MAIDENCREEK TOWNSHIP AUTHORITY
October 13, 2010
MEETING MINUTES

Attending Board Members: Robert Shinn, Earl Rothermel, Patricia Hecker, Donald Keim.

Also Attending: Robert Hobaugh, Stevens & Lee, Greg Unger, SDE, Patrick Donovan, General Manager.

In the audience was Diane Hollenbach, Township Manager.

Mr. Shinn called the October 13, 2010 meeting of the Maidencreek Township Authority to order at 6:00 PM at the Maidencreek Township municipal building.

PLAN REVIEW STATUS

Villa at Maidencreek - The Township Manager presented a revision to the Villa at Maidencreek approved development plan dated 10/13/2010. The revised plan does not change anything on the water and sewer system, but the plan does contain the Authority's signature block.

A motion was made by Earl Rothermel, seconded by Donald Keim to approve the revised plan and to authorize the Chairman and Secretary to sign the revised plan. All members present voted "Aye." Motion carried.

The Crossings at Maidencreek - Mr. Unger presented a Letter of Credit Release No. 1 dated October 13, 2010.

A motion was made by Earl Rothermel, seconded by Pat Hecker to approve, based on the recommendation of the engineer, a reduction in the letter of credit, Release No. 1, in the amount of $60,113.32 and leaving a balance in the letter of credit of $422,914.94. All members present voted "Aye." Motion carried.

DEVELOPMENT CLOSE OUT STATUS

Meadowbrook- All Phases, Melrose Place and the Villages at Maidencreek –

Mr. Unger reported to the Board that draft close out letters were prepared by SDE with the assistance of the Solicitor for Meadowbrook, Melrose Place and the Villages at Maidencreek. These letters list all tasks necessary to close out the projects. Among the items listed: getting the developer to submit as-built drawings and provide a bill of sale and deed of easements so the Authority can claim ownership of the water and sewer lines.

Mr. Unger asked the MTA Board to consider a new concept. Mr. Unger asked the Board to consider taking an easement within the street area prior to the Township taking over the dedication of the roads, and once the roads are dedicated to the Township, the Authority would relinquish its easements to the Township. The advantages are that the Authority will be able to obtain good as-built drawings. It has been the Authority's experience that the longer a project remains open; the more difficult a project is to close

out. The disadvantages are that the developer will be required to make the streets "snow plow friendly" by tapering macadam around the manholes and valve boxes. The Authority will also take ownership of all facilities and be responsible for all repairs prior to the final course being applied. This does expose the Authority to more risk, but Mr. Unger stated that this risk is minimal.

A motion was made by Earl Rothermel, seconded by Donald Keim to proceed with taking dedication of the street areas prior to the Township taking dedication of the roads provided that the Township Supervisors approve of this new concept. All members present voted "Aye." Motion carried.

APPROVAL OF MINUTES

A motion was made by Earl Rothermel, seconded by Pat Hecker, to approve the September 8, 2010 regular minutes of the Maidencreek Township Authority meeting as presented. Hearing no public comment, all members present voted, "Aye." Motion carried.

UNFINISHED BUSINESS

Resignation of Ken Schnader – The Board acknowledged the resignation of Ken Schnader.

Notice to Respond to Berks County Survey – Mr. Donovan reported that he responded to the Berks County Planning Commission that the Authority would not respond.

Note: At the Joint Meeting between the Authority and Township, the Authority Board agreed to provide the Chapter 94 Report and Annual Water Report to the Berks County Planning Comission.

NEW BUSINESS

Shut Off List – No discussion.

A motion was made by Donald Keim, seconded by Earl Rothermel to approve the October 2010 Shut Off List. All members present voted "Aye." Motion carried.

EDU Credit Blandon LP– The owner, Doug George presented a written request dated September 20, 2010 to ask permission to transfer an EDU from Norm's Electric Account and apply this credit to the Super Delicious Seafood Unit. The Board stated that they want all meters and all plumbing removed from the unit prior to transfer.

A motion was made by Earl Rothermel, seconded by Pat Hecker to authorize the transfer of one EDU from Norm's Electric which is equivalent to 12,500 gallons, to the **Super Delicious Seafood** Unit provided that all plumbing and meters are removed from

Norm's Electric prior to the transfer. All members present voted "Aye." Motion carried.

Commercial Tapping Fees – Mr Donovan reported that we are only assessing Commercial Excess Tapping Fees when the property is transferred. Mr. Donovan stated that the Board could assess all Commercial Properties now but that would be problematic.

Water Reservoir Muzzle loading Hunting –

A motion was made by Donald Keim, seconded by Earl Rothermel to allow up to six hunters to hunt the water property during the early muzzle loading season provided that the hunters make the first contact with the Authority. All members present voted "Aye." Motion carried.

LEAK REDUCTION

None.

SOLICITOR'S REPORT

Mr. Hobaugh submitted a written report.

Insurance Recommendations – Mr. Hobaugh reported that the Authority received recommendations from our insurance agent that would update our insurance requirements.

ENGINEER'S REPORT

Mr. Unger submitted a written report.

James Hardie – Mr. Unger reported that he and the Authority Manager met with Engineers from James Hardie. James Hardie is still interested in opening the plant. Mr. Unger advised that James Hardie believes it is to their advantage to pursue opening the plant and dealing with the discharge issues of the Total Dissolved Solids (TDS). Recent studies indicate that the Willow Creek flow is a concern to DRBC, and it was felt that instead of dealing with DRBC issues, James Hardie would pursue some form of pretreatment to lower the TDS being discharged to MTA. Mr. Unger advised that all options are on the table, and the parties will be looking at reuse of wastewater or possibly looking at pumping groundwater to the James Hardie Facility. James Hardie was informed that no matter what option is selected, MTA cannot guarantee that from time to time their discharge could be curtailed if upsets occur at the wastewater treatment plant.

Mr. Hobaugh recommended that we get an amendment to the escrow agreement to allow use of escrow for this study.

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MANAGER'S REPORT

Mr. Donovan submitted a written report.

Water Tank Painting – The original contractor, Utility Services, has agreed to repair the outside coating of both tanks at no charge. Mr. Donovan reported that the Treetops tank is near complete, and the work appeared to be done correctly this time. The Contractor will be moving to the Peter's Spring tank in the near future.

Meter Replacement – The meter installs on West Wesner are almost complete. The Authority received a batch of meters that were faulty from the factory. The vendor is replacing the meters at no cost to the Authority, and will stand by any damage that result from the faulty meters. The Authority will wait a few weeks and perform another inspection of all the meters that were installed on West Wesner.

PAYMENT OF BILLS

A motion was made by Earl Rothermel, Seconded by Donald Keim to approve all bills at one time. All members present voted "Aye." Motion carried.

A motion was made by Earl Rothermel, Seconded by Donald Keim, to approve inter-account transfers, the payment of the September after meeting checks and the October 2010 Bill List in the amount of $ 91,707.21 the additional October 2010 Bill List submitted at the October meeting in the amount of $ 13,614.44, to approve the payment of the following from the Review Fee Accounts or billed directly to the Developer: the engineer's reimbursable expenses of $ 11,058.60, the solicitor's reimbursable expenses of $ 147.88. All members present voted, "Aye." Motion carried.

ADJOURNMENT

At 6:56 PM, Earl Rothermel moved to adjourn the meeting, Patricia Hecker seconded the motion and it passed unanimously.

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

Patrick R. Donovan, General Manager – October 15, 2010

CC:
Authority Board
Patrick Donovan
SDE Inc.
Stevens & Lee
Kosmerl & Co
JoAnn Schaeffer
Lorraine Sheipe
Board of Supervisors
Planning Commission
Roland & Schlegel
Maidencreek Township
Ontelaunee Township
Plant Operators