

BENNER TOWNSHIP WATER AUTHORITY

REGULAR MEETING

January 19, 2010

ATTENDANCE:

AUTHORITY MEMBERS PRESENT: Mark Capriani
Tom Eby
Steve Lanich
Gary Shultz
Andrew Swales

OTHER ATTENDEES: Warren Miller – SBWJA
Kelly Gill – SBWJA

CONSULTING ENGINEER: Don Schwartz

CALL TO ORDER:

The January 19, 2010, Regular Meeting of the Benner Township Water Authority was called to order at 6:33 P.M. by Tom Eby, Chairman.

ELECTION OF 2010 OFFICERS:

Mr. Eby opened the nominations.

Mr. Lanich moved to retain the same officers from the previous year. Mr. Shultz seconded Mr. Lanich's motion to retain the same officers from the previous year. 5 ayes, 0 nays. The motion carried. Attached is a list of Officers/Board Members for 2010 that is made a part of these official Minutes.

Mr. Eby closed the nominations.

APPOINTMENT OF PROFESSIONAL SERVICES:

Mr. Capriani moved, seconded by Mr. Lanich to retain the following Professional Services for 2010:

**Herbert, Rowland & Grubic, Inc., Consulting Engineer
Miller, Kistler & Campbell (Richard Campbell), Solicitor
Parente Beard, Accountant**

5 ayes, 0 nays. The motion carried.

APPROVAL OF MEETING MINUTES:

The Minutes of the December 15, 2009 regular meeting were presented for review. **Mr. Eby moved, seconded by Mr. Lanich to approve the Minutes of the December 15, 2009 Regular Meeting as presented. 5 ayes, 0 nays. The motion carried.**

TREASURER'S REPORT:

Mr. Lanich reviewed the Treasurer's Report as presented. The total balance as of December 31, 2009 for both bank accounts is \$129,630.83. Mr. Lanich stated the maintenance bond for the Benner Elementary School has been returned; therefore, this account has a zero balance. **Mr. Shultz moved, seconded by Mr. Capriani to approve the Treasurer's Report as presented. 5 ayes, 0 nays. The motion carried.**

Mr. Eby asked the Board if there were any questions regarding the Paid Checks or Bills by Vendor submitted for approval. **Mr. Shultz moved, seconded by Mr. Capriani to approve the Paid Checks in the amount of \$2,819.73 and Bills by Vendor in the amount of \$1,948.02. 5 ayes, 0 nays. The motion carried.**

SBWJA REPORT:

Edward Drive/Reichenbaugh Lane – Mr. Miller informed the Board that during a recent Benner Township Supervisors meeting, the Township Supervisors approached him about having our Authority send notices to all property owners along Edward Drive/Reichenbaugh Lane informing them that public water service may be available to them. The Supervisors have indicated they are aware of domestic wells in this area that have both quality and quantity issues.

Mr. Miller reminded the Board that the developer installed a ductile iron water main at the time this tract was developed and has since dedicated this line to the Authority. The Board inquired about an estimated cost for making this line active. Mr. Miller indicated 2-3 fire hydrants would need installed, along with a valve and the water line would need tested, which could be completed for \$20,000 or less.

The Board reviewed the notice to property owners prepared by Mr. Miller and suggested a few minor changes. Mr. Miller indicated he could hand deliver a notice to each property owner along Edward Drive/Reichenbaugh Lane. The Board suggested providing each homeowner with a notice to obtain an idea of who may be interested in public water before pursuing this further.

Discussion was then held regarding Doug Smith's minor extension connecting part of Crestview to Opequon Hills. Mr. Miller stated that he was not sure if Mr. Smith ever dedicated the portion of line he constructed to the Authority; however, he would look into this further and approach Mr. Smith about providing a Letter/Agreement of Dedication.

SOLICITOR'S REPORT: Mr. Campbell was absent from the meeting.

ENGINEER'S REPORT: See the attached **Engineer's Report** as made a part of these official Minutes.

Village of Peru – We received a petition from several homeowners within the Village of Peru requesting our Authority complete a feasibility study for the replacement of the main water line within the system. Mr. Schwartz informed the Board that HRG provided the Authority with a proposal in March 2009 to complete a feasibility study with two options.

Option 1 (**\$8,000**) would involve preparing a feasibility study to evaluate the options for replacement of the mainline including costs and funding scenarios. This would include consulting with the Authority's Solicitor on legal issues affecting the project and ultimately the takeover of the Peru system. Option 2 (**\$11,000**) would involve all activities under Option 1, but include any necessary documentation to meet PENNVEST or any government funding requirements. Mr. Schwartz indicated the costs of a feasibility study could be reduced if the Authority completed some of the tasks, such as meeting with the State, Township, etc.

Discussion was then held regarding the financial risks involved with having the feasibility study completed and the residents rejecting the conclusions. Mr. Schwartz reviewed some areas of the existing agreement which concluded the agreement is between Benner Township and the State (SCI Rockview), not the State and the Village of Peru.

The Board suggested sending a formal letter to the Benner Township Supervisors, along with a copy of the agreement, requesting their solicitor review the existing agreement to determine the Authority's jurisdiction with aiding these residents. The Board would also like a copy provided to the Authority's solicitor, Richard Campbell, for review and comment.

In the meantime, the Board recommending sending a letter to the residents of Peru stating that our Authority has received their letter, we are considering our options and will be contacting them in the near future.

Mr. Miller will prepare drafts of these letters and email them to the Board for any changes before mailing the final document.

The Board also recommended having a discussion with our local legislators, Senator Corman and Representative Benninghoff, regarding the issue and the availability of any grant monies.

Brian Book, P.E. – Mr. Schwartz informed the Board that Brian Book is leaving HRG and assured the Board that HRG has many sources available to our Authority.

GUESTS: There were no Guests present.

CORRESPONDENCE:

Village of Peru – We received a petition from the residents of Peru requesting our Authority complete and fund a feasibility study for the replacement of the main water line system in the Village of Peru. **This was previously discussed during the Engineer’s Report.**

Benner Township Supervisors – We received a letter from the Benner Township Supervisors stating Andrew Swales has been reappointed to an additional five (5) year term on the Benner Township Water Authority Board.

OLD BUSINESS: There was no Old Business presented for discussion.

NEW BUSINESS:

Flood Insurance Notice/Rejection – Our insurance agent has provided us with a Flood Insurance Notice/Rejection that must be signed if we elect to NOT purchase Federal Flood Insurance. Federal Flood Insurance has not been included with our insurance policy in the past; however, the rejection notice has now become a requirement by law. The Board chose to sign the Rejection Notice.

Amendment to By-Laws – During a recent review of the Authority’s By-Laws, the Authority determined a section should be amended to reflect the current meeting schedule—specifically, Article II, Section 9 (Annual Meeting). **Mr. Swales moved, seconded by Mr. Capriani to approve the Amendment to the By-Laws as presented and made a part of these official Meeting minutes. 5 ayes, 0 nays. The motion carried.**

ACTION ITEMS:

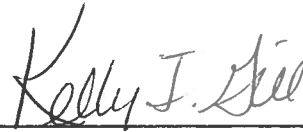
- Notice to Edward Drive/Reichenbaugh Lane residents will be revised and delivered to each affected property owner.
- Warren Miller will prepare letters to the Benner Township Supervisors and the residents of Peru.
- Mrs. Gill will forward Water Service Agreement for the Village of Peru to Dick Campbell for review.
- Warren Miller will provide well level charts for a future meeting.

Next regular scheduled meeting is February 16th at 6:30 p.m.

ADJOURNMENT:

Mr. Swales moved, seconded by Mr. Shultz to adjourn the meeting at 7:42 p.m. 5 ayes, 0 nays. The motion carried.

Respectfully submitted,



Kelly J. Gill, Recording Secretary

CC: Benner Township 03/17/2010

January 19, 2010

Benner Township Water Authority
1224 Buffalo Run Road
Bellefonte, PA 16823

Re: Status Report - Engineering Activities

Dear Authority Members:

The following summarizes our recent activities on behalf of the Benner Township Water Authority.

Retainer (1494.000)

There were no activities under the retainer agreement in the past month.

Act 57 Tapping Fee Report (1494.007)

Once a reimbursement agreement has been signed by the owner of the Grove Park system and itemized documentation is received to support the cost to construct the system, the draft Act 57 tapping fee report can be finalized.

Peru Feasibility Study (1494.0425)

A petition signed by 13 of 18 property owners has been forwarded to the Authority asking that it conduct a Feasibility Study to replace the waterlines in the Village. We look forward to discussing the petition and the Feasibility Study at tonight's meeting.

Very truly yours,

Herbert, Rowland & Grubic, Inc.



Donald Schwartz
Project Manager

Benner Township Water Authority

2010 OFFICERS & MEMBERS

Thomas Eby, Chairman
Andrew Swales, Vice Chairman
Steve Lanich, Treasurer
Mark Capriani, Secretary
Gary Shultz

AMENDMENT TO BENNER TOWNSHIP WATER AUTHORITY BY-LAWS

The By-Laws of the Benner Township Water Authority are hereby amended as follows:

ARTICLE II

Board and Board Meetings

Section 9. ANNUAL MEETING. An annual meeting shall be held on the third Tuesday of January of each year, at which meeting there shall be held an election of officers which shall consist of a Chairman; a Vice Chairman; a Secretary; a Treasurer; and, if deemed necessary by members of the Board of the Authority, an Assistant Secretary and Assistant Treasurer, who shall take office at the next succeeding meeting and serve as such officers until their successors have been duly elected and qualified.

**AMENDMENT TO THE BY-LAWS OF THE BENNER TOWNSHIP
WATER AUTHORITY ADOPTED THIS 19 DAY OF JANUARY, 2010.**

BENNER TOWNSHIP WATER AUTHORITY

BY: Sharon M. Clay
Chairman

ATTEST:

[Signature]
Secretary