monies to pay interest should not be borrowed. Rates can be raised at any time next year after financing is discussed and what actual debt service is determined. Keith Hunnings felt that the first thought should not be to raise rates but to do short term financing and give customers notice before raising the rates. Terry Myers will resubmit the Engineer's certification with the new budget.

V. PUBLIC COMMENT

No public comment.

VI. SOLICITOR=S REPORT

A. Colonial Crossings was discussed, basically the Authority is waiting for a meeting with DEP. Dave Boyer will follow up with a phone call to Senator Waugh's office on working to arrange this meeting.

B. Atty. Sharnetzka presented Resolution No. 5-12-2009 for increasing the Tapping Fee for 2010. **MOTION** by Jose Carrio second by Keith Hunnings to approve Resolution No. 5-12-2009 increasing the tapping fee to \$1,937.53 for 2010. All members voted aye; motion carried.

C. Engineer's Contract was reviewed; the contract would be a flat fee per meeting attendance and \$750 for consulting engineer annual report retainer fees. Limit on liability was set at \$50,000 or the engineer fee which ever is greater. **MOTION** by Keith Hunnings second by Jose Carrio to approve the Engineer Contract with Terry Myers with C. S. Davidson. All members voted aye; motion carried.

VII. ENGINEER=S REPORT

A. CONTRACTS No. 1 – Gregory Contractors - Construction - 100% complete -

- Gregory Contractors to complete punch list items.

1. Seeding & Fertilizing was done for Jerry Wivel – no response back. A letter should be sent stating that restoration was done and if the Authority does not hear back from him will consider the matter completed. Terry Myers said actually the results of the work will need to wait until spring. Perhaps retainage would need to be held on this restoration.

2. John White is not satisfied – would like clover removed from his pasture in the spring. The contract states 150% of the cost are retained. A signed proposal for cost to remove the clover needs to be obtained by Mr. White.

- Gregory Contractors retainage of \$15,900 will not be released until all of the punch list items are addressed.

- Manholes being hit during snow plowing – Nelson Brenneman needs to submit a list of manholes for Gregory to address under maintenance agreement.

B. Gregory Road Warranty expires July 29, 2010. Russell Fuhrman said that a walk through the sewer lines needs to be done early in the spring to give Gregory enough time to make any corrections.

- Question on the MetEd right of way washing out from the Little John Drive stormwater. Terry Myers will meet with Nelson Brenneman if needed about diverting water run off.

C. Salem Springs Flow Meter inspection report was given by Terry Myers. Monacacy Valley will be in tomorrow morning to get the pumpstation key to investigate the electrical problem.

VIII. OLD BUSINESS

A. By-Laws were updated. **MOTION** by Russell Fuhrman second by Keith Hunnings to adopted the North Codorus Township Sewer Authority By-Laws as amended December 21, 2009. All members voted aye; motion carried.

B. The Kinsley reserve capacity letter of credit was renewed. The agreement needs to be looked at next meeting to determine if letter of credit can be released.

C. Terry Myers has the Operating/Emergency Procedures for final review when time permits.

D. Old Joseph Road stormwater is on hold until Terry Myers reassesses land crossing easement with Liberatore. Nelson Brenneman pointed out that the other side of the land was owned by Terry Stump. Terry Myers thought the land was owned by the Army Corp. These people are not easy to deal with but Terry Myers will attempt to resolve the easement issue.

E. Nelson Brenneman received an e-mail from Kinsley, Rick Fink looking for approval prior to ordering structures. Terry Myers explained the steep grades coming up from the stream where our line is and the need for additional drop through the manholes. The plan need to be revised and re-submitted. Terry Myers has received the plan and given approval and can proceed with ordering the manholes.

IX. NEW BUSINESS

A. Policy for paid connection fee/vacant lot. This came up from the CountrySide Mobile Home Park who has five vacant lots now that will be replaced with modular homes but do not want to pay the user fees. Paid for the 119 units but now only wants to pay for 114. Unless he returns the EDUs he must pay the user fees. Policy for interim discontinuation of use will not waive the user fee. Vacancy credit should be established to cover the debt service for any emergency waivers. **MOTION** by Keith Hunnings second by Jose Carrio to notify Mr. Peifer that he is required to pay the user fees unless he is willing to return the EDUs. All members voted aye; motion carried.

B. Mr. Peifer requested to have his letter of credit returned to him in exchange for returning his 21 reserved EDUs to the Authority. **MOTION** by Keith Hunnings second by Jose Carrio to return to Mr. Peifer his letter of credit in exchange for returning the 21 reserved EDUs to the Authority. All members voted aye; motion carried.

C. As-built CADD files converted by CS Davidson to pdf file for the Authority was proposed for a cost of \$300. **MOTION** by Keith Hunnings second by Russell Fuhrman to approve C. S. Davidson to convert as built files to pdf file for the Sewer Authority at a maximum of \$150. All members voted aye; motion carried.

D. Three quotes were obtained for the NCT Sewer Authority 2009 Audit. **MOTION** by Jose Carrio second by Keith Hunnings to hire Kochenour, Earnest, Smyser & Burg to perform 2009 audit as required by the state and trustee and do the calculation verification for the Borough for a total of \$3,400.00. All members voted aye; motion carried.

E. **MOTION** by Jose Carrio second by Keith Hunnings to approve the following bills:

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|--------------------------------------|----|-------------|
| The Clearing Fund Requisition No. 29 | | \$54,778.84 |
| U.S Postal Service | \$ | 224.23 |
| Adams Electric Co-op | \$ | 2,646.01 |
| C. S. Davidson, Inc. | \$ | 6,461.29 |
| Countess Gilbert Andrews, PC | \$ | 13,494.65 |
| Forbes Services LLC | \$ | 45.00 |
| J. L. Martin & Sons | \$ | 325.00 |
| Kocman Insurance Group | \$ | 6,547.00 |

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|--------------------------------|-------------|
| LABS Inc. | \$ 866.00 |
| Locating Solutions LLC | \$ 445.00 |
| M & T Investment Group | \$ 2,600.00 |
| McNess Wallace & Nurick LL | \$ 1,904.40 |
| Met Ed | \$ 1,300.52 |
| Red Rose Sanitation | \$ 1,512.00 |
| Smith Sanitary Septic Services | \$ 5,775.00 |
| Springettsbury WWTP | \$ 3,667.40 |
| Univar | \$ 2,656.87 |
| Verizon | \$ 220.43 |
| Walton Water Services LLC | \$ 2,245.28 |
| York Waste Disposal | \$ 113.72 |
| York Water Co. | \$ 306.21 |
| Pay 10/18-11/14/09 | \$ 1,422.83 |

All members voted aye; motion carried.

Meeting adjourned for an executive session at 9:50 P.M.

Meeting reconvened at 10:00 PM

MOTION by Nelson Brenneman second by Jose Carrio to have Atty. Sharnetzka proceed against John & Kimberly Chrissomallis for outstanding user fees. All members voted aye; motion carried.

MOTION by Keith Hunnings second by Jose Carrio to have Brenda Trowbridge send water shut off notice to Lindsay T. Straub and Melissa Straub. All members voted aye; motion carried.

MOTION by Nelson Brenneman second by Keith Hunnings to adjourn the meeting.
Meeting adjourned at 10:00 P.M.

X. ANNOUNCEMENTS

- A. Financial meeting January 18, 2009 at 5:00 PM with BOS and Lou Verdelli.
- B. Next Meeting will be January 18, 2009 at 7:00 P.M.

Respectfully submitted,
Brenda E. Trowbridge, Recording Secretary