

**ANTIETAM VALLEY MUNICIPAL AUTHORITY
MEETING OF JANUARY 24, 2008**

MINUTES:

The January 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
Benjamin Overley, Asst. Treasurer

Also Present:

Brian Boland, Esq.
Jamie Schlesinger, Concord Public Financial Advisors, Inc.
Michael Sassaman, Project Manager, Arro
Kerry Ustaszewski

Absent:

Pamela Keeler, Treasurer
Loretta Shipe, Asst Secretary

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

The December 20, 2007 minutes were approved on a motion by Elaine Bildstein, seconded by Benjamin Overley. **Motion passed.**

NEW BUSINESS:

Mr. Matt Davenport, a Landscape Architect from McCarthy engineering introduced himself and explained that he is working with Mr. Joseph Dolan to develop a community. Mr. Davenport showed a proposed layout for this residential community to be located at Perkiomen Avenue between Twentieth and Twenty First Streets. This includes fifty attached townhouses and a five story building with parking underneath providing thirty two condominium/apartment type dwellings. They are seeking sanitary sewer service for this development. They would hook to the Authority's conveyance line but the sewer would be directed into the City of Reading. Mr. Joseph Dolan noted that he must keep this project moving. Mr. Davenport explained that they must process the Planning Module and AVMA must sign off for the collection and conveyance and the City of Reading for conveyance and sewage treatment. Brian Boland, Esq. noted that our tapping fees for collection would apply. Motion was made by Lynn Leinbach, seconded by Elaine Bildstein to approve the sewer connections for fifty townhouses and thirty two condo units. **Motion passed.** A long discussion followed. Motion was made by Lynn Leinbach, seconded by Benjamin Overley to authorize Michael Sassaman to institute the review of the sewer. **Motion passed.**

Mr. Jamie Schlesinger of Concord Public Financial Advisors, Inc. distributed a packet of information regarding the proposed refinancing of the 2001 and 2002 Series of Guaranteed Sewer Revenue Bonds. Seventeen local and regional banks were contacted. The best proposal was received from National Penn Bank. National Penn Bank offered a fixed rate of 3.71% for ten years and a variable rate of 6.0% or less. Mr. Jamie Schlesinger stated that the proposal from National Penn Bank is a very good proposal. A long explanation followed. Motion was made by Benjamin Overley, seconded by Lynn Leinbach to adopt a resolution that authorizes Antietam Valley Municipal Authority to undertake the project of refinancing the Guaranteed Sewer Revenue Bonds Series 2001 & 2002. **Motion passed.** The necessary forms were signed and sealed.

At this time, Brian Boland, Esq. took over the meeting for the election of the 2008 officers:

A motion was made to open the floor for nomination for the office of Chairman, Vice-Chairperson, Secretary, Treasurer, Assistant Treasurer and Assistant Secretary by Ms. Bildstein, seconded by Ms. Leinbach for Mr. Boland to become temporary Chairperson for the nomination of officers. **Motion passed.**

A motion was made by Ms. Elaine Bildstein, seconded by Mr. Benjamin Overley to nominate Mr. Timothy Waldman as Chairman, Mrs. Elaine Bildstein as Vice-Chairperson, Ms. Lynn Leinbach as Secretary, Mrs. Pamela Keeler as Treasurer, Mr. Benjamin Overley as Assistant Treasurer and Ms. Loretta Shipe as Assistant Secretary. **Motion passed.**

Nominations were closed on motion of Ms. Leinbach, seconded by Ms Bildstein. **Motion passed.**

Motion was made by Ms. Lynn Leinbach, seconded by Mr. Benjamin Overley to direct the Secretary to cast a unanimous ballot for the following offices:

Mr. Timothy Waldman was elected as Chairperson.
Mrs. Elaine Bildstein was elected as Vice-Chairperson
Ms. Lynn Leinbach was elected as Secretary.
Ms. Pamela Keeler was elected as Treasurer.
Benjamin Overley was elected as Assistant Treasurer.
Loretta Shipe was elected as Assistant Secretary.

Motion passed.

Motion was made by Elaine Bildstein, seconded by Lynn Leinbach to sign the contract with the Arro group. **Motion passed.**

Motion to appoint the following were made at this time by Ms. Lynn Leinbach, seconded by Ms. Elaine Bildstein:

Auditor - William R. Maslo
 Solicitor - Brian Boland, Esq. – Kozloff Stoudt
 Insurance – Samuel Harter - Essick & Barr

Actuary – Ms. Jan Rexroth – Markley Actuarial

Upon a roll call vote all members voted in the affirmative.

COMMITTEE REPORTS

FINANCE COMMITTEE:

1. General Account & Payroll Account Checks for Approval:

Check Nos. 1608 through 1623 and 1625 and 1626 in the amount of \$25,363.58 from the General Account dated 1/25/08 and Check No. 1624, payable to J. W. Leinbach in the amount of \$275.65 for a total of \$25,639.23 as well as Check Nos. 1688 through 1691 and seven EFT's in the amount of \$10,749.10 from the Payroll Account dated 01/25/2008 for a combined total of \$36,388.33 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:

Thirteen EFT's and Check Nos. 1680 through 1686 in the amount of \$20,249.28 from the Payroll Account dated 12/28/07 and 1/11/07 as well as two EFT's and Check Nos. 1596 through 1607 from the General Account in the amount of \$11,850.93 for a combined total of \$32,100.21 were approved on a motion by Elaine Bildstein, seconded by Benjamin Overley. **Motion passed.**

Treasurer's Report –Month ending December of 2007:

Accounts:

M&T

General Checking Account	\$ 0.00
Payroll M & T	\$ 0.00
Clearing Fund	\$ 445,533.73

Commerce Bank

Savings	\$ 26,539.19
Payroll	\$ 2,280.96
Checking	\$ 18,788.22
Clearing Fund	\$ 9,689.61

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	\$ 108,233.78
Ending Balance	\$ 1,460,934.62

Total Cash Available	\$ 1,985,208.01
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Motion was made to accept December's Treasurer's Report by Elaine Bildstein, seconded by Benjamin Overley. **Motion passed.**

CAPITAL IMPROVEMENT COMMITTEE:

Benjamin Overley presented the Capital Improvement Committee report.

1. The wall is completed around the new Final Clarifier.
2. The possibility of extending the sewer line on Friedensburg Road was briefly discussed. Michael Sassaman stated that there is a design for this sewer line. It must be updated and some information must be added. Also, that the Authority had a couple options if they extended this sewer line. One option would be that all customers within 150 feet of this line would be required to hook up. Another option would be to allow customers to hook up if their one-site system failed. It was noted that the residents could be charged for the cost of this sewer line extension. The Authority should also make a decision how to pay for this project. A long discussion followed regarding mandatory sewer hook up if sewer service is available.
3. The emergency lining project at Lenox/George Streets was discussed. Mike Sassaman explained that by looking at the sewer map there is a manhole upstream that appears to have two lines, one line coming into it and two lines going out of it. One is the line that we are going to line and it appeared that the other line went out the other way. This line is bricked shut. Discussion was held with the contractor regarding bypass pumping the flow in order to do the lining. It was determined that the contractor would provide the pumps. It was noted that the five house connections from the running traps to the main will also be lined. The total revised price is \$ 42,285.00. This job should begin the first or second week in February of 2008. Michael Sassaman explained that lining was the only logical option. In order to excavate this line our customers would have to tear down a garage, a swimming pool and cut down two trees.

Parallel to this sewer line is a French drain that runs off the manhole and into Mary Jane Morgan's backyard located at 612 Lenox Avenue. Sewage is getting into this French drain line and going into her basement. The Authority had holes dug and put a pump in this excavated hole. The sewage is being pumped into the manhole that is in the backyard. After this work is completed, all sewer lines in this area will be is tight and no sewage will be getting out of our lines. At this point, it becomes the township's problem. If sewage is still getting into this yard then someone illegally tied something into this French drain line. This is illegal. It is the S.E.O.'s job to find this. Motion was made by Benjamin Overley, seconded by Lynn Leinbach to authorize Abel Recon to complete the pipe lining project in the amount of \$42,285.00. **Motion passed.**

CONSTRUCTION PHASE ENGINEERING REPORT

Michael `Sassaman presented the Construction Phase Engineering Report

1. Michael Sassaman reported on contract schedules.

Contract 1A: Pumping Station Upgrade – The new pump station and emergency generator are on line. The final inspection was completed on November 9, 2007 and

all work is completed. TAH has executed Change Order #5 to delete unused Unit Price Items from the Contract. A copy was given to Loretta for the AVMA file.

Berks County Community Development – Certificate of Completed – 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. This was sent on January 14, 2008. No response was received to date.

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 “Substantial Completion Inspection” was performed on December 27, 2007. ARRO prepared a list of outstanding items to be completed. H. Robson has signed a Certificate of Substantial Completion and returned it to us. ARRO recommends that the Authority consider executing this Certificate of Substantial Completion.

Motion was made to sign the “Certificate of Substantial Completion” by Benjamin Overley, seconded by Lynn Leinbach. **Motion passed.**

Robson requested payment for additional handrail that they installed at the Final Settling Tank trough extension. They said that the existing handrail that was to be relocated was not suitable for relocating. This handrail was in poor condition. They included handrail along the tank trough and down the stairs. They are requesting this extra work at the unit price in the bid for additional handrail. The cost is \$3,480.00. Robson previously quoted \$4,546.57 for this work and we denied the request. This should have been replaced this way from the start. ARRO recommends approval of this additional item.

Motion was made by Lynn Leinbach, seconded by Elaine Bildstein to pay \$3,480.00 to H. Robson for the installation of the new handrail. **Motion passed.**

Robson submitted a Change Order Request for time and costs associated with dealing with underground utilities that were unmarked or inaccurately marked. ARRO is reviewing the claims against our field inspection reports and will respond to what we feel is reasonable and what is not.

There is approximately \$60,000.00 of unused unit price items that will later be deducted from the contract price.

Change Orders #7, #8, #9 and #10 were signed by H. Robson and copies for AVMA were given to Loretta for the files.

Contract 2B – WWTP Upgrade – Pagoda Electric. All work on Contract 2B has been completed. Pagoda has asked for a “Final Compensating Change Order” to delete the value of the unused unit price items from the contract. Change Order #3 was approved at the December of 2007 meeting. There was a mistake on this change order and it must be revised. It should have been Change Order #2 and it is for the deletion of the unused unit price items. Deduct total of (\$7,494.00) from the Contract price.

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

From Leesport Bank:

Howard Robson - Contract 2A – General – App. No.17 - \$50,430.07

Motion was made by Lynn Leinbach to approve payment to Howard Robson for Contract 2A in the amount of \$50,430.07, seconded by Benjamin Overley. **Motion passed.**

Work on Contracts 1A, 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 \$192,197.14.

Arro has reviewed these applications and is recommending payment.

4. An invoice in the amount of \$7,602.31 was presented by Arro for payment for December construction management services. Motion was made by Lynn Leinbach, seconded by Benjamin Overley to approve payment of this invoice. **Motion passed.** It was noted that the total Construction Management costs to date are \$292,163.66. It was noted that ARRO exceeded the original \$279,000 contract amount by \$13,163.66. This was due to additional efforts by ARRO to address the RFI issues and potential and approved Change Orders.

5. Future Change Orders: We have been discussing the extent of repaving with Robson. There are areas that Robson will cut out and repave as part of the contract. We asked them for a price to consider topping the remaining area to the gate at the cost of the AVMA. We also asked for a separate price for the area inside the gate. When we receive the information it will be presented to AVMA for consideration.

The aforementioned underground utility conflicts issue will result in a change order.

SAFETY COMMITTEE

There was no Safety Committee Report at this time.

FINANCE COMMITTEE:

Benjamin Overley presented the Finance Committee Report.

1. Benjamin Overley explained the billing rate with the Mount Penn Borough Municipal Authority was increased from \$2.55 to \$2.70 per bill. \$2.70 per bill was charged for the fourth quarter of 2007 bills. Benjamin Overley stated that he will discuss this at the next MPBMA Board Meeting. Motion was made by Elaine Bildstein, seconded by Lynn Leinbach to accept the new billing rate of \$2.70 per bill and to send a letter to MPBMA detailing what we require for this fee. **Motion passed.**

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. The chlorine analyzer is in the beginning phases. Part of it has been installed.

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. Arro prepared insurance values for Essick & Barr for all the new structures to get insurance coverage updated.
2. A letter was sent to DEP on January 15, 2008 regarding the Consent Order informing them that certain provisions and dates were met and we request that DEP consider terminating the Consent Order.
3. Motion was made by Benjamin Overley, seconded by Elaine Bildstein for Michael Sassaman to prepare a basic cost estimate to extend the Friedensburg Road sanitary sewer line. **Motion passed.**

OFFICE MANAGER'S REPORT:

Loretta Shipe presented the Monthly Office Manager's Report

1. Leesport Bank payment application number eight has been prepared and must be signed by the Chairman.
2. Cleaning quotes from Clean Image and Morris Maintenance were discussed. Elaine Bildstein mentioned that there is one more quote that was not received from Sweet Sparkle and Shine. This will be discussed at the next meeting.
3. Requisition No. CL-51 in the amount of \$211,505.73 is included in the packet. This money was deposited into our Commerce Bank Savings Account. Please note that this was the last requisition of 2007.
4. There is a notification from Gasmark included in the packet regarding lower gas prices. More information will follow at a later date.
5. A copy of Check No. 4247 in the amount of \$88.00 was received from Essick & Barr. This is a credit for the garage that the Borough rents for \$1.00 per year. The Borough is now paying for the insurance.

6. Updated rates from Principal Financial were included in the packet.
7. Sewer credit applications were discussed. No credit will be given for running toilets. Lori is to double check to see if Mr. Dunkel has a floor drain, if he does then he gets no credit.

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 10:15 PM.

Respectfully Submitted,

Loretta L. Shipe,
Assistant Secretary