

The regularly scheduled meeting of the North Codorus Township Sewer Authority was cancelled for February 15th due to weather conditions and the need for two members to be available for treatment of the roads. The rescheduled meeting on February 17, 2010 was called to order by Chairman Dave Boyer at 5:00 P.M. Members present: Dave Boyer, Nelson Brenneman, Jose Carrio, Keith Hunnings and Russell Fuhrman. Also Present: Attorney Craig Sharnetzka, Engineer Terry Myers and the Recording Secretary, Brenda Trowbridge.

Attending: Cheryl Bahn from New Salem Borough, Mark Derr, NCT Manager and eight residents: Jeff Burger at 3958 Stephen Ave., Keith Coleman at 3945 Sprenkle Ln., Donald & Linda Combs at 2107 Noss Rd., Bill & Stella Holt at 2108 Noss Rd., Jeffrey Marsden at 2100 Noss Rd. and Robert Taylor at 1396 Timber Ct.

I. CALL TO ORDER

A. Meeting opened at 5:00 P.M. with the Pledge to the Flag.

II. MINUTES

MOTION by Nelson Brenneman second by Russell Fuhrman to approve the minutes from January 18, 2010 as presented. All members voted aye; motion carried.

MOTION by Nelson Brenneman second by Russell Fuhrman to approve the minutes from the joint meeting with the Township Board of Supervisors on February 2, 2010 as presented by the Township Manager. All members voted aye; motion carried.

III. COMMUNICATIONS

A. The Walton Water Services DMR Report was distributed to members and explained by Dave Boyer. Nelson Brenneman had a question with the wrong address on the preprinted reporting forms which Fred Walton will get corrected. The sludge thickening was questioned on the sludge hauling report and Dave Boyer and Nelson Brenneman will meet with Plant Operator, Fred Walton to get a better understanding.

B. The Chicago Climate Exchange, Inc. letter was reviewed regarding the nutrient reduction credit trading program. Dave Boyer explained the nutrient reduction program is to reduce pollution in the Chesapeake Bay watershed. PennVest will oversee the credit program and Chicago Climate Exchange is the consultant to help PennVest develop the procedures to purchase credits and sell credits.

IV. TREASURER=S REPORT

A. The treasurer, Russell Fuhrman presented the operation and maintenances invoices as follows:

United States Treasury/4 th qtr. 09	\$	896.61
York Adams Tax Bureau/4 th qtr. 09	\$	49.82
PA UC Fund/Burden of Employer	\$	2.99
PMMA UC Trust /4 th qtr. 09	\$	84.69
Adams Electric Cooperative Inc.	\$	2,438.64
C. S. Davidson, Inc.	\$	6,650.57
Countess Gilbert Andrews, PC	\$	2,212.52
Forbes Services LLC	\$	300.00
Kocman Insurance Group WC	\$	1,693.00
LABS Inc.	\$	568.00
Locating Solutions LLC	\$	460.00

Met Ed	\$ 684.48
PMMA	\$ 595.13
Red Rose Sanitation	\$ 2,016.00
Smith Elliott Kearns & Co.	\$ 100.00
Springettsbury WWTP	\$ 2,421.20
UNIVAR USA Inc.	\$ 1,391.43
Verizon	\$ 173.07
Walton Water Services LLC	\$ 5,050.60
York Newspaper Co., Inc.	\$ 65.40
York Waste Disposal	\$ 113.57
York Water Co.	\$ 248.13
Pay 1/17/10-2/13/10	\$ 1,390.83

MOTION by Russell Fuhrman second by Keith Hunnings to approve payment of Clearing Fund Requisition No. 31 in the amount of \$29,606.68. All members voted aye; motion carried.

B. Russell Fuhrman read the M&T statements from last month, all have been reconciled. Copies of the M&T statement were distributed to members for their review.

V. PUBLIC COMMENTS

A. A request was received from Jerry M. Wivell, Cedarview Construction to reduce their letter of credit by \$3,000, the amount of payment received this year per the sewer capacity reservation agreement. **MOTION** by Nelson Brenneman second by Keith Hunnings to grant Jerry M. Wivell his request for security reduction in the amount of \$3,000 leaving a remaining security of \$6,000. All members voted aye; motion carried.

B. Jeffrey Marsden presented a problem with the snow plowing and was directed to address the Township Board of Supervisors.

C. Robert Taylor questioned manholes along Noss Road and why the stubs that are not there for Kinsley. Terry Myers explained to Mr. Taylor that there was no approved plans as to where the connections would be required by Kinsley when the Authority plans were finalized. Terry Myers will look at the as-build drawings again. On Tunnel Hill Road, the drawings show three manholes but he can only see two and his neighbor said also that the third manhole was not put in. Terry Myers agreed to check that manhole. Mr. Taylor also asked if a decision was made on the sewer rate increase. Mr. Boyer advised that all the information was not received from the Township to make a decision on the rates tonight. Mr. Taylor recalled a meeting with the Township on reviewing their budget line by line and how there would be an increase in taxes. His tax bill only shows a 10% increase and that leaves 100 to 200 per cent increase to the sewer bills. He wants taxpayers to know how we got to this point. The Authority is working with professionals to resolve the borrowing issues and public discussion will continue.

VI. SOLICITOR=S REPORT

A. Colonial Crossing/CMV Sewage Co.

- Atty. Sharnetzka is in contact with Alex Chiaruttini, Special Counsel and will report in executive session
- Cornerstone Development had reserved 62 EDUs and has not paid the reservation fee for this year. Brenda Trowbridge will send a final notice to them.

B. Monthly Status Report will be reviewed in an executive session.

C. The Peifer Appeal has been scheduled for March 16th at 1 PM in Harrisburg.

D. The Noss Road residents were within the original sewer numbers and would have been connected if not for the problem with Colonial Crossings and getting Kinsley to move on installing his sewer line. Being consistent with CountrySide Mobile Home Park who was delayed in making the connection paid the original \$1800, therefore the Noss Road customers are also grandfathered in to the \$1800 fee. **MOTION** by Keith Hunnings second by Russell Fuhrman to reaffirm that the customers on Noss Road are to be grandfathered in at the original notice of \$1800 tapping fee. All members voted aye; motion carried.

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 will be reviewed.

D. Nutrient Reduction Credit Bank and Exchange System was explained by Terry Myers, giving the phosphorus and nitrogen capacity and the value in selling this capacity. Terry Myers was authorized to proceed to have capacity certified through DEP. Russell Fuhrman asked if taking in tankers to dump into the plant would create a risk to the plant. Dave Boyer said accepting residential holding tank wastes would be a better option for our smaller plant rather than taking septic tank cleaning wastes with strong septic solids.

E. Terry Myers was directed to proceed with the Chapter 94 Annual Report to DEP.

VIII. OLD BUSINESS

A. Mark Derr gave a report on the borrowing basis for the Township and what is considered self liquidating debt. A meeting has to be arranged soon to make the March 1st billing date. Mark Derr will coordinate a date and time for the professionals to meet.

B. Kinsley is continuing with the Subdivision Salem Overlook, which Terry Myers reported is over halfway complete and revealed that blasting was done to get through the rock. They are now in the area needed to obtain the depth of the sewer lines to give Noss Road gravity flow. Hopefully they will be complete within two months.

C. No information received from the Township on the Old Joseph Road stormwater.

IX. NEW BUSINESS

A. **MOTION** by Keith Hunnings second by Russell Fuhrman to authorize the engineer to prepare the NPDES Permit renewal. All members voted aye; motion carried.

X. ANNOUNCEMENTS

A. Next Meeting will be March 15, 2010 at 7:00 P.M.

B. **MOTION** by Dave Boyer second by Russell Fuhrman to have Keith Hunnings attend the March 11, 2010 PMAA Conference. All members voted aye; motion carried.

Meeting adjourned 6:25 P.M. for an executive session.

Meeting reconvened at 6:55 P.M.

MOTION by Keith Hunnings second by Russell Fuhrman to move forward a filing at the Commonwealth Court under its original jurisdiction along with DEP against PUC and CMV Sewage. All members voted aye; motion carried.

MOTION by Keith Hunnings second by Russell Fuhrman to authorize Environmental Counsel, Alex Chiaruttini to move forward with a motion of summary judgment in the manner before the Environmental Hearing Board. All members voted aye; motion carried.

MOTION by Keith Hunnings second by Russell Fuhrman to share cost of moving forward with the summary judgment with Township Board of Supervisors and have Attorney Sharnetzka obtain a fee letter from Alex Chiaruttini. All members voted aye; motion carried.

XII. ADJOURNMENT

A. **MOTION** by Keith Hunnings second by Russell Fuhrman to adjourn the meeting. All members voted aye; motion carried. Meeting adjourned 7:05 P.M.

Respectfully submitted,

Brenda E. Trowbridge, Recording Secretary