

**MINUTES OF THE GETTYSBURG MUNICIPAL AUTHORITY
BOARD OF DIRECTORS MEETING**

March 15, 2010

The duly advertised Meeting of the Board of Directors of the Gettysburg Municipal Authority ("GMA") was called to order at 6:00 p.m. at the GMA office, 601 E. Middle Street, Gettysburg, PA 17325, by Chairman Melvin D. Crouse. Present were Mr. Melvin Crouse, GMA Chairman; Dr. Tim Good, Vice Chairman; Mr. Ted Streeter, Secretary; Ms. Dorothy Puhl, Assistant Secretary/Treasurer; Mr. John R. White, Authority Solicitor; Mr. Mark Guise, Utilities Manager; Mr. Paul Gross, P.E. of Buchart Horn, Inc., Authority Engineer; Ms. Ramona Overton, Financial Director, and Jesse Mains, Recording Secretary. Mr. Bill Monahan, Treasurer was absent.

Citizens in attendance were Ms. Debi Golden representing the Cumberland Township Board of Supervisors and Mr. Pat Naugle.

Water Agenda:

Public Comment:

Chairman Crouse called for Public Comment and none was given.

Minutes:

Mr. Streeter moved, seconded by Ms. Puhl, to approve the Minutes of the Board's February 15, 2010 meeting. The motion passed unanimously.

Approval of Invoices:

Mr. Streeter moved, seconded by Ms. Puhl, that all invoices for the month be paid. The motion passed unanimously.

Refinancing of 2004 A&B Bonds:

Mr. White stated that he has received correspondence from Attorney Leber, GMA Bond Counsel, requesting that GMA refinance the 2004 A&B Bonds. Mr. Streeter noted that the refinancing is consistent with Gettysburg Borough Council's plans for the Bonds. **Mr. Streeter moved, seconded by Dr. Good, to proceed with the action needed to refinance the 2004 A&B Bonds. The motion passed unanimously.**

Well No.9:

Mr. Gross presented Application for Payment number 7, payable to PSI, Inc., in the amount of \$32,431.28. **Mr. Streeter moved, seconded by Ms. Puhl, to approve the AFP No. 7 and issue payment to PSI, Inc. The motion carried unanimously.** Mr. Gross noted that GMA is waiting to receive the operational permit before asking for inspection from DEP.

Gettysburg Crossing/FAISON.:

Mr. White stated that he has received indication that FAISON is unable to provide financial security as required under the terms of the Joint Developer's Agreement (JDA), which now makes the agreement null and void. Mr. White asked the Board for permission to approach the other JDA participant, S&A Homes, directly. Mr. Streeter inquired as to the purpose of discussion with S&A. Mr. White noted that his thought is to obtain an arrangement with S&A to try to control the timing of the connection of the well into the GMA System. Mr. Crouse clarified that no deals would be made, simply discussion. **Mr. Streeter moved, seconded by Ms. Puhl, to authorize Mr. White to proceed with contacting S&A directly to explore possible alternatives for the connection of the Hauser Well. Dr. Good injected a point of discussion, inquiring if this discussion was also involving the tank. Mr. White stated that he was strictly discussing the Hauser Well. The motion passed unanimously.** Mr. White also noted that Mr. Glen Roth, new S&A point of contact, would like to meet with GMA & Mr. White to become acquainted with this project.

West Middle Street:

Mr. Guise stated that he has spoken to PennDot, Senator Alloway's office regarding PennDot's plans to reconstruct and repave several areas of the Borough throughout the 2010/2011 summers, mainly including the area near and around W. Middle Street. As discussed during the February BOD meeting, GMA will need to make repairs some of its lines due to the proposed construction. Therefore, PennDot has asked that GMA to provide a sketch plan, along with a proposed timeline of work in order for them to consider GMA's previous request to work concurrently with PennDot's awarded contractor. Mr. Guise, along with Mr. Hilliard from the Gettysburg Borough Highway Department and Bucharth-Horn are scheduled to meet with PennDot on March 18, 2010 to discuss this project further.

Water Treatment Plant:

Mr. Guise stated that bid documents for the rehabilitation of the backwash tank (filter cleaning) are prepared, but not yet advertised. Mr. Guise and Bucharth-Horn met with a representative from Roberts Filters to discuss the grouting and under-drainment problems from the installation which occurred 10 years ago. Roberts proposed providing new under-drainments for 3 filters, if GMA pay for the labor, remodel and installation (media included). Dr. Good inquired as to the cost of the labor vs. materials. Mr. Guise stated that the labor will be approximately \$100,000.00 with the material costing approximately \$105,000.00, therefore he feels that it should be a 50/50 split between companies. Mr. Gross added that he is fairly pleased with Roberts response, given that the original installation was 10 years ago, he feels it show a good faith effort on their part. **Dr. Good moved, seconded by Ms. Puhl, to accept the proposal from Roberts Filters. The motion passed unanimously.**

York Water Connection:

Mr. Guise stated that he wanted to bring to the Board's attention that he had previously, for budget concerns, asked Bucharth-Horn to delay working on the YWC/SRBC application process, and now would like the Board's opinion on the continuation of this project. Mr. White noted that his concern is DEP thinking GMA is not interested in the project given that GMA has not recently taken any action. After a brief discussion, the Board decided to make contact with the SRBC to let them know that GMA is still interested in the connection.

Sewer Agenda:

Plant Upgrade/537 Study:

Mr. Gross provided his monthly report stating that the 50% reimbursement application for the Act 537 Plan is nearly complete. Finalization of the WWTP upgrade design is underway. Mr. White inquired if the current design includes the tertiary system. Mr. Gross stated that, yes, an alternate design showing the filters is included.

Route 30 Sewer Main Extension Update:

Solicitor White updated the outstanding issue of who is to enforce the hookups along the Rt. 30 Sewer Extension by reviewing a letter he received from Attorney Davis, stating the Straban Township Supervisors suggestions. The Supervisors have asked the following: (1) that GMA file the first municipal lien in the amount of the connection fee, (2) if the lien is not paid, the Township would pursue court action or obtain a grant of power to connect the property in both GMA and Straban's names (3) if property is still not connected, then GMA would make the connection and place the lien for the costs incurred. After much discussion, **Mr. Streeter moved, seconded by Dr. Good, to authorize Mr. White to file a municipal lien against the 3 non-complying properties, to obtain the unpaid tapping fees for connection purposes. The motion carried unanimously.** It was stated by the Board that after the lien is filed and tapping fees are paid to GMA, it is then Straban's duty to enforce connection. Once connected, GMA will then enact normal procedures for obtaining quarterly payments.

Frank Ruth:

Mr. Guise stated that the warranty period on the Deed of Dedication for the sewer main extension to the Ruth property on the Hunterstown Road expired on March 10, 2010 and the financial security could now be released. **Mr. Streeter moved, seconded by Dr. Good, to remove the financial security associated with the Ruth property. The motion carried unanimously.**

Proposed DEP Future Annual Fees (Water & Sewer):

Mr. Guise noted that the state is moving towards DEP becoming a self-funding department by obtaining annual and permitting fees. As an example, Mr. Guise stated that GMA's annual water permit cost would be approximately \$25,000, according to documents provided to GMA by DEP. Mr. Streeter inquired as to the purpose of DEP enacting this fee structure. Mr. Guise stated that due to the state budget, DEP's funding has been cut and this is a way for them to regain annual income.

Correspondence:

Mr. Guise reviewed the following correspondence:

- Misty Ridge Terrace II WTS
- Streamwell 2 Litigation
- Solicitor's Annual Audit Report
- Cambridge Crossings Delinquent Fees
- DEP Watershed Regulatory Letter

Executive Session:

Mr. Crouse called for an Executive Session at 7:10 p.m. to discuss pending litigation. The Board reconvened at 7:52 p.m.

Adjournment:

With no other business to come before the Board, **Mr. Streeter moved, seconded by Ms. Puhl, to adjourn the meeting at 7: 54 p.m. The motion carried unanimously.**

The next regular GMA Board of Directors meeting will be held on Monday, April 19, 2010, commencing at 6:00 p.m. at the GMA Office.

Respectfully Submitted,



Jesse Mains
Recording Secretary