

MINUTES OF THE GETTYSBURG MUNICIPAL AUTHORITY BOARD OF DIRECTORS MEETING

May 16, 2011

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. Bill Monahan, Treasurer; Mr. Ted Streeter, Secretary; Ms. Dorothy Puhl, Assistant Secretary/Treasurer; Mr. John R. White, Authority Solicitor; Mr. Mark Guise, Utilities Manager; Mr. Brian Funkhouser, P.E., of Buchart Horn, Inc., Authority Engineer and Ms. Jesse Mains, Recording Secretary. Ms. Ramona Overton, Financial Director, was absent.

Also in attendance was Mr. Dave Lazas representing Atapco Gettysburg, LLC, General Partner of Gettysburg Crossing, LP, the new developer of the former Faison shopping center development on Route 30 east of the Borough of Gettysburg.

Water Agenda:

Public Comment:

Mr. Crouse called for Public Comment and none was given.

Minutes:

Mr. Monahan moved, seconded by Mr. Streeter, to approve the Minutes of the Board's April 18, 2011 meeting. The motion passed unanimously.

Approval of Invoices:

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

Quarterly Reports:

Mr. Guise reviewed the Quarterly Reports with the Board. Ms. Puhl inquired as to the payroll taxes already totaling 50% for the year. Mr. Guise responded that they are front-loaded and will offset in the next quarter. Dr. Good moved, seconded by Ms. Puhl, to approve the Quarterly Financial Reports. The motion passed unanimously.

Gettysburg Crossing, LP Development:

Mr. White confirmed with the Board that Atapco Gettysburg, LLC, General Partner of Gettysburg Crossing, LP, represented at the meeting by Mr. Lazas, has now assumed responsibility for this project from FAISON. Mr. Monahan moved, seconded by Mr. Streeter, to approve the GMA-GCLP Public Water System Improvement Agreement. The motion passed unanimously.

Amendment of GMA Rules Governing Water and Sewer Service:

Mr. White noted that due to the increased amount of delinquent billing notices being issued by certified mail, he recommends amending section 14.4 (j) of the GMA Rules Governing Water and Sewer Service to include the following: "(j) Subject to the then-current Rate Schedule (Appendix 1), a fee may be charged for a duplicate copy of the current bill, for any request for calculation and preparation of an interim bill requested for a billing unit due to a change in tenant(s) or ownership, or for copies of a previous year's billings. In addition, the Authority shall be entitled to collect its postage expenses in connection with the mailing of the delinquent account notice required under Section 7106.(a.3)(1) - (4) of the "Municipal Claims and Tax Liens Act"." Mr. Streeter moved, seconded by Ms. Puhl, to amend section 14.4 (j) of the GMA Rules Governing Water and Sewer Service to add the language concerning postage expenses collection. The motion passed unanimously.

West Middle Street:

Mr. Funkhouser submitted Pioneer's Application for Payment No. 4, in the amount of \$131,393.16. Mr. Monahan moved, seconded by Mr. Streeter, to approve Application for Payment No. 4. The motion carried unanimously. Mr. Funkhouser provided the Board with Change Order No. 1 for Pioneer Construction Co. in the amount of \$66,373.60. This change order was due to an unmarked lateral and increased paving depth required by PennDOT. Mr. Funkhouser noted that the increased paving cost was part of GMA's reimbursement request to PennDot. Mr. Monahan moved, seconded by Ms. Puhl, to approve Change Order No. 1 for Pioneer Construction. The motion passed unanimously.

Ms. Puhl added that she has received nice comments regarding the Middle Street crews and how they have been cooperative with the residents and businesses on Middle Street during the project.

S&A Hauser/Davis Well Update:

Mr. Guise had no update to report.

Steinwehr Ave. Revitalization Project:

Mr. Guise stated that, with the Cost Sharing Agreement with PennDot having been delayed, the required paperwork had expired and GMA needs to resubmit the required documentation for the 50% fee reimbursement for the project. Resolution 3 of 2011 and a Letter of Request to PennDot for the reimbursement were provided to the Board. Mr. Monahan moved, seconded by Mr. Streeter, to authorize the submission of the reimbursement request and to approve Resolution 3 of 2011. The motion passed unanimously.

AutoZone:

AutoZone has submitted a land development plan to build a store on the western side of the former Renn Kirby lot along Rt. 30 East in Straban Township. Mr. White provided a Water Main and Hydrant Relocation Easement Agreement relating to the relocation of a GMA hydrant which is currently located in the existing Access Easement area. Mr. Streeter moved, seconded by Ms. Puhl, to enter into an Agreement with Kirby Land Holdings, LLC and AutoZone Development Corporation, regarding the relocation of the GMA hydrant presently located in the AutoZone Access Easement area. The motion passed unanimously. Mr. White added that GMA currently has a 20 ft. wide recorded Water Main Easement to Well 5, located to the south of the Kirby Land Holdings, LLC property, and, in view of the AutoZone proposal, GMA must be sure that the access to the Well is kept. Straban Township currently asks for "streetscaping" on their newer property construction. GMA's current Easement does not include the language regarding these streetscapes; therefore, an Amendment to the Easement for this property has been created. Mr. Monahan moved, seconded by Mr. Streeter, to approve the Amendment to the Easement for the Well 5 property. The motion carried unanimously.

Sewer Agenda:

Plant Upgrade/537 Study:

Mr. Funkhouser submitted Application for Payment No. 5 to Conewago Enterprises, Inc. in the amount of \$156,960.00 in connection with the GMA Rock Creek WWTP Upgrade/Expansion Project. Mr. Monahan moved, seconded by Dr. Good, to approve AFP No. 5 to Conewago Enterprises. The motion carried unanimously.

Mr. Funkhouser stated that Siemens does not want to comply with signing the required Equipment Certification Form, relative to a required component of the GMA Rock Creek WWTP Upgrade/Expansion Project, which would protect GMA, Buchart Horn and Conewago Enterprises, Inc. Buchart Horn is going to continue to discuss the situation with Siemens regarding this issue; however, Mr. Funkhouser wanted to make the Board aware that this may be a situation for discussion at the next meeting.

GMA/Borough of Gettysburg Service Agreement:

Mr. Guise stated that he and Ms. Florence Ford, the Gettysburg Borough Manager, are awaiting comments from the Borough's Solicitor regarding the draft Service Agreement between GMA and the Borough of Gettysburg, which deals with financial arrangements, sharing of services and other related matters between the two entities.

Rt. 30 Extension/Lien Status:

Mr. White had no update to report.

Correspondence:

- Land Conservancy Membership Thank-You

Executive Session:

The Board entered into Executive Session at 6:55 p.m. for real estate acquisition discussion and legal matters.

The regular meeting reconvened from Executive Session at 7:06 p.m., at which time **Mr. Streeter** moved, seconded by **Mr. Monahan**, to approve the **Permanent Exclusive Well Site and Access & Utility Easement Agreement**, with **Clarence and Yvonne Andrew**, the property owners, under which GMA acquires a permanent access easement, well site easement and utility easement for the **Andrew Well**, located at and known as **199 Blacksmith Shop Road, Gettysburg, Cumberland Township, Adams County, Pennsylvania**. The motion carried unanimously.

Adjournment:

With no other business to come before the Board, **Mr. Monahan** moved, seconded by **Mr. Streeter**, to adjourn the meeting at **7:10 p.m.** The motion carried unanimously.

The next regular GMA Board of Directors meeting will be held on Monday, June 20, 2011, commencing at 6:00 p.m. at the GMA Office.

Respectfully Submitted,



Jesse Mains
Recording Secretary