

EAST BERLIN AREA JOINT AUTHORITY
224 EAST KING ST.
EAST BERLIN, PA 17316

December 3, 2009

The monthly meeting of the East Berlin Area Joint Authority was held on December 3, 2009, at 224 East King Street, East Berlin, PA 17316. The meeting opened with the Pledge of Allegiance at 7 PM.

Members Present: Chairman Gerald L. Mummert; Robert Clayton; Gregory Green; John O'Brien; and David Richards.

Members Absent: None

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

Minutes:

John O'Brien made the motion to accept and approve the minutes of November 5, 2009 as written with no corrections, with a second by Robert Clayton. Motion carried with no dissenting votes.

Payment of Bills:

Chairman Mummert explained some of the revenues for the month. *Gregory Green moved to pay the bills for November, 2009 in the amount of \$46,526.00; and seconded by John O'Brien.* All members received a copy of the bills and receipts for November. **Motion carried** with no dissenting votes.

A motion was made by Gregory Green to pay the bills for the month of December 2009 with a second by John O'Brien. **Motion carried** with no dissenting votes.

Engineer's Report:

Bruce Hulshizer reported the construction has started on the area for the new treatment plant. They are working on the bypass line and there has been some blasting.

David Richards questioned if the Borough engineer has contacted Bruce; Bruce responded they have not.

Solicitor's Report:

Solicitor Battersby presented **Resolution #2009-13**; An Identity Theft Resolution. *A motion was made by Robert Clayton to adopt Resolution #2009-13; with a second by John O'Brien.* There was a brief discussion whether E-Pay was also included in the policy. By roll call vote; with no dissenting votes, **Motion carried.**

Solicitor Battersby noted that he has **not** been contacted by Reading Twp. or William Hill; concerning Laughman's Bottom or Conewago Park's possible connection to our sewer plant.

Solicitor Battersby presented the Authority with a letter from the Governor's office concerning the settlement of Loan 73131; also included an ARRA Emblem that is required to be posted at all construction sites. He also reminded the board that someone should be checking to make sure all construction workers are American citizens; which is a stipulation of receiving the federal money. A discussion continued on this subject.

Solicitor Battersby informed the Board the right of way that was acquired from Dale Kennedy last month has been filed at the courthouse. He also stated he contacted Brian Tucker concerning the Authority's building lease.

Treasurer's Report:

Charles Eisenhart presented **Resolution # 2009-12**; a resolution to raise the sewer rates. *A motion was made by Gregory Green to adopt Resolution #2009-12 raising the sewer rent for residential customers from \$65 fixed rate with a \$3.90 per 1000 gallons of water usage; to \$75 capital expense fee with a \$6.00 per 1000 gallons of water usage; AND raising the sewer rent for commercial customers from \$80 fixed rate with a \$3.90 per 1000 gallons of*

water usage; to \$90 capital expense fee with a \$6.00 per 1000 gallons of water usage; the motion was seconded by David Richards. There was a correction on the date of the By-Laws that was referenced. There was a brief discussion to notify the residents by letter; inserted with their January bill that the increase would be effective January 2010, but will not be any increase until the April billing. **Motion carried** as corrected with no dissenting votes.

Charles Eisenhart commented that the 2010 proposed budget was advertised and was available for public inspection since last month.

- Gregery Green made a motion to adopt the 2010 Budget for the Water Fund with Revenues of \$237,446.00 and Expenses of \$237,446.00; with a second by Robert Clayton. By roll call vote all voted in favor. **Motion carried.**
- Gregery Green made a motion to adopt the 2010 Budget for the Sewer Fund with Revenues of \$415,247.00 and Expenses of \$415,247.00; with a second by Robert Clayton. By roll call vote all voted in favor. **Motion carried.**

Charles Eisenhart read excerpts of the auditing firm of Smith, Elliott, & Kerns (SEK) proposal for the audit of 2009; which will include auditing the Pennvest loan. The fee will be \$11,000 which includes the additional time necessary to audit the new Pennvest loan and project account activity. *The motion was made by John O'Brien to accept the proposal of SEK for \$11,000 to include the Pennvest loan with a second by Gregery Green.* There was a brief discussion about the monthly billing. By roll call vote all voted in favor. **Motion carried.**

New Business:

David Richards mentioned he sent a letter to the Authority Board in his capacity as Borough Council President concerning the Borough Code Chapter 31 (Excavations in Streets). The Borough will be amending Chapter 31, and to adequately maintain records of street excavations the Borough is requesting a letter of notice to report this to the Borough. Chairman Mummert delegated Mr. Richards to handle the permit notification to the Borough.

In other business John O'Brien explained the tapping fees of Hamilton Twp. Rt. 94 Sewer; and what the contractor paid up front. Hamilton Township gave the contractors 90 days to hook up, if they didn't hook up in that time frame then there was an increase in the expense; this helps get money in the first year. There was a discussion on whether there should be reservation fees and should CW Test and Reading Township be notified. It was suggested to try and acquire a sample copy of another municipality's reservation fee agreement and reword it to suit the East Berlin Area Joint Authority.

Bruce suggested setting up developer specifications (construction specs) and make the standard construction specs part of your ordinances.

Old Business:

The Board discussed the two letters that Greg Green composed to be sent to the residents concerning the inspections of inappropriate connections to the sanitary sewer system. *A motion to approve sending the letter with corrections was made by Robert Clayton with a second by John O'Brien.* By a roll call vote all voted in favor. **Motion carried.**

David Richards reported on the inspection of the window at the pump house and commented that it was in reasonable good shape; he suggested reglazing it or to brick it in. Chairman Mummert read some quotes from two businesses. Darryl Reese's proposal to remove the window and brick in the window was for \$970. R.G. Miller's proposal to replace the window was for \$549.40. A brief discussion was held; then *Robert Clayton made a motion to replace the window per R.G. Miller's proposal of \$549.40; with a second by Gregery Green.* **Motion carried** with no dissenting votes. Another small window has a small B B hole and it was decided to replace that section of glass.

Correspondence:

The Authority received a letter from Borough Council President concerning permits for excavation of Borough streets. The letter was discussed under New Business.

Public Comment: None

Chairman Mummert commented that Gregory Green's term on the Authority will be ending at the end of the year and asked Mr. Green if he was still interested in serving on the board. Mr. Green stated he was still interested and willing to serve on the Authority board. Chairman Mummert stated he would compose a letter to the Borough requesting Mr. Green be re-appointed to the Authority board.

Mike Wallen questioned about having access to the homes to check the water meters. His concern was with irate residents; and how to handle them. He was told to back away, make note of the confrontation and chairman will contact the solicitor. The Authority owns the meters and has a right to have access to them.

The next scheduled meeting is January 7, 2010

A motion was made by John O'Brien to adjourn, with a second by Robert Clayton. Motion carried.
Having no further business to discuss the meeting adjourned at 8:12 PM.

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