

EAST BERLIN AREA JOINT AUTHORITY

July 3, 2008

The monthly meeting of the East Berlin Area Joint Authority was held July 3, 2008 at the East Berlin Borough Hall. The meeting opened with the Pledge of Allegiance at 7 PM.

Members Present: Chairman Gerald L. Mummert; Charles Eisenhart; Gregory Green; John Lerew; and John O'Brien.

Also Present: Solicitor Matthew Battersby; Plant Manager T. Michael Thoman; Bruce Hulshizer of Buchart-Horn; Authority Secretary Hannelore Furst; and Wayne Krout.

John Lerew made a motion to accept the minutes of June 5, 2008 as written. John O'Brien seconded the motion. Motion Carried with all voting in favor of.

Treasurer's Report:

Charles Eisenhart made a motion to pay the bills for the month of June in the amount of \$51,860.21. Gregory Green seconded the motion. There was no discussion. Motion Carried with all voting in favor of.

The agenda was changed to do the public comment period next. The record reflects no public in attendance at this point.

Chairman Mummert informed the Authority the results of the jug of water that was received at the last meeting from David Woodward. The statement was made by Mr. Woodward that the contents of the jug (being murky) was your drinking water. The water was tested and 2 other homes in the same vicinity were also tested. L.A.B.S., Inc did the testing. It was indicated that the water had a high concentration of iron; this causes the water to be cloudy. It was stated the problem lies within the house. The other 2 properties whose water was tested; the results were fine. It was stated the brine from the water softener caused the problem. Chairman Mummert spoke with Herb Perkins and he wanted to clarify that he (Herb) did not have a complaint; Mr. Woodward issued the complaint by coming to Mr. Perkins and getting the sample.

Engineer's Report:

Bruce Hulshizer stated he reviewed David Richards's math and stated it was okay. It was stated the rates would be effective the fourth quarter billing. There was a discussion of the rates. Bruce was analyzing the different rates: \$65.00 + \$10.00 + \$3.90 per thousand with no minimum gallon usage. Bruce stated the \$35.00 + \$3.90 would not be enough for the budget.

It was suggested the Authority would have to adjust the incremental rate to cover the budget. They discussed Mr. Richards proposed sewer rates, fixed charges verses variable charges. Bruce stated that there is more of a risk by lowering the fixed cost. The two suggestions were \$35.00 administrative cost + \$5.40 per thousand gallons, and \$65.00 administrative cost + \$3.90 per thousand gallons.

John Lerew made the motion to use \$65.00 as the administrative cost plus \$3.90 per thousand gallons with no minimum gallon usage. John O'Brien seconded the motion. The commercial accounts would be \$80 and \$3.90 per thousand gallons with no minimum gallon usage. After no further discussion, Motion Carried with all voting in favor of.

Seasonal accounts were discussed and it was stated they would pay administrative cost plus gallon usage.

The Authority chose to adopt what David Richards's proposed after the engineers checked the calculations.

It was also suggested to maintain the water rates of \$12.00 minimum and \$4.00 per thousand gallons as David Richards proposed.

At this point; Wayne Krout, of 122 Water Street, entered the meeting at 7:15 PM, he was asked if he wanted to comment on anything, he declined to comment.

Correspondence:

- Adams County Conservation on information pamphlet on West Nile Virus.
- Letter from Miller & Shultis on BD Equities/East Berlin Sewer Upgrade.

Plant Manager's Report:

Michael Thoman reported he received a letter from DEP about the Sewer Treatment Plant passing their inspection. Also he received another letter from DEP concerning 2007 Chapter 94 Report. It states the treatment plant is organically overloaded. He also reported on a comparison that he did from an Abbottstown Borough resident's bill and East Berlin Borough resident's bill. The Abbottstown bill was almost \$100 more than East Berlin's bill. It was discussed that this information should be sent to the Borough residents.

Chairman Mummert stated John Lerew and Charles Eisenhart had been meeting with David Richards and David Woodward and Mr. Richards had some changes made to the agreement. He sent a note to Matt Battersby of the changes, who in turn contacted Eric Hume of McNees, Wallace & Nurick, since they have all the drafts on their computer, and if there is something of SUBSTANCE that needed changed it would be OK to repair the agreement. But things like a missing comma, whereas, or therefore do not have any substance. The changes should go before Borough Council first, then, the Borough Council would authorize Eric Hume to do the changes. It was discussed that Mr. Richards did not have any authorization to even send the changes to Matt. Here was no vote from council to send the information to Matt.

John Lerew reported that as they were working on the agreement; he agreed there were things that needed changed, but he wanted to change the date of the agreement. It was stated they want to take the authority back and things won't change. A discussion continued on what would happen if the Borough took over the Authority.

A motion was made by Charles Eisenhart and seconded by Gregery Green to adjourn the meeting at 7:50 PM.

Having no further business to discuss, the meeting was adjourned to go into an executive session to discuss negotiations and contracts.

By: _____
Gerald L. Mummert, Chairman
EBA Joint Authority

ATTEST:

Hannelore B. Furst, Secretary
EBA Joint Authority