

**ANTIETAM VALLEY MUNICIPAL AUTHORITY  
MEETING OF FEBRUARY 28, 2008**

**MINUTES:**

The February Meeting of the Antietam Valley Municipal Authority was held on the above-captioned date with the following answering the roll call:

Timothy Waldman, Chairman  
Elaine Bildstein, Vice-Chairperson  
Lynn Leinbach, Secretary  
Pamela Keeler, Treasurer  
Benjamin Overley, Asst. Treasurer

**Also Present:**

.Joan London, Esq.  
Jamie Schlesinger, Concord Public Financial Advisors, Inc.  
Michael Sassaman, Project Manager, Arro  
Kerry Ustaszewski  
Loretta Shipe, Asst. Secretary

**Absent:**

Brian Boland, Esq.

The Chairman Timothy Waldman called the meeting to order at 7:30 PM with the Pledge of Allegiance to the flag.

The January 24, 2008 minutes were approved on a motion by Elaine Bildstein, seconded by Pamela Keeler. **Motion passed.**

**NEW BUSINESS:**

Mr. Jamie Schlesinger of Concord Public Financial Advisors, Inc. distributed the necessary paperwork for signatures for the refinancing of the 2001 and 2002 Series of Guaranteed Sewer Revenue Bonds. A deposit of \$835,771.20 will be wired from M&T Bank to the Commerce Savings Fund. These documents were reviewed by Brian Boland, Esq., signed and sealed.

**COMMITTEE REPORTS**

**FINANCE COMMITTEE:**

**1. General Account & Payroll Account Checks for Approval:**

Check Nos. 1643 through 1660 in the amount of \$26,856.01 from the General Account dated 2/28/08 and Check No. 1661, payable to J. W. Leinbach in the amount of \$41.66 for a total of \$26,897.67 as well as Check Nos. 1696 and 1697 in the amount of \$1,157.08

from the Payroll Account dated 02/28/2008 for a combined total of \$28,054.75 were approved on a motion by Elaine Bildstein, seconded by Benjamin Overley. **Motion passed.** Lynn Leinbach abstained.

## 2. General Account & Payroll Account Checks for Ratification:

Fourteen EFT's and Check Nos. 1692 through 1695 in the amount of \$19,200.51 from the Payroll Account dated 02/08/08 and 2/22/08 as well as Check Nos. 1627 through 1642, dated 1/28/2008 through 2/21/2008, in the amount of \$41,841.09 for a combined total of \$61,041.60 were approved on a motion by Lynn Leinbach, seconded by Benjamin Overley. **Motion passed.**

### Treasurer's Report –Month ending January of 2008:

#### Accounts:

##### M&T

General Checking Account	\$	0.00
Payroll M & T	\$	0.00
Clearing Fund	\$	413,888.54

##### Commerce Bank

Savings	\$	177,416.50
Payroll	\$	3,602.05
Checking	\$	4,718.68
Clearing Fund	\$	55,100.28

##### Other

Morgan Stanley		
Beginning Balance:	\$	21,441.68

##### Project Fund 2002:

Receipts	\$	0.00
Expenses	\$	0.00
Ending Balance	\$	0.00

##### Leesport Bank

Beginning Balance	\$	1,569,168.40
Receipts	\$	0.00
Expenses	\$	58,032.38
Ending Balance	\$	1,402,902.24

Total Cash Available	\$	2,079,069.97
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Motion was made to accept January's Treasurer's Report by Lynn Leinbach, seconded by Benjamin Overley. **Motion passed.**

### CAPITAL IMPROVEMENT COMMITTEE:

There was no Capital Improvement Committee report at this time.

### CONSTRUCTION PHASE ENGINEERING REPORT

Michael `Sassaman presented the Construction Phase Engineering Report

1. Michael Sassaman reported on contract schedules.

**Contract 1A:** Pumping Station Upgrade – Pumping Station Upgrade is completed.

**Contract 1B:** Pumping Station Upgrade Electrical is completed. The Final Application for Payment, Consent of Surety, Release of Liens and Certificate of Substantial Completion has been received from Pagoda Electric. ARRO recommends that AVMA execute the Certificate of Substantial Completion.

**Berks County Community Development** – Certificate of Completion: ARRO prepared the required documentation and submitted to the County, the forms for the Certificate of Completion (Final) for Contract 1A at the F. Wanner Pumping Station. A response was received on January 28, 2008 stating that the County had no objections to all of the change orders relating to the Pumping Station.

**Contract 2A:** – WWTP Upgrade – H. Robson, Inc. has completed all work except grading, seeding and paving work to be finished in the spring of 2008.

A second “Substantial Completion Inspection” was performed on February 21, 2008. Most of the outstanding items from the previous list have been completed with the exception of the paving, grading and seeding a few other minor items.

Additional items such as the guardrail, headworks building staining and some cracks in the old control building wall were added in a letter to Robson.

Robson submitted a drawing and cost estimate for the areas of additional paving. This should be reviewed and a decision should be made on how to proceed with final paving.

Robson submitted a Change Order Request for time and costs associated with underground utilities that were unmarked or inaccurately marked. The first request was for \$39,385.72. ARRO requested additional information and clarification from Robson. Robson re-submitted the claim with some additional information and revised the cost to \$34,636.06. This reflects a reduction of \$4,749.66. ARRO has reviewed the claims against our field inspection reports and we feel that the man hours are unreasonable. The estimate that Robson uses includes “hand-digging” to locate utilities that were unmarked or incorrectly marked. ARRO feels that approximately 42.5 hours is justifiable and Robson is asking for 208.5 hours. The documentation on materials and Electrical contractor costs add up to the invoices submitted by Robson, however the materials cost includes \$4,700 for UGI to relocate the gas line at the Headworks Building. Section 01010, Part 1, section 1.9, paragraph G of the Project Manual states that “utility relocations or modifications are considered part of the Bid Price and no extra compensation will be allowed. ARRO consequently feels that the UGI bill is to be paid by Robson not AVMA. ARRO is continuing to negotiate this request with Robson.

Robson has submitted an Application for Payment to release retainage to hold 1.5 times the value of the outstanding work in accordance with the contract agreement. The value of the outstanding paving, grading and seeding is \$26,510.00 so we will

hold \$39,765.00 until the work is completed in spring. There is approximately \$60,000.00 of unused unit price items that will later be deducted from the contract price.

**Contract 2B – WWTP Upgrade – Pagoda Electric:** All work on Contract 2B has been completed. The Final Application for Payment, Consent of Surety, Release of Liens and Certificate of Substantial Completion has been received from Pagoda Electric. ARRO recommends that AVMA execute the Certificate of Substantial Completion.

Motion was made by Lynn Leinbach, seconded by Pamela Keeler to execute Certificates of Substantial Completion for Contracts 1B and 2B. **Motion passed.**

2. Monthly progress meetings with the contractors have been discontinued.
3. Applications for payment:

**From Leesport Bank:**

Howard Robson - Contract 2A – General – App. No.18 - \$121,107.39

Pagoda – Contract 1B – Pumping Station Electrical – App. No. 7 Final - \$3,575.00

Pagoda – Contract 2B – WWTP Upgrade Electrical – App. No. 9 Final - \$6,119.75

Arro has reviewed these applications and is recommending payment

Motion was made by Lynn Leinbach to approve payments to H. Robson in the amount of \$121,107.39 and to Pagoda in the amount of \$9,694.75, seconded by Benjamin Overley. **Motion passed.**

Work on Contracts 1A, 1B, 1C, 2B, 2C and 2D are completed, started up and final inspection was conducted. It was noted that the total anticipated construction cost to finish project after payment of this months bills is \$39,765.00.

4. An invoice in the amount of \$4,018.91 was presented by Arro for payment for January construction management services. Motion was made by Elaine Bildstein, seconded by Pamela Keeler to approve payment of this invoice. **Motion passed.** It was noted that the total Construction Management costs to date are \$296,182.57. It was noted that ARRO exceeded the original \$279,000 contract amount by \$17,182.57. This was due to additional efforts by ARRO to address the RFI issues and potential and approved Change Orders.

Motion was made by Lynn Leinbach, seconded by Elaine Bildstein, to authorize Kozloff Stoudt to draft a letter to Richard Schloesser of SSM requesting the return of Authority files. **Motion passed.**

**SAFETY COMMITTEE**

**There was no Safety Committee Report at this time.**

**FINANCE COMMITTEE:**

**Pamela Keeler presented the Finance Committee Report.**

1. Outstanding invoices from SSM were briefly discussed. Lori will get a complete list of invoices and this will be taken care of at March of 2008's meeting.
2. Actuarial services were briefly discussed. Lori mentioned that she received a phone call from Markley Actuarial regarding the agreement for actuarial services that Brian Boland, Esq. reviewed. A short discussion followed.

**PERSONNEL COMMITTEE**

**There was no Personnel Committee Report at this time.**

**PENSION COMMITTEE:**

**There was no Pension Committee Report at this time.**

**SUPERINTENDENT'S REPORT**

**Kerry Ustaszewski presented the Superintendent's Report.**

1. Kerry Ustaszewski reported that DMRs were included in the packet.
2. There was a letter to Robert DiGilarmo of the DEP included in the packet. There was a blockage in the discharge line from the old pump station that caused a freak overflow in the field.
3. The recent rain events have been interesting. The staff is learning what to do and what not to do during these rain events. There was no SSO at the Pumpstation. A short explanation followed.
4. There was a failure before the rain event in Plant No. 2 Final Clarifier with the chain. The tank got emptied out in time and Eastern Environmental came in to check things out. The boards and chain are brittle. Kerry stated that he is meeting with a vendor in the near future.
5. Rich Genova from MPBMA approached Kerry regarding a possible leak at the Pennview Mobile Home Park. David Herb is going to take a camera to see if they can detect anything downstream entering our pipes.

**SOLICITOR'S REPORT:**

**There was no Solicitor's Report at this time.**

**ENGINEER'S REPORT:**

**Michael Sassaman from ARRO Engineering presented the Engineer's Report.**

1. Lenox Avenue Sewer Lining Project – Abel Recon has started the work and has completed the main sewer lining. There were some problems with the lateral lining equipment and they left the job. They anticipate returning in a week or so to complete the

work. It was noted that they are in Kentucky at a convention. A short discussion followed.

2. Friedensburg Road Sewer Extension – ARRO has prepared an Opinion of Probable Costs for the 1,206 foot long sewer extension on Friedensburg Road to serve the home at 1728 Friedensburg Road and others along the way. The cost estimate is \$495,405.00. There are approximately seventeen homes that could be served including one on Spies Church Road. There is at least one available building lot, possibly more. If this total cost was divided equally between the seventeen homeowners it would cost each \$29,141.00 each. This price does not include the tapping fee or the cost of the lateral. Kerry Ustaszewski added that installing the laterals would not be an easy job because of the pitch of their yards. A short discussion followed regarding payment options for these customers.

Pamela Keeler stated that we should gather as much information as we can and have a meeting with these homeowners to provide them customers with resources for funding. Community Block Grants were briefly discussed.

It was noted that if the Board makes the decision to proceed with this extension project, it will not happen fast enough to help the homeowner at 1728 Friedensburg Road. It was decided that the next step would be to see what grant money is available. Mike Sassaman will check into available grants for the March 28, 2008 meeting.

3. ARRO received a Sewage Facilities Planning Module for the proposed development for 82 EDUs. Mike stated that they can complete the portion stating that there is adequate “Collection System” capacity but the certification for Conveyance and Treatment capacity should come from the City of Reading.

A motion was made by Lynn Leinbach seconded by Benjamin Overley directing ARRO to complete AVMA’s portion of the Planning Module and send it to Mr. Dolan. **Motion passed.**

4. 19th Street Pumping Station – ARRO visited the area that flows to the proposed 19<sup>th</sup> Street Pump Station Area with the CIC Committee to become familiar with the issue. A short conversation followed.

5. DEP has requested “As-Built Drawings” of the WWTP and Pumping Station improvements. We have “red-line” drawings from the contractors showing information that is different from the original design drawings. AVMA should consider having the CADD drawings updated to include this information for your permanent records. ARRO can make these revisions for AVMA if we can get the digital computer CADD files.

#### **OFFICE MANAGER’S REPORT:**

##### **Loretta Shipe presented the Monthly Office Manager’s Report**

1. Customer credits were discussed. No credit will be given to Robert Dunkel, Jr. or Arner’s Restaurant. Mr. William Graser’s request will be revisited after one more quarter of information is obtained.

Motion was made by Lynn Leinbach, seconded by Elaine Bildstein to give Mary Jane Morgan a \$30.00 payment towards her electric bill.

2. Motion was made by Lynn Leinbach, seconded by Benjamin Overley to renew the yearly service contract with Bonfitto. **Motion passed.**

3. Brian Boland, Esq. will review the contract with Emergency Systems Service Co., Inc. in the amount of \$697.58.

**UNFINISHED BUSINESS:**

**There being no further business a motion was made by Lynn Leinbach, seconded by Elaine Bildstein to adjourn the meeting. Motion passed and the meeting adjourned at 9:40 PM.**

Respectfully Submitted,

Loretta L. Shipe,  
Assistant Secretary