MAIDENCREEK TOWNSHIP AUTHORITY
November 11, 2009
MEETING MINUTES

Attending Board Members: Robert Shinn, Earl Rothermel, Donald Keim and Ken Schnader

Also attending: Robert Hobaugh, Stevens & Lee, Greg Unger, SDE, Patrick Donovan, General Manager, and Tammy Deysher, Assistant Office Administrator.

Also in the audience, Dan Becker, solicitor for James Hardie, Henry Koch, Koch & Koch, and Dr. Hanna of Can Corp., Scott Miller of Stackhouse Bensinger, engineer for Chris Bradley, Tom Unger, SDE and Kevin Mohn, a registered surveyer.

Mr. Shinn called the November 11, 2009 meeting of the Maidencreek Township Authority to order at 6:00 PM at the Maidencreek Township municipal building.

PUBLIC COMMENT

JAMES HARDIE / CAN CORPORATION / INDUSTRIAL PARK

Mr. Hobaugh advised the Board he received a letter from Can Corp. offering to dedicate the sanitary lines on their property. Can Corp. would like to have control of the deed of dedication, no maintenance or replacement responsibilities on the sanitary sewer lines. Can Corp. also does not want to be responsible for any costs.

Mr. Unger went over a plan in full detail with all involved. Mr. Unger advised MTA the necessities needed to go forth with Can Corp. MTA would need a deed of dedication or offer of dedication from Fresh Pac. An easement for the Y, plus offer of dedication for the line. James Hardie would also need to do an offer of dedication and easement of the line.

Dr. Hanna requested SDE to plot the various structures to see if lines are close to existing structures. Dr. Hanna would also like to know the size of the lines, pressure and flow and what goes to what. Dr. Hanna authorized MTA to survey & locate the water lines on their properties.

Mr. Dan Becker advised the Board this is a time sensitive matter and to please not tie the approval of the James Hardie plan into the Can Corp. issue.

Mr. Hobaugh advised a letter could be given to the Supervisors of the Township for their meeting to go forward with James Hardie's plans. Mr. Hobaugh advised Can Corp. an agreement of understanding would be provided to them which stipulates:

1- All parties involved must sign the agreement, James Hardie, Can Corp., the Partnership, F&P Holding and MTA.
2- Can Corp. and all entities with a direct or other interest will dedicate water and sewer lines and any easements related there to by simple quitclaim, respectively.
3- MTA shall grant a waiver to F&P Holding as owner of lots 31 through 40 on the Excelsior Brass Plan, and its successors in interest from the mandatory

connections provision for any structures erected or to be erected on lots 31 through 40, provided the facilities erected there would continue to be served by the existing private water and sewer systems and provided the execution and grant conditions to the agreement satisfied.

4- The waiver shall not be construed as a waiver of any other and will be limited to that property as described.

5- A deadline of 30 days (by the next Authority meeting) will be put into place.

6- MTA will give the owner of the respective fee simple property on which an easement is granted, prior notice of needs to be on the property except in emergency.

The signatories other than MTA would help MTA get easements and bills of sale from third parties with interests in the property.

The Board commended SDE for survey and preparing a map of the Industrial Park in a timely manner. This map is the first map showing all of the water and sewer facilities in the Industrial Park.

A motion was made by Ken Schnader, seconded by Earl Rothermel to authorize the Chairmen and Secretary to sign the proposed agreement. All members present voted “Aye.” Motion carried.

Village at Summit Crest

Mr. Unger advised the Board all engineering issues for Summit Crest III have been taken care of. Mr. Bradley will continue through with his water conditioning plant and private system. The clean house has been added, also a change of the lateral coming off water filtration plant has been done. An increase of flow of 500 gallons will be needed. Mr. Unger advises an exception from DEP for an additional 500 gallons will be needed. Also, additional tapping fees will be charged for the 85 units, plus 500 gallons times the gallon rate, due to being commercial. MTA reserves the right to inspect and sample the water filtration plant.

A motion was made by Earl Rothermel, seconded by Donald Keim to move forward with the Summit Crest III review letter. All members present voted “Aye.” Motion carried.

DEVELOPMENT CLOSE OUT STATUS

Heffner Tract – Notice given to professionals to get invoices in. No action required.

Shadow Ridge III – Sign checks to release cash escrow of $5,720.27.

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APPROVAL OF MINUTES

A motion was made by Earl Rothermel, seconded by Ken Schnader to approve the October 14, 2009 regular minutes of the Maidencreek Township Authority meeting as presented. Hearing no public comment, all members present voted “Aye.” Motion carried.

NEW BUSINESS

None

UNFINISHED BUSINESS

Mr. Shuman respectfully requested to have his sewer charge waived until his home becomes occupied. The Board did not grant request.

LEAK REDUCTION

541 Main Street: acct # 1509-

Mr. Donovan advised the Board that there was a legitimate leak in a pipe under the bedroom at this property.

A motion was made by Ken Schnader, seconded by Donald Keim to approve the leak reduction per standard conditions. All members present voted “Aye.” Motion carried.

3 Blandon Avenue: acct # 1268-

Mr. Donovan advised the Board this customer used 76,000 gallons in a quarter. His usage is back in line at this point. The customer is not sure where the leak was, but it does appear to be corrected at this point.

A motion was made by Earl Rothermel, seconded by Ken Schnader to approve the leak reduction per standard conditions. All members present voted “Aye.” Motion carried.

SOLICITOR’S REPORT

Mr. Hobaugh submitted a written report.

ENGINEER’S REPORT

Mr. Unger submitted a written report.

MANAGER'S REPORT

Mr. Donovan submitted a written report.

Mr. Donovan went over the 2010 Budget with the Board. Mr. Donovan also stated now might be the time to do some projects early due to the economy, such as starting Mr. Unger with the fine screen project and putting a pole barn up at the Treatment Plant.

A motion was made by Donald Keim, seconded by Earl Rothermel to approve the 2010 budget, also Mr. Donovan was given direction to have SDE start bids for the fine screen project and to do bids for the pole barn. All members present voted "Aye." Motion carried.

PAYMENT OF BILLS

A motion was made by Earl Rothermel, seconded by Ken Schnader to pay all the bills at once and to approve inter-account transfers, the payment of the October 2009 after meeting checks and the November 2009 Bill List in the amount of $83,957.39, the additional November 2009 Bill List submitted at the November 11, 2009 meeting in the amount of $6,256.72, to approve the payment of the following from the Review Fee Accounts or billed directly to the Developer: the engineer's reimbursable expenses of $1,363.08, the solicitor's reimbursable expenses of $674.50. All members present voted, "Aye." Motion carried.

EXECUTIVE SESSION

An executive session was called to order at 6:44 PM to discuss Acquisition of Real Estate.

RECONVENED

The Board reconvened the meeting at 7:15 PM.

ADJOURNMENT

Minutes are subject to change prior to the approval of the Maidencreek Township Authority.

Tammy L Deysher, Assistant Office Administrator – November 11, 2009

CC: Authority Board
Patrick Donovan
SDE Inc.
Board of Supervisors
Planning Commission
Roland & Schlegel

Stevens & Lee	Maidencreek Township
Kosmerl & Co	Ontelaunee Township
JoAnn Schaeffer	Plant Operators