

EAST BERLIN AREA JOINT AUTHORITY
103 LOCUST STREET, PO BOX 37
EAST BERLIN, PA 17316
February 7, 2013

The monthly meeting of the East Berlin Area Joint Authority was held on February 7, 2013 at 103 Locust Street, East Berlin, PA 17316, and was conducted by Chairman Gerald L. Mummert. The meeting opened with the Pledge of Allegiance at 7PM.

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

Members Absent: Charles Krall, letter of excuse for medical reason.

Also Present: Secretary, Hannelore Furst; Treasurer, Charles Eisenhart; Solicitor Matthew Battersby; Donna Kreiser and Timothy Horstmann of McNees Wallace and Nurick; Bruce Hulshizer of Buchart-Horn; John Scrivens (late); Nathan Boyer; Roberta Teal; and Brian and Nathaniel Funk of D H Funk Co.

Minutes: *A motion was made by Robert Clayton to accept the minutes of January 3, 2013, as written; with a second by John O'Brien. Motion carried.*

Payment of Bills: All members received a copy of the bills and receipts for January, which totaled \$38,948.28, from the operating funds. *A motion was made by John O'Brien to approve payment of the bills for January; with a second by Robert Clayton. Motion carried.*

Public Comment: None.

Engineer's Report: Bruce Hulshizer of Buchart-Horn conducted the bid opening. The bids were submitted on line thru PennBid.

Bruce read the **general bids**

- (1)Mid-State Utility Contractors, Inc.-\$543,038.00 base bid, add-alternate \$285,952.00;
- (2)Rogele, Inc.-\$581,494.00 base bid, add-alternate \$252,944.00;
- (3)Kinsley Construction, Inc.-\$585,988.25 base bid, add-alternate \$274,592.50;
- (4)DOLI Construction Corp.-\$627,355.00 base bid, add-alternate \$270,781.00;
- (5)Performance Construction Services, Inc.-\$646,874.00 base bid, add-alternate 282,919.75;
- (6)JA Myers Bldg & Development, Inc.-\$661,376.16 base bid, add-alternate 221,324.53;
- (7)DH Funk & Sons, LLC-\$697,318.18 base bid, add-alternate \$345,242.38; and
- (8)Trinity Excavating, Inc.-\$720,920.41 base bid, add-alternate \$339,113.10.

The **electrical bids** were read and are as follows:

- (1)Swam Electric Co., Inc.-\$256,643.00 base bid, add-alternate \$2,438.00;
- (2)IB Abel, Inc.-\$297,935.00 base bid, add-alternate \$2,891.00;
- (3)Gettle, Inc.-\$307,860.00 base bid, add-alternate\$2,100.00;
- (4)Garden Spot Electric, Inc.-\$307,915.00 base bid, add-alternate \$1,400.00;
- (5)B & R Electrical Contractors, Inc.-\$328,133.00 base bid, add-alternate \$1,598.00;
- (6)PSI Pumping Solutions, Inc.-\$337,700.00 base bid, add-alternate \$2,000.00;
- (7)Monacacy Valley Electric, Inc.-\$368,690.00 base bid, add-alternate \$2,010.00; and
- (8)Robert P. Lepley Electrical Contractor-\$385,017.00 base bid, add-alternate \$2,388.00.

The low bidders were Mid-State Utility Contractors, Inc.-\$543,038.00 base bid, add-alternate \$285,952.00 for the general work and Swam Electric Co., Inc.-\$256,643.00 base bid, add-alternate \$2,438.00 for the electrical work. Pending examination of the bids; the bid will be awarded to the lowest most responsible contractor.

Solicitor's Report: Solicitor Battersby turned the meeting over to Bond Counsel Donna Kreiser of McNees, Wallace and Nurick. She introduced Resolution 2013-2 Authorizing the Authority to secure the funding from Pennsylvania Infrastructure Investment Authority (PENNVEST) in the principal amount of \$1,600,000. She explained the East Berlin Borough Council adopted Ordinance # 2013-1 the previous night; guaranteeing the revenue note of \$1,600,000.00

for the Authority. *A motion was made by Robert Clayton to adopt Resolution 2013-2; with a second by John O'Brien. By Roll call vote: John O'Brien-Yes; David Richards-Yes; Robert Clayton-Yes; Gerald L. Mummert-Yes. Motion carried.* Bruce presented information on estimated water revenues and expenses as Exhibit C to be submitted with the Pennvest paperwork showing this loan will be a self liquidated debt for the Borough. This shows the projected rate increases for the water system only, to cover the costs. David Richards questioned the operating expenses and whether the increase will cover the expenses, and explained his finding from his email of February 2, 2013 on the operating profit and loss in 2012 and 2011. Bruce explained he incorporated a 3% increase in the operating expenses.

Solicitor Battersby informed the Board that the Reading Township Municipal Authority (RTMA) Agreement has been reviewed again by RTMA and their solicitor Sharon Myers. They are agreeing to all the terms. They do not have the reservation fees and would need an extension to get a loan from the bank for the reservation fee. It was suggested there should be a \$5,000 fee that should be collected with the application as good faith money and the balance due in 60 days. There was a brief discussion on amending the Act 537 Plan, nothing was concluded.

Treasurer's Report: Charles Eisenhart reported there are 84 delinquent accounts for a total of \$35,839.36; there is one account that is at the District Magistrate for a hearing next week. The secretary informed the Board that the account mentioned has made a payment. Mr. Eisenhart mentioned Earl Brown's account which he has lapsed in making payments. The Board instructed Solicitor Battersby to send him a letter concerning his delinquent account.

New Business: Chairman Mummert questioned the footage of a property in order for it to be connected to the sewer lines. There was brief discussion on three properties in town he thought should be connected. (546 South Ave., 203 Beaver Street and 426 Abbottstown Street-Garage) It was mentioned the property would have to be within the 150 yards of the sewer main.

Bruce needs authorization to issue the notice of intent to award. *A motion was made by Robert Clayton to authorize Buchart-Horn, Inc. issue the notice of the intent to award; with a second by John O'Brien. Motion carried.* He also mentioned that we should include the add alternate (removal of the asbestos cement piping and looping of College Avenue, Garden Lane and Front Street). *A motion was made by Robert Clayton to include add alternate for the general bid; with a second by John O'Brien. Motion carried.* Bruce mentioned the radio system will be installed instead of the mission system for the water monitoring. *A motion was made by Robert Clayton to include add alternate for the electrical bid; with a second by John O'Brien. Motion carried.* The Board was informed that an absent member can be contacted for voting purposes in case of a tie. *David Richards made the motion that an absent member can be contacted for voting purposes; with a second by Robert Clayton. Motion carried.*

Chairman Mummert mentioned meeting with the new owners of the Buttercup Farm property (Harry Fletcher and Kevin Grim) and discussed the easement on their property. Mr. Fletcher and Mr. Grim saw no problem with it.

David Richards discussed top water users and their usage averages and the EDU's; stating the top 20 users use 32 % of the water.

Old Business: Rapid Response and pay grade information postponed due to Charles Krall's absence.

Operator's Report:

Nathan Boyer-Sludge truck will need tires next inspection. The boys are talking about getting their CDL license.

Water leak at 421 Abbottstown Street-owner's responsibility.

John Scrivens -nothing to report; John informed the Board he has his CDL license.

Correspondence:

- Email from David Richards concerning profit and loss in 2011 and 2012.

The next scheduled meeting will be March 7, 2013 at 7 PM.

There being no further business, *Robert Clayton made a motion to adjourn the meeting; with a second by John O'Brien.*

Motion carried. Meeting adjourned at 8:04 PM.

ATTEST:

Hannelore B. Furst, Secretary EBAJA

Gerald L. Mummert, Chairman EBAJA