

The regularly scheduled March 15, 2010 meeting of the North Codorus Township Sewer Authority was called to order by Chairman Dave Boyer at 7:00 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.

Also attending the meeting was Cheryl Bahn and John Wainright from New Salem Borough and Mark Derr, NCT Manager along with the following: Debbie Flynn of 1041 Smith Hill Rd., Stanley Lentz of 1044 Smith Hill Rd., Terry Smith of 229 Country Ridge Dr., Richard Germeten of 196 Country Ridge Dr., Wilburt Hengst of 186 Countryside Ln., John Brenner at 212 Countryside Ln., Bob Taylor at 1396 Timber Ct., Rick Fink and Mike Jeffers with Kinsley Construction, Michael Krout at 3924 Old Joseph Rd. and Chris Geiman at 128 Rustique Dr.

I. CALL TO ORDER

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

II. MINUTES

MOTION by Nelson Brenneman second by Keith Hunnings to approve the minutes from February 17, 2010 as presented. All members voted aye; motion carried.

III. COMMUNICATIONS

A. The Walton Water Services DMR Report for January was distributed to members and explained by Dave Boyer. The sludge hauling has been reduced and the concentration will increase. The operator reported that the autodialer at Smith Hill Pump Station is in service but the phone line needs to be inspected. Brenda Trowbridge was directed to contact Fred Walton regarding the inspection and to set up a meeting time with Dave Boyer and Nelson Brenneman. The Operator's request for maintenance items will be discussed under New Business.

B. The PMAA Spring Workshops and Meetings were presented to each member and will be discussed under new business.

C. Kinsley Construction request to release the Letter of Credit was discussed. Rick Fink explained the request. Nelson asked if televising the lines was done. **MOTION** by Nelson Brenneman second by Russell Fuhrman to approve Kinsley's request to release the letter of credit. All members voted aye; motion carried.

Rick Fink gave a report that the Noss Road work is almost complete, the stream crossing is done and everything in the development is done and connection was made to the existing manhole. Main line is complete but vacuum testing cannot be completed until the laterals are complete. Terry Myers felt that notices could be sent next month. Rick Fink asked if the testing cost was recorded for the extra depth. Terry Myers will meet with him to reconcile the numbers. Dave Boyer expressed his appreciation to Mr. Kinsley for moving his project along to accommodate the Township's Noss Road residents.

IV. TREASURER'S REPORT

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

United States Postal Service	\$ 243.85
Adams Electric Cooperative Inc.	\$ 2,340.10
C. S. Davidson, Inc.	\$ 8,484.04
Countess Gilbert Andrews, PC	\$ 1,564.50
Forbes Services LLC	\$ 1,450.00
Freedom System Corp.	\$ 1,975.00
J.L. Martin & Sons	\$ 325.00

Kocman Insurance Group WC	\$ 250.00
LABS Inc.	\$ 568.00
Lefler Engegy	\$ 903.98
Locating Solutions LLC	\$ 1,345.00
Met Ed	\$ 658.89
Petty Cash (postage)	\$ 23.14
Quill Corporation	\$ 166.89
Red Rose Sanitation	\$ 1,638.00
Safeguard Business Systems.	\$ 258.67
Springettsbury WWTP	\$ 1,988.00
Trustees Insurance Fund	\$ 11,028.06
UNIVAR USA Inc.	\$ 1,391.43
Verizon	\$ 272.21
York Newspaper Co., Inc.	\$ 201.60
York Waste Disposal	\$ 114.08
York Water Co.	\$ 287.96
Pay 2/14/10-3/13/10	\$ 1,390.83
Void Ck 5855 Locating Solutions	- 520.00
Total Clearing Fund Requisition #32	\$ 38,349.23

MOTION by Russell Fuhrman second by Keith Hunnings to approve payment of Clearing Fund Requisition No. 32 in the amount of \$38,349.23. 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 Elwood Bahn & Sons Construction, Inc. asking to transfer one EDU from Parcel 1A Tax Map 4 to the property at 1352 Seven Valleys Rd. Parcel 1 Tax Map 4 for the purpose of adding an apartment to the existing structure which has been approved by the Township Zoning officer.

MOTION by Nelson Brenneman second by Keith Hunnings to approve the request to transfer one EDU reserved by Geraldine Bahn to 1352 Seven Valleys Rd. All members voted aye; motion carried.

B. A letter from Harry Becker was read regarding the sewer rate increase, asking that part of the Colonial Crossings settlement be to reimburse the increase to the Authority's sewer customers and repeal the increase once they are made to connect.

C. Sonnewald submitted a request regarding the Okete Properties LP at 1933 and 1939 Stoverstown Road which are being demolished and ask that they no longer be required to pay a sewer bill. **MOTION** by Keith Hunnings second by Russell Fuhrman to rescind the sewer bills for these two EDUs and remind them that a permit would be required at the time of connecting any new structure(s) and that the tapping fee would be required for any additional EDUs. All members voted aye; motion carried.

D. Terry Smith, 229 Country Ridge Drive asked if the sewer rates would go back down if the Colonial Crossings connection is made. Dave Boyer replied that the Authority's intent is not to charge the customers any more than absolutely necessary. Whether the Authority will be able to rescind the entire amount remains in question but the timing for the Authority to sell bonds is 2012 and the Township will be borrowing funds to help the Authority through the circumstances that the Authority is faced with due to the decision of the PUC.

The intent of the Authority is to charge the customers no more than necessary to pay the bills, pay the debt on the bonds and to take steps to avoid defaulting on the bonds. Legal action is being taken against the developer. The Township and Authority have no guarantee of success but are taking all possible actions to recoup what funds were expected from the development customers.

E. Debbie Flynn, 1041 Smith Hill Road asked that when the property tax increase was made by 50% that was, according to the newspaper, to go to the hardship of the Sewer Authority and now the sewer customers are hit again with a rate increase. Dave Boyer explained that none of the tax increase by the Township went to benefit the Authority. Ms Flynn said that at the meeting in December she attended it was suggested and agreed upon that the Township tax would spread the cost over all the residents. When did this change and was the meeting advertised? Yes, Nelson Brenneman responded that ads are placed in the legal section of the local news.

F. Stanley Lentz, 1044 Smith Hill Road stated that it is unfair that the sewer residents must pay for the Township mistakes. Will this money ever be refunded back to the customers? Dave Boyer explained that the goal would be to try to return a portion of funds to customers; however no guarantee as to when or how much that would be. This whole issue has been tied up with the PUC (Public Utility Commission) that protected the customers in Colonial Crossings at the expense of the existing sewer customers. DEP (Department of Environmental Protection) has a permit for Colonial Crossings which is to expire in November and there will be legal action regarding that permit renewal and the results of all the legal efforts are unknown. New Customers will pay higher tapping fees and any influx of new customers will help spread the cost of operation and debt service over all customers.

G. Bob Taylor, 1396 Timber Court asked that the Authority be truthful. He saw the budget showing that the Colonial Crossings showed 200 customers and all literature shows 400 units. He also asked if the Township is doing all the legal proceedings against Colonial Crossing. He stated that the Authority shows no legal fees in litigation in this matter. Dave Boyer explained that there were sizeable legal fees last year with PUC. Nelson Brenneman explained that the Authority and Township have joined together in the legal proceedings with DEP. He again stated that the Township papers show only 200 units connecting – Mark Derr explained that the 200 was what Colonial Crossings offered to pay. Bob Taylor was concerned that DEP would issue a new permit to CMV and if they needed to would upgrade their plant. His thought was that in order to get the sewer fees back down to \$200 would require 1400 customers or more. Terry Myers explained that Colonial Crossings would need to connect and the Authority would still be short the two years of income which is 1.3 million out of what was originally projected. In addition a year of income was lost with litigation with the Trailer Park. Bob Taylor felt that the sewer rates would need to be even higher to meet debt. He also had a problem with a manhole that appeared to him to be missing. Russell Fuhrman was given Mr. Taylor's information and he is still waiting for someone to get back to him. Mr. Taylor also asked about the final inspection, was there a walk through? Terry Myers reported that as each phase was completed it was inspected and tested before put into operation and a certificate of substantial completion was issued with a punch list to complete. This enabled customers to connect as quickly as possible. Mr. Taylor asked about the easement and the settlement of the lines and the eighteen months warrantee and if there was a repair done does the warrantee start over? Mr. Taylor also said after the completion the lines should be videoed because he did not like the workmanship of the contractor. Mr. Taylor thought the warrantee was for five years. Terry Myers reported that the bid was for one year warrantee and that the Authority did extended for two years. Mr. Taylor would like to see the Township and the Authority work as a team. Dave Boyer said that they have. Nelson Brenneman reported that the PUC needs to let go and we could get back to where we should be.

H. Chris Geiman, 128 Rustique Drive reported he is paying for something he didn't want and didn't want to pay for. He has a limited amount of resources and the timing is very bad because of the economy and more and more homes are going up for sale.

I. Wilburt Hengst, 186 Countryside Lane asked if the sewer connection was made for the Trailer Park. They have paid the connection fee and are paying the user fees but have not completed the connection. He reported that there is a flush tax in Maryland; let the other people pay the \$100 a year toward the sewer. Nelson Brenneman said what when the private systems fails does the Township do the repairs? Does the Authority have capacity to add additional homes to the sewer? Terry Myers reported that at the end of 2009 there were 728 Authority customers and 314 Borough customers and the Chapter 94 Report will allow 1,444 additional Authority customers and 261 Borough customers. Currently the plant is only at 20% of flow capacity.

J. Debbie Flynn said that the Township cosigned the debt and therefore everyone should help pay not just the sewer customers. Terry Myers explained that the bond issue regulates what procedures the Authority must follow. The Authority was asking the Township to borrow funds for two years to buy some time before the bonds can be reissued in 2012 and the lawsuit gets settled. Getting new customers and restructuring the bond issue to will get the Authority in better financial operation. Debbie Flynn asked if the DEP issues the Colonial Crossings a permit would that be for four more years. Terry Myers reported that DEP has no intention to re-issue that permit.

K. Mike Krout, 3929 Old Joseph Road questioned what was being done for the stormwater issue he continues to deal with. Terry Myers explained the Township is planning to riprap the gutter and stop erosion. Mr. Krout also asked if the smell from the pump station could be addressed. Terry Myers will contact the operator about adjusting the float levels and cycling vent using carbon filter to cancel odor. Increasing the flows will help with this odor; getting the trailer park and Colonial Crossings would make a difference. Mr. Krout also reported that when the snow plowing was done; the gate was hit at the pump station. Dave Forbes will be contacted by Nelson Brenneman regarding the gate repair.

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. Gregory Contractors has been contacted to get this issue resolved.

C. Terry Myers would like to review the operating emergency procedures with the plant operator and Brenda Trowbridge. There are standard procedures and actual responses that could be incorporated.

D. Nutrient Reduction Credit Bank and Exchange System was explained by Terry Myer. He presented a hand out showing the phosphorus and nitrogen capacity. The plant is currently only using 17% of the phosphorus and nitrogen capacity. The price per pound is between \$5 and \$7 per pound. The Authority has approximately 10,000 excess pounds and should be able to generate \$50,000 per year for the excess. Alex Chiaruttini has been contacted and will assist in getting excess pounds certified with DEP and will contact PennVest who will handle the selling. John Leen, a C S Davidson plant designer, who also has his plant operating license, feels this would be a much better way to generate money than to take waste at the plant. His concern was the loading that hauled sludge would put on the plant and the possibility of problems, that additional sludge would adversely affect the plant. Overall, selling the credits would be a better way to go. Terry Myers will continue to work with Alex Chiaruttini to get certification.

VIII. OLD BUSINESS

A. Terry Myers will have the inspector check Noss Road down stream manholes to see if there is significant water. Nelson Brenneman still would like to see the lines televised and tested. For \$140 per hour, New Freedom Borough will televise the lines. Discussion on air testing and televising and the availability of Kinsley to air test when he test his line. **MOTION** by Nelson Brenneman second by Russell Fuhrman to have air testing done on the Noss Road sewer lines. All members voted aye; motion carried.

IX. NEW BUSINESS

A. Lawn Care proposal was submitted by Dave Forbes for 2010 the contract is the same as last year. **MOTION** by Nelson Brenneman second by Keith Hunnings to approve 2010 contract for lawn care. All members voted aye; motion carried. Again, Nelson Brenneman will contact Mr. Forbes regarding the gate near Mr. Krout's house and check with the plant operator.

B. Maintenance request from the WWTP Operator was discussed. The extension cord to run the heat trace has been cut several times. J Miller Electric will be contacted to find a power source to eliminate the need for an extension cord. Brenda Trowbridge was directed to coordinate a meeting with the electrician and the plant operator. Nelson Brenneman will check the water hydrant and discuss with Fred Walton the installation. Nelson Brenneman also asked who Fred Walton uses to repair his motors. There is a local shop that Russell Fuhrman and Nelson Brenneman would like to see him use. **MOTION** by Keith Hunnings second by Russell Fuhrman to have Fred Walton purchase the core sampler and new dipper at a cost of \$150 each. All members voted aye; motion carried.

C. Literature of Manhole inserts was given to Nelson Brenneman. Terry Myers reported that the sewer plant flows do not spike during rainy weather which they would do it there was a problem.

D. The Nutrient Reduction Credit seminar through PMAA does not seem worth while as we are in the process of making application with Alex Chiaruttini. No one was interested in attending the PMAA Workshops at this time.

E. Chapter 94 report presented by Terry Myers. Future flow allocations and projections were discussed. There is a capacity of 400 EDUs available over the reserved capacity. Terry Myers will submit the Chapter 94 Report to DEP, due March 31st.

F. Terry Myers will send M&T the requested Engineers Report Trust Indenture 10.09.

X. ANNOUNCEMENTS

A. Next Meeting will be April 20, 2010 at 7:00 P.M.

XII. ADJOURNMENT

A. **MOTION** by Nelson Brenneman second by Keith Hunnings to adjourn the meeting. All members voted aye; motion carried. Meeting adjourned 9:25 P.M.

Respectfully submitted,

Brenda E. Trowbridge, Recording Secretary