

The Sewer Authority: Chairman Dave Boyer, Nelson Brenneman, Jose Carrio, Russell Fuhrman and Keith Hunnings met with the Township Board of Supervisors: Chairman Nelson Brenneman, Dennis Luckenbaugh, Tanya Crawford and Township Manager Mark Derr for a financial session at 5:00 P.M. Dave Boyer opened the meeting with the Pledge to the Flag. Also present: Engineer Terry Myers and the Recording Secretary, Brenda Trowbridge. Resident Barry Rebert and financial advisor Steve Hovis from New Freedom Borough attended. Bond Council Jens Damgaard with Rhoads & Sinon was present for presentation from financial consultant, Lou Verdelli with RBC Capital Markets. Mr. Verdelli presented information on the 2005 Bond Issue and offered information regarding the options to meet debt service. The good news he gave was that the interest rates are lower than the 2005 rates. Three options were presented: short term financing to meet 2010 payment, 3 year debt restructuring and long term option expanding maturity date by restructuring entire issue. Details for the options were presented.

Mr. Verdelli also presented several options for insurance which is needed to obtain a good interest rate. Jens Damgaard explained under the trust indenture the Engineer must complete a year end report that gives the status of the budget that the rates and revenues are sufficient to cover operations and debt service. This report has shown that \$500,000 will be obtained from additional funding/loan. He presented a follow up on the types of borrowing available. The Authority was seeking a commitment from the BOS that they would be willing to provide the necessary guarantee for borrowing the funds. The Township guarantee is taken very seriously by the credit market recognizing that the taxing entity has unlimited taxing power; that if the guarantee is called upon the Township will come up with money no matter what, even if it must raise taxes. Mr. Verdelli, with the information on the Township current status, recommends that the Township's financial status be improved upon so there would not be any question of ability of the guarantee to be served if called upon. The Board of Supervisors stated that they needed to discuss the issue. Tanya Crawford requested history of expenses from the Authority for the past three years. No set date was arranged to strategize with the Authority. Steve Hovis pointed out that there is a rate covenant obligation with the Authority to establish rates to sufficiently cover payments. Mr. Verdelli affirmed that the combination of rates and borrowing would be necessary. Terry Myers pointed out that the Colonial Crossings revenue must be replaced and that would take a couple of years, therefore borrowing should be to cover cost for at least two years.

No action was taken. The BOS, financial consultants, Dave Boyer and Mark Derr left

## I. CALL TO ORDER

The January 18, 2010 Authority meeting was called to order by Vice Chairman, Jose Carrio at 6:45 P.M. Attending Secretary, Nelson Brenneman, Keith Hunnings and Russell Fuhrman. Arriving later in the meeting Cheryl Bahn, John Wainwright, Mayor Grace Angotti from New Salem Borough, residents Robert Taylor and Tim Odonnel.

## II. MINUTES

**MOTION** by Keith Hunnings second by Russell Fuhrman to approve the minutes from December 21, 2009 as presented. All members voted aye; motion carried.

## III. REORGANIZATION OF SEWER AUTHORITY nominations opened by Recording Secretary, Brenda Trowbridge as follows:

A. **MOTION** by Keith Hunnings for Dave Boyer to continue as Chairman of the Sewer Authority for 2010, second by Russell Fuhrman. All members voted aye; motion carried.

B. **MOTION** by Nelson Brenneman to appoint Keith Hunnings as Vice-Chairman of the Sewer Authority for 2010, second by Russell Fuhrman. All members vote aye; motion carried.

- C. **MOTION** by Nelson Brenneman to appoint Russell Fuhrman as Treasurer for the Sewer Authority for 2010, second by Keith Hunnings. All members vote aye; motion carried.
- D. **MOTION** by Jose Carrio for Nelson R. Brenneman continue as Secretary of the Sewer Authority for 2010, second by Keith Hunnings. All members voted aye; motion carried.
- E. **MOTION** by Nelson Brenneman to appoint Russell Fuhrman. as Assistant Secretary of the Sewer Authority for 2010, second by Keith Hunnings. All members voted aye; motion carried.
- F. **MOTION** by Keith Hunnings for Terry Myers, C. S. Davidson to continue as Engineer for the Sewer Authority for 2010, second by Nelson Brenneman. All members voted aye; motion carried.
- G. **MOTION** by Nelson Brenneman for Craig Sharnetzka, CGA Law Firm, to continue as Solicitor for the Sewer Authority for 2010, second by Keith Hunnings. All members voted aye; motion carried
- H. **MOTION** by Nelson Brenneman second by Keith Hunnings to affirm the meeting dates and times for 2010 as the third Monday of each month at 7 PM. All members voted aye; motion carried

#### **IV. COMMUNICATIONS**

- A. The DMR November Report was distributed to all members. The WWTP is operating well at this time and there were no violations. Brenda Trowbridge reported that she spoke with Fred Walton today and he is installing a new auto-dialer at the Smith Hill Pump Station, the generators have all been topped off with fuel. Fred Walton, WWTP Operator also did some extra testing due to the problem with the SBR shutdown at the WWTP.
- B. Keith Peterman, Professor at York College, requested permission to have his class tour the WWTP on March 25<sup>th</sup> at 11:30 A.M. Authority agreed stating that the release forms will need to be signed. Fred Walton was agreeable to do the tour on this date.
- C. M&T made several request for information: Engineer's Certificate which was completed by Terry Myers. A resolution was requested adopting the 2010 budget. **MOTION** by Russell Fuhrman second by Jose Carrio to adopt Resolution No. 6-12-2009 Adopting Budget for Year 2010. All members voted aye; motion carried. Insurance Certificate was remailed. A Completion Certificate will not be issued until all restoration items are checked this spring.
- D. Nutrient Reduction Credit Bank and Exchange System was explained by Terry Myers. PennVest will be giving more information in February to be determining credit values. This could be a possible way for the Authority to generate income for unused capacity.

#### **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. Russell Fuhrman had not reviewed the M&T statements for December and will meet with Brenda Trowbridge to go over the statements. **MOTION** by Nelson Brenneman second by Jose Carrio to approve the M & T statements. All members voted aye; motion carried

#### **V. PUBLIC COMMENT**

- A. Melissa Straub has outstanding user fees and wanted to attend the meeting to set up payments of \$100 per month, she was not present. The policy is to accept half of the amount due and set up a payment arrangement. She was not able to make that payment and was to discuss it with the Authority. The Authority agreed to forward the notice of water shut-off to the York Water Company for processing.
- B. Robert Taylor asked if the sewer construction was complete. Terry Myers explained there was retainage for some restoration that needs to be checked in the spring. Mr. Taylor asked if he could see the contract. He was concerned about the nine lots located behind his property that Gregory Contractors is holding reservation EDUs but is not paying the quarterly user fees. He was concerned that the current users should be paying \$400 per quarter to meet the debt service and that no revenue is forth coming from these

vacant lots and by next year his rates could be \$600 a quarter and his concern is that everyone will move out of the township. Also asking if Gregory Contractors was required to video the lines. He hopes that there will be an evaluation of the contractors work because they went forty feet beyond the easement on his property which was not acceptable.

C. Tim Odonnel from 2116 Noss Road asked what his connection fee would be as he was told it was going to be \$5700. He also asked when he would receive a connection notice. Nelson Brenneman advised him the connection fee would be \$1,937.53 and he should receive notice within two to three months.

## VI. SOLICITOR=S REPORT

A. Atty. Anthony Browser filled in for Atty. Craig Sharnetzka and reported collection matters were progressing and are researching the Chrissomallis property at 5785 Gladfelter Station Road whether the Authority can file with the DJ for the same amounts of the previous lien.

B. CMV/Colonial Crossings suite has been filed by Township Atty. William Poole. A meeting is being scheduled with DEP.

## VII. ENGINEER=S REPORT

A. CONTRACTS No. 1 – Gregory Contractors

- Construction - 100% complete -

- Gregory Contractors retainage of \$15,900 will not be released until all of the restoration items are approved this spring.

B. Salem Springs Flow Meter inspection report was given by Terry Myers. Monacacy Valley was in to test the electrical problem. They determined that it was not an electrical problem but a problem in the flow meter itself. Gregory Contractors has been contacted to get this issue resolved.

C. Operating Emergency procedures have not been addressed

## VIII. OLD BUSINESS

A. The Area 8 Sewer Connection on the Kinsley property was reported by Nelson Brenneman. Sewer Line has been installed in the lower end of the property, under the stream, to the first manhole and now restoration work for the E&S plan is being done. Nelson Brenneman reports that Gregory was to put a connection in the manhole and also into the one where they connect to the Noss Road lines and he had not done this. Terry Myers explained that no plan from Kinsley was approved at the time this Noss Road section was installed. Kinsley should video the lines according to township construction and material specifications.

B. Nelson Brenneman also said all the sewer lines should be videoed. The work could be made part of annual maintenance done by the operator. Nelson Brenneman also asked who is to maintain the lines. He reported that there are Locusts trees growing on the right of ways. Terry Myers said that it should be added into Walton's contract or to contract someone to maintain the right of ways. Russell Fuhrman reported that some of the manholes were going to be lost from a lot of coverage dumped over the manholes. One on Messersmith Road has been completely covered. Terry Myers said they could be staked depending on the property owner.

C. Old Joseph Road stormwater is on hold until Terry Myers gets further direction from the Township. Russell Fuhrman felt that just some good size ballast be placed and remove the barricades to keep the public safe. Nelson Brenneman will bring the matter before the Supervisors tomorrow night.

## IX. NEW BUSINESS

A. **MOTION** by Russell Fuhrman second by Keith Hunnings to approve the following bills:  
The Clearing Fund Requisition No. 30 \$22,029.52

Adams Electric Co-op	\$ 2,453.80
C. S. Davidson, Inc.	\$ 2,389.75
Coyne Chemical	\$ 2,990.52
Forbes Services LLC	\$ 1,125.00
J. L. Martin & Sons	\$ 325.00
Kocman Insurance Group	\$ 250.00
LABS Inc.	\$ 864.00
Locating Solutions LLC	\$ 520.00
PMMA	\$ 200.00
Red Rose Sanitation	\$ 2,016.00
Springettsbury WWTP	\$ 2,760.00
Verizon	\$ 224.77
Walton Water Services LLC	\$ 3,915.63
York Waste Disposal	\$ 113.72
York Water Co.	\$ 217.33
Pay 12/20/09-1/16/10	\$ 1,664.00

All members voted aye; motion carried.

B. Nelson Brenneman asked about a PA 1-call that reports that sewer service is being terminated in Colonial Crossings on Jamestown Lane. Terry Myers could not explain

**MOTION** by Nelson Brenneman second by Keith Hunnings to adjourn the meeting.  
Meeting adjourned at 7:45 P.M.

**X. ANNOUNCEMENTS**

A. Next Meeting will be February 19, 2010 at 7:00 P.M.

Respectfully submitted,  
Brenda E. Trowbridge, Recording Secretary