MAIDENCREEK TOWNSHIP AUTHORITY
December 8, 2010
MEETING MINUTES

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

Also Attending: Robert Hobaugh, Stevens & Lee, Greg Unger, SDE, Scott Miller of Stackhouse Bensinger, Diane Hollenbach manager of Maidencreek Township, Joe Rudderow & Claude Beaver, Township Supervisors and Tammy L Deysher, recording secretary.

Mr. Shinn called the December 8, 2010 meeting of the Maidencreek Township Authority to order at 6:00 PM at the Maidencreek Township municipal building.

PLAN REVIEW STATUS

Excelsior Industrial Park Dedication – To be discussed in an executive session for Acquisition of Real Estate.

The Crossings at Maidencreek - Mr. Unger advised Mr. Corrado would like a reduction in his letter of credit. The amount requested for reduction is $16,016.19.

A motion was made by Earl Rothermel, seconded by Donald Keim to approve the draw down of escrow in the amount of $16,016.19 for Mr. Corrado, providing all outstanding invoices are paid to the Engineer and Solicitor. All members present voted "Aye." Motion carried.

Village at Summit Crest – Mr. Unger advised the streets will be 24' wide instead of the normal Township width of 33' wide. It would be harder for the Authority to do work if necessary on these streets. The Authority would be required to pay for all repairs to curbing or any other obstacle they would come across in their repairs. After much discussion, the Board would like to see a plan with 33' streets and also one with a 15' wide easement centered on each side of the sewer line. At the January meeting, this new proposed plan will be viewed.

DEVELOPMENT CLOSE OUT STATUS

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

Professional staff to set up meetings with the developers in January to review in detail SDE's developer checklist.

Mandatory Sprinklers Ruling – Mr. Hobaugh advised the Board as of January 1, 2011, it will be mandatory for all new single homes to have sprinklers installed. The Authority will need to temporarily stop issuing permits for new family single homes until The Authority discusses the issues at hand.

A motion was made by Earl Rothermel, seconded by Pat Hecker to:

1. Effective January 1, 2011 to temporarily stop issuing permits for the construction of new single family and duplex homes that are subject to the new mandatory sprinkler requirements until the Authority has an opportunity to sort out the regulations.
2. To direct its solicitor to prepare a policy statement that the Authority will never be responsible for fire flow to make the sprinklers work. In other words, the Authority will not determine the adequacy of future fire flow systems for flow or pressure.
3. To authorize its solicitor to prepare new service agreements for the developer and homeowner to sign.

All members present voted "Aye." Motion carried

APPROVAL OF MINUTES

A motion was made by Donald Keim, seconded by Pat Hecker, to approve the November 10, 2010 regular minutes of the Maidencreek Township Authority meeting as presented. Hearing no public comment, all members present voted, "Aye." Motion carried.

NEW BUSINESS

January Reorganization Meeting – Mr. Shinn set the January meeting for January 12, 2011. Mr. Shinn also advised Tammy to advertise this date.

UNFINISHED BUSINESS

James Hardie revised Escrow Agreement –

A motion was made by Marie Coraluzzi, seconded by Pat Hecker to authorize Patrick Donovan to sign the James Hardie Agreement. All members present voted "Aye.'' Motion carried.

LEAK REDUCTION

NONE

SOLICITOR'S REPORT

Mr. Hobaugh submitted a written report.

ENGINEER'S REPORT

No Engineer Report submitted.

MANAGER'S REPORT

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 Pat Hecker to approve inter-account transfers, the payment of the November after meeting checks and the

December 2010 Bill List in the amount of $ 82,845.65 the additional December 2010 Bill List submitted at the December meeting in the amount of $ 20,758.65, to approve the payment of the following from the Review Fee Accounts or billed directly to the Developer: the engineer's reimbursable expenses of $ 3,033.44, the solicitor's reimbursable expenses of $ 4,444.45. All members present voted, "Aye." Motion carried.

QUESTIONS FROM THE AUDIENCE

Manager's Contract – Mr. Rudderow requested some background information on the employment arrangement the Authority has with the General Manager. Mr. Shinn stated that the Authority had a contract with the Manager for a couple of years. The contract has expired and the Authority never got around to renewing the contract. It was put on the agenda for years, but was never acted on. Mr. Shinn stated the contract is for two years. Mr. Rudderow asked the MTA Solicitor if this is typical for a General Manager to have a contract. Mr. Hobaugh stated that Authorities are getting more sophisticated, partially with the way things have changed for being a certified operator for water and wastewater systems. It is now more typical to lay out the terms in an agreement and to guarantee a certain amount of time on the job. Mr. Rudderow stated that Pennsylvania is an "at-will" State. He also commented that most people that are not in a collective bargaining unit, don't have a contract. Ms. Hollenbach asked if Mr. Donovan would remain an "at-will" employee. Mr. Hobaugh stated the contract is not an "at-will" and you would have to have cause to terminate. Mr. Rudderow asked how the new agreement differs from the old agreement. Mr. Hobaugh stated the old agreement was an "at-will" contract. Ms. Hollenbach asked if the new agreement is legal. Mr. Hobaugh said "it's legal." Mr. Shinn asked if there were any other questions. Mr. Rudderow replied, "Not at this time, but maybe after the executive session."

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MEETING MINUTES

EXECUTIVE SESSION

The Board went into executive session at 7:12 PM to discuss personnel items and Acquisition of Real Estate. The Board reconvened the meeting at 8:05 PM.

No action was taken after the meeting reconvened.

ADJOURNMENT

At 8:45 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.

Tammy L Deysher, Recording Secretary – December 8, 2010

CC:

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