

Gregory S. Hill
Chairman
533-7697

John D. Rochat
Vice Chairman
533-3831

Galen Shelly
Secretary
367-3722

**CONEWAGO
MUNICIPAL AUTHORITY**

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MAY 1, 2007

CONEWAGO MUNICIPAL AUTHORITY

The Conewago Municipal Authority Board held their regular meeting, Tuesday, May 1, 2007.
Those present were:

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|-----------------|------------------------|------------------------|
| Greg Hill | John Rochat | Galen Shelly |
| Norman Miller | Ralph Luttrell | Peter Henninger |
| Kim Bloom, DTMA | Paul Gross, B&H | Matt Cichy, HRG |
| Mark Derr, HRG | Joel Buckley | Chris, Mazzuca |
| Elvin Hitz | Dale Weaver & Daughter | Dolores Kuntz, 8:30 PM |

The meeting was called to order by Chairman Hill at 7:06 PM. The following items were discussed.

PUBLIC COMMENTS – **Chairman Hill** asked if a resident doesn't connect now are they permitted a year from now to do so, and can they receive a grinder pump credit. . Kim Bloom stated she received calls about 20 vacant lots regarding installing laterals, but she told them they need to provide a separate deed. There would be no cost today for laterals, only when they connect they would pay the current connection fee. Grinder Pumps credits will only be given to those residents required by sewer extension project at the time. This does not include a grinder pump credit for someone building a house on a vacant lot, several years after the project. If they need a grinder pump they would have to buy their own grinder pump and pay the sewer connection fee.

Elvin Hitz, Ridge Road, Right-of-Way – There was a misunderstanding on the agreement of who was responsible for cutting the 50 trees down. Chris from Mazzuca talked with Elvin Hitz regarding releasing the Authority from liability. Mazzuca Enterprises does not have a problem if Hitz's want to cut the trees down, and leave the stumps for Mazzuca to finish. Solicitor Henninger stated the Authority now owns the property, and Mazzuca has the Certificate of Insurance which protects the Authority. The Hitz's now want to cut the trees down, but they are not sub-contractors, so as the

Public Comments, Elvin Hitz's, Continued - Authority's attorney he has to make sure the Authority is protected in case something happens. Solicitor Henninger said we need some indemnity, identification of language, if anything goes wrong that it does not come back on the Authority. We need a Certificate of Insurance to show proof of liability insurance from the Hitz's. The trees need to be cleared immediately, because Mazzuca is scheduled to do work in that area in two weeks. Solicitor Henninger will redraft a Tree Removal Agreement.

A motion by Rochat second by Luttrell to authorize the Chairman or Vice-Chairman to sign the Tree Removal Agreement with the changes proposed which are to remove unnecessary parties and to add a provision that will require \$1,000,000. liability policy, or a similar policy showing CMA as an additional insurer or as an alternative that Mr. Hitz will hire someone with substantial coverage to protect the Authority. Motion carried.

After much discussion, an exception was given to the Hitz's, but if for some reason this agreement isn't processed, Mazzuca would do what was planned for them to do in the agreement.

Fred Weaver – Water - Mr. Weaver asked if the Authority could work with PA American Water Co., Robert Schnitzler. Weaver arranged for a meeting with PA American Water Co. on May 10, 2007 at 9:00AM to discuss where to start with water lines. He asked if we can run the water lines and use the sewer right-of-way with the water. Kim, Bloom, DTMA stated the Right-Of-Way could be shared, but you need written approval from DTMA to show where they want to go with the water lines. She also said I can tell you this will not happen at the same time sewer is going in, because DTMA will not hold up the contractor. Weaver said the response for water received is from the RT. 743 corridor which would include the church, the school, and all businesses etc. Chairman Hill mentioned that this would probably be a private undertaking with PA American Water Co. rather than the Authority and would cost between \$100,000. and \$750,000.

MINUTES OF APRIL 3, 2007 – A motion by Rochat second by Luttrell to approve the minutes of April 3, 2007 as submitted with the following deletion on Page 3, DTMA's Report to read, There will be at least a **three week detour on Ridge Road road work**. Motion carried.

DTMA'S REPORT – The next DTMA Construction Meeting is 5-17-07. Paul Gross stated there is no change order, but on Oak Road they raised up the manhole because residents decided they wanted grinder pumps. The gas company told them the gas lines are 6ft. deep, they added two manholes to get past the gas lines and went under the gas lines. At the end of the job there will be a compensating change order with price adjustment for two extra manholes. Kim Bloom said she mentioned earlier there are a lot of extra laterals on Ridge Rd. as the result of vacant lots, and she is assuming when they get

DTMA'S REPORT, Continued - on Old Hershey Rd and Roundtop, they will have more vacant lot laterals. They did a lot of moving stakes and relocating them. Rochat asked if they will let the Authority know when businesses are required to hookup to a water meter six months before so they can monitor usage. Paul Gross would like to discuss paving on Ridge Road, 5-2-07 at 11:00 AM at the Township Building.

ENGINEER'S REPORT – HRG attended the April 20, 2007 Job Conference held at DTMA on behalf of the Authority. HRG reviewed the revised drawing sheets SW-15 and SW-19 submitted by Buchart-Horn and will provide our comments to Buchrt-Horn.

PENNVEST Assistance – PENNVEST approved and processed Application for Reimbursement Request No. 2 in the amount of \$365,699.17. The first 2 PENNVEST Applications were not electronically transferred into the account, but any future applications will be electronically deposited. Application for Reimbursement Request No. 3 has been approved by PENNVEST in the amount of \$106,455.97 and is currently being processed. PENNVEST Application No. 3, item to note it was off \$40.07 from what was submitted, they withheld reimbursement expense, HRG will produce a receipt for that amount.

Cichy stated he needs Mazzuca Bill #2 approved for payment in the amount of \$310,074.16 to be paid by 5-31-04 which is included in PENNVEST Application No. 4.. A motion by Hill second by Rochat to authorize Payment No.2 for Mazzuca bill in the amount of \$310,074.16 by 5-31-06. Motion carried

PENNVEST Application for Reimbursement Request No. 4 is presented for the Authority's execution in the amount of \$355,667.93. A motion by Rochat second by Miller to authorize payment of PENNVEST Application #4 in the amount of \$355,668.93. Fees from Application No. 1 not paid receipts will be resubmitted which includes administrative fees, legal fees, and accounting, interest during construction and engineering fees. Motion carried.

SOLICITORS'S REPORT – Nothing else to report except the Right-Of-Way for Fred Weaver and daughter, and the Hershey Trust Final Agreement. Solicitor Henninger said the Tree Removal Agreement needs to be resolved 5-2-07.

NEW BUSINESS – **Norman Miller** – Miller stated he wanted to personally thank Mark Derr, HRG for the assistance he gave to the Township to help understand Phase II procedure for PENNVEST record keeping.

NEW BUSINESS, Continued - At the request of CMA, Miller made a motion second by Rochat to approve the Conewago Township Treasurer, Dolores Kuntz offered to do the minute taking, to provide the necessary documentation for record keeping and ledger keeping, to include preparing checks for payment and getting authorized signatures, maintaining, transferring and moving funds from non-interest to interest bearing account, faxing bills to HRG so they can prepare PENNVEST Applications monthly, Quickbooks record keeping for CMA and the Township as approved by Diana Reed Associates, and bonding for township treasurer as the bookkeeper. Motion carried.

Miller asked authorization of payment of checks for Jones & Henninger, \$1,342.52; Patriot-News, \$561.68; HRG, \$15,670.91; and DTMA \$10,316.08. There was discussion regarding the bond issue of invoices submitted with PENNVEST closing, and if they were actually paid: Rhoads & Sinon for \$23,000.00, Jones & Henninger for \$17,000.00, and Jon Yost for \$4,000.00.

A motion by Hill second by Rochat to authorize payment of any reimbursed items by PENNVEST to be authorize for processing and payment in addition to already authorized checks.

Solicitor Henninger suggested adding an agenda item for authorization of payments before new business and reversing DTMA's Report before Engineer's Report

A motion by Hill second by Rochat at adjourn at 9:29 PM. The next meeting is June 5, 2007.

Respectfully submitted,

Shirley A. Bretz
Township Secretary