

# EAST BERLIN AREA JOINT AUTHORITY

103 Locust Street  
East Berlin, PA 17316

September 2, 2010

The monthly meeting of the East Berlin Area Joint Authority was held on September 2, 2010 at 103 Locust Street, East Berlin, PA 17316. The meeting was called to order at 7 PM, and opened with the Pledge of Allegiance.

**Members Present:** Chairman Gerald L. Mummert; Robert Clayton; Charles Krall; David Richards; and John O'Brien.  
**Also Present:** Solicitor Matthew Battersby; Secretary, Hannelore Furst; Treasurer, Charles Eisenhart; Bruce Hulshizer and Deepthi Kayanam of Buchart-Horn; and Gary Bullock from Reading Township Municipal Authority.

**Minutes:** Charles Krall moved to accept the minutes of August 5, 2010 with second by John O'Brien, after a brief discussion and clarification of the minutes it was decided to add under Old Business, last paragraph; the word sewer to clarify what new lines, the **Motion carried.**

**Payment of Bills:** John O'Brien moved to pay the bills for August, 2010 in the amount of \$60,734.19; with a second by Robert Clayton. All members received a copy of bills and receipts for August. **Motion carried** with no dissenting votes.

The agenda was changed to move the Public Comment to the beginning of the meeting.

## **Guests:**

Gary Bullock of Reading Township Municipal Authority reported their solicitor Sharon Myers is working on the Municipal Agreement. Their Board will be meeting on the 4<sup>th</sup> Monday in September to review and will proceed from there.

## **Engineer's Report:**

Bruce Hulshizer of Buchart-Horn, Inc reported he received an email from Fred Heerbrandt and Matt Battersby did respond to the email. Bruce reported the wastewater project is continuing on Water Street. The paving was done on the west end of Route 234. The treatment plant control building is ready for the electrical work.

Bruce continued with the Groundwater Rule project. He stated he received a call from Department of Environmental Protection (DEP) and they are reviewing our permit. It was questioned whether there should be additional pipe added at Well 4; after a brief discussion on the additional cost of \$25,000; the Board's consensus was not to add the extra pipe. Bruce submitted the highway occupancy permit (HOP) to PennDOT. He received a condition letter back from PennDOT. Bruce suggested the Authority sign the condition statement as amended. Charles Krall made the motion with a second by Robert Clayton to sign the HOP condition statement. **Motion carried** with all voting in favor.

Bruce presented Resolution # 2010-6 to request a grant from H2O PA in the amount of \$359,040.00 for virus inactivation and asbestos cement pipe replacement project, and Resolution # 2010-7 to request a grant from H2O PA in the amount of \$1,450,845.00 to be used for the water supply, storage, and pressure improvement project. After a brief discussion; Robert Clayton made the motion with a second by Charles Krall for both resolutions. **Motion carried** by unanimous vote. Bruce mentioned that he needs a funding commitment letter for DCED, that the Authority will obtain funds to match the grant should the Authority get a grant. Robert Clayton made the motion to include in a segment of the commitment letter to DCED, which as a part of the H2O grant application process; the Authority will obtain funds and financing; with a second by John O'Brien. **Motion carried** with no dissenting votes.

Bruce discussed the well situations of Well 2 (pump house well) and Well 4 (creamery well) which are pumping down too far and air is getting in the lines. He received a quote of approximately \$5,200 from Kohl Brothers for a control sensor. He then mentioned Well 5 issue of pumping more than the regulatory permitted pumping of this well from Susquehanna River Basin Commission (SRBC). The pumping limit was placed on that well because of a spring fed well on a neighboring farm.

**EXECUTIVE SESSION OPENED.** Solicitor Battersby requested an Executive Session. The regular meeting closed at 7:34 PM for an executive session to discuss Act 46; DEP's extension of our permits for wells 6 & 7. The Executive Session closed at 7:49 PM. **EXECUTIVE SESSION CLOSED.**

A motion was made by Charles Krall with a second by Robert Clayton to instruct Buchart-Horn to utilize Group Hanover Inc. (GHI) for survey work for the CW Test property easements for the wells. **Motion was adopted.**

A motion was made by Charles Krall with a second by Robert Clayton to allow the expenditure of \$100 to verify that DEP will extend the Authority's permits for wells 6 and 7. **Motion carried by unanimous vote.**

Charles Krall reported on a meeting he and Chairman Mummert attended with a representative of PA Rural Water concerning doing a geological survey at no cost to the Authority.

Solicitor's Report: Solicitor Battersby introduced **Ordinance 1-2010** (THE CONTRACT WITH EVERY CONSUMER WITHIN THE SERVICE AREA WHO UTILIZES THE WATER SYSTEM) and **Ordinance 2-2010** (THE CONTRACT WITH EVERY CONSUMER WITHIN THE SERVICE AREA WHO UTILIZES THE WASTEWATER SYSTEM); which were duly advertised.

A motion was made by Charles Krall with a second by Robert Clayton to accept Ordinance 1-2010. David Richards presented for consideration ~~some~~<sup>new</sup> changes; the Board discussed and voted to adopt as amended. **Motion was adopted.** **Resolution 2010-4;** Rules and Regulations for Ordinance 1-2010; was presented for adoption. Charles Krall made the motion with a second by Robert Clayton; Mr. Richards presented changes and the Board discussed. Motion carried to adopt the resolution as amended.

A motion was made by Robert Clayton with a second by John O'Brien to accept Ordinance 2-2010. Mr. Richards presented changes for consideration; the Board discussed and voted to adopt as amended. **Motion was adopted.** **Resolution 2010-5;** Rules and Regulations for Ordinance 2-2010; was presented for adoption. Robert Clayton made the motion with a second by John O'Brien; Mr. Richards presented changes and the Board discussed. Motion carried to adopt the resolution as amended. **Motion was adopted.**

David Richards mentioned that the Authority should not be collecting a tenant list. Solicitor Battersby stated the Authority has the right to that information according to the Landlord/Tenant Act. It was agreed upon that David Richards as Borough President would have the Borough share with the Authority any tenant changes as they occur.

Treasurer's Report: Treasurer Charles Eisenhart presented the Board with the 2011 Minimum Municipal Obligation (MMO) for the East Berlin Area Joint Authority Pension Plan for the plan administrator Hannelore Furst. A motion was made by Charles Krall to accept the MMO for 2011 in the amount of \$11,976.00; with a second by John O'Brien. **Motion carried with no dissenting votes.** - AR *Run*

Mr. Eisenhart also presented Resolution 2010-3-Amending the Sewer Tapping Fees to \$4,015.00 for each equivalent dwelling unit (EDU) for 300 gallons per EDU. Robert Clayton made the motion, with a second by David Richards to accept Resolution 2010-3. After a brief discussion the motion was amended to accept with correction the number of gallons per EDU to be 235 gallons per EDU. **Motion carried with no dissenting votes.**

New Business: Charles Krall reported on the pilot program earlier and the Authority authorized by consensus to send the letters for the pilot program.

Old Business: Charles Krall read the two drafted letters to be sent to the residents about the pilot program for the water meters. All residents will receive a letter with their water bill and the 12 residents chosen for the pilot program will receive a notice informing them they have been chosen and will have to set up a time to change out the meter. The consensus of the Board was to send the letters.

Correspondence: Heidi Moltz sent an email concerning the "Pilot Watershed Assessment of Marsh and Rock Creek Watersheds"

The members were reminded the next meeting is scheduled for October 7, 2010 at 103 Locust St., 7 PM. Having no further business to discuss; a motion was made by Robert Clayton to adjourn the meeting at 10:07 PM; with a second by John O'Brien. **Motion Carried.**

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Gerald L. Mummert, Chairman EBAJA

ATTEST:

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Hannelore B. Furst, EBAJA Secretary