

East Berlin Area Joint Authority
P.O. Box 37
East Berlin, PA 17316

April 14, 2010

The East Berlin Area Joint Authority held a special meeting on April 14, 2010, at 224 East King Street. The meeting opened with the Pledge of Allegiance at 5:00 PM.

Members Present: Chairman Gerald Mummert; John O'Brien; Robert Clayton; Charles Krall; and David Richards.

Also Present: Solicitor Matthew Battersby; Treasurer, Charles Eisenhart; Secretary, Hannelore Furst; and Bruce Hulshizer of Buchart-Horn, Inc.

Chairman Mummert stated the purpose of the meeting was to discuss two topics.

The first topic is concerning Laughman's Bottom and Conewago Park areas. Solicitor Battersby received a letter from Reading Township Municipal Authority's solicitor Sharon E. Myers. All Board members received a copy of this letter. Solicitor Myers letter referenced the March 3rd letter that the East Berlin Area Joint Authority sent to PA DEP, Ed Corriveau. According to Solicitor Myers, Reading Township Municipal Authority is interested in connecting Conewago Park to the East Berlin system; but they are not interested in connecting Laughman's Bottom area. Reading Township received a grant for \$102,000.00 from Adams County Commissioners, for sewer connections.

The regular meeting closed at 5:04 PM for an executive meeting. The executive meeting closed at 5:20 PM. *A motion was made by Charles Krall to lower the EDU's to 235 gallons per day per EDU's, with the hook up fee at \$4,015.00 per 180 EDU's to be offered to Reading Township for Conewago Park and Laughman's Bottom. This offer is for both areas, it is for all or none; with a second by Robert Clayton.* There was no further discussion and a vote was taken; the **motion carried** with all voting in favor of. Bruce Hulshizer noted that the basis of the 235 gallons per day per EDU is the Adams County average household of 2.61 people times 90 gallons per day, gives you the 235 gallons. Solicitor Battersby will respond to Solicitor Myers' letter.

The next topic is concerning the surveying of Water Street. Chairman Mummert asked Mr. Richards and Mr. Clayton if they were representing the Authority or the Borough for this meeting. They both stated their allegiance is strictly with the Authority for this meeting.

Chairman Mummert stated he is responding to the letter Mr. Richards, as President of Borough Council wrote concerning the proposed agreement between the Authority and Borough for the construction of Water Street. According to Mr. Richards the Borough has decided not to put curbs and sidewalks in on Water Street at this point in time. The question of a survey were brought up, and the Borough's engineer used the construction drawings of the Authority's engineer for their survey and Borough Council has decided they would split the cost of a new survey 50/50 basis with the Authority. Chairman Mummert stated that when the developer dedicates a street to the Borough, the Borough has the right of way of the street, and this right of way should be listed in the ordinance book. Chairman Mummert questioned if he understood Mr. Richards correctly that Mr. Richards thinks it's the Authority's responsibility for the survey, and the Borough is willing to split the cost. Chairman Mummert stated he felt it was the Borough's responsibility to have the street surveyed, and give the Authority the information on the right of way, so the Authority would be able to install the hook ups correctly. Mr. Richards asked if the Borough ever had the surveying done. Charles Krall stated his home was the first home on Water Street and it was built in 1950. Solicitor Battersby remarked that Water Street was a development, and Water Street would have been

surveyed, and the dedication of the street would have been recorded at the Adams County Courthouse. It was mentioned that the deed of dedication of the street should be in the back of the old ordinance book in the safe at the Borough hall. There was more discussion on the street right of way.

Solicitor Battersby requested that the Borough research and confirm the width of Water Street for the 40 foot right of way, and Mr. Richards should have the information for the Authority by the Authority's next meeting.

The regular meeting closed again at 5:40 PM for another executive meeting, concerning legal negotiations. After coming out of the executive meeting at 5:52 PM; Solicitor Battersby asked for two representatives to attend a meeting with him and C W Test's lawyer and representatives concerning the York Water Company situation. Chairman Gerald L. Mummert and John O'Brien both volunteered to attend the meeting.

Bruce Hulshizer brought the subject back to Water Street and suggested requesting pricing from Gregory Contractors for the paving work on Water Street after the new lines are placed. Mr. Richards commented that the Borough's Liquid Fuels account is declining with approximately \$175,000.00 in the account, with the hopes of getting a grant; it is unlikely the curbs and sidewalks would be done for at least two (2) years. There was a discussion on the options for the restoration of the pavement to the existing grade and whose responsibility is it for the lifespan of the work for the street. Depending on the option, the reasonable lifespan of the work would be two (2) years. The options were: (1) just restore the pavement at the trenches; (2) do the whole width of the street with binder course only; and (3) do the whole width with binder course and a wearing course. The discussion centered on option three. John O'Brien suggested doing the whole width of the street with tarring and chipping with a good base course, and that would give you a five (5) year life span. Chairman Gerald Mummert requested Bruce Hulshizer get pricing for the tarring and chipping of Water Street by the next Authority meeting.

Bruce Hulshizer also reported that he is asking for pricing from the contractors to relocate the utilities away from any paving areas. He also stated that with replacing the water main, it makes sense to replace the water service into the Borough hall at the backside of the building. This was not in the original contract, but it is to maintain water service during the construction.

David Richards informed the Board there is a tank buried behind the Borough hall. Bruce stated he was not informed about that. Mr. Richards stated he found out because the Borough had a bill for a permit of the tank.

Having nothing else to discuss *Robert Clayton made the motion to adjourn the meeting at 6:15 PM; with a second by John O'Brien. Motion carried* with all voting in favor.

Respectfully submitted;
Hannelore B. Furst, Secretary
East Berlin Area Joint Authority