

BENNER TOWNSHIP WATER AUTHORITY

REGULAR MEETING

October 18, 2011

ATTENDANCE:

AUTHORITY MEMBERS PRESENT: Mark Capriani (Via Telephone)
Tom Eby
Steve Lanich
Gary Shultz
Andrew Swales

OTHER ATTENDEES: Warren Miller – SBWJA
Kelly Gill – SBWJA

CONSULTING ENGINEERS: Adrienne Vicari, P.E., HRG
Jason Fralick, P.E., HRG

CALL TO ORDER:

The October 18, 2011, Regular Meeting of the Benner Township Water Authority was called to order at 6:37 P.M. by Tom Eby, Chairman.

WORK SESSION – Mr. Eby stated a Work Session was held on October 11, 2011 at 4:00 p.m. at the Spring Benner Walker Joint Authority's office to discuss the Village of Peru Project. There was no official action taken during the Work Session.

APPROVAL OF MEETING MINUTES:

The Minutes of the August 16, 2011 regular meeting were presented for review. **Mr. Shultz moved, seconded by Mr. Lanich to approve the Minutes of the August 16, 2011 Regular Meeting as presented.** 4 ayes, 0 nays, 1 absent. **The motion carried.**

TREASURER'S REPORT:

Mr. Lanich reviewed the Treasurer's Report as presented. The total balance as of September 30, 2011 for both bank accounts is \$185,888.96. Mr. Eby asked the Board if there were any questions regarding the Paid Checks or Bills by Vendor submitted for approval. **Mr. Eby moved, seconded by Mr. Shultz to approve the Treasurer's Report as presented, the Paid Checks in the amount of \$3,412.48 and Bills by Vendor in the amount of \$2,816.51.** 4 ayes, 0 nays, 1 absent. **The motion carried.**

Andrew Swales entered the meeting at 6:40 p.m.

SBWJA REPORT:

2012 Tentative Budget – Mr. Miller stated he and Mrs. Gill will be working with Mr. Lanich to prepare the 2012 Tentative Budget with presentation of the budget during the November meeting. Mr. Miller asked the Board if they would like the Village of Peru Project incorporated into the 2012 budget or if they would prefer amending the budget once the project was completed. The Board suggested the income/expenses for the project be incorporated within the 2012 Tentative Budget.

Grove Park Associates – During the 3rd quarter 2011, the Authority collected the first water tap fee of \$1,000 for Grove Park Associates as required within the Sales Agreement. The reimbursement of \$1,000 to Grove Park Associates was included with the payments approved earlier in the meeting.

Updated Daily Usage and Static Well Level Charts – Mr. Miller informed the Board that the daily usage and static well level charts were updated for the last quarter and included within the Board packet for review.

Grove Park Subdivision – Mr. Miller informed the Board that we were recently contacted by Benner Township regarding the developer, Ed Guenot, planting trees over the water main within Grove Park. The Township indicated their Engineer met with Mr. Guenot regarding the placement of the trees on the opposite side of the street from the water main; however, Mr. Guenot planted the trees directly over the water main.

Benner Township is requiring Mr. Guenot to remove the trees he had planted; however, one of the property owners wants to maintain the trees and indicated it will take a court order to remove the trees from his property. Mr. Miller stated the trees Mr. Guenot planted are a direct violation of the development covenants and water line right-of-way.

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

Village of Peru – Mrs. Gill informed the Board that she contacted Dick Campbell to make him aware of the project moving forward and the Authority's needs for preparation/recording of the right-of-ways.

ENGINEER'S REPORT: An Engineer's Report was not submitted for discussion.

GUESTS: There were no Guests present.

CORRESPONDENCE: There was no Correspondence presented for discussion.

OLD BUSINESS:

Village of Peru:

CDBG monies – Mr. Miller reported that he received an email from Matt Milliron stating the County Commissioners have approved the allocation of \$66,000 - \$68,000 in unused 2008 CDBG funds for the project. That is less than the original \$80,000 - \$85,000 they had anticipated. Mr. Milliron will have a contract prepared and issued to the Benner Township Supervisors for approval at their November 21, 2011 meeting. The contract will specify the exact amount and will state that the project must be under construction by May 1, 2012.

Mrs. Gill has contacted Sharon Royer, Benner Township, making her aware of the status of the project and that the contract will be forthcoming for their November 21, 2011 meeting. Mr. Miller suggested that at least one board member should attend the Supervisor's meeting to answer any questions they may have regarding the project.

HRG Engineering Proposal – Mr. Miller contacted Jason Fralick following the Authority's work session on October 11th to inquire about questions the Board had regarding HRG's proposal. Mr. Fralick provided an answer to each of the following questions:

#1 – Exclusion of Review & Permit Fees from DEP/CC Conservation District and/or PennDOT - Mr. Fralick stated that HRG will prepare and submit the permits to the necessary agents; however, the BTWA is responsible for all application fees as the owner.

#2 – Exclusion of Construction or Boring Layout – Mr. Fralick stated that HRG's survey crew will not visit the job site during the construction phase of the project to assist with the layout of the location of the lines, but will provide adequate control/reference points on the construction prints for the contractor.

#3 – Exclusion of Preparation of Legal Descriptions for Right-of-Ways – Mr. Fralick stated that HRG will generate an exhibit that identifies the relative location of the water main and proposed ROW. The exhibit will be forwarded to Dick Campbell for preparation of the ROW agreement. Mr. Fralick stated that it is extremely costly to complete a full property/boundary survey.

Mr. Miller informed Mr. Fralick that the Board is looking for a proposal that includes all general engineering services from the project start to finish, including record drawings. Mr. Fralick believes HRG's proposal covers everything from start to finish.

Timeline of Biddable Prints – Mr. Shultz asked Mr. Fralick if HRG would be able to meet the Authority's deadline of having biddable prints prepared and submitted to the County by December 31, 2011 for the CDBG funding. Mr. Fralick stated that it will be very tight and HRG's survey crew will not be available until about four (4) weeks out. Mr. Miller asked if HRG would consider using a local surveyor to complete this portion of the project and Mr. Fralick stated probably not.

Mr. Fralick stated using an outside surveyor could cause problems when they get to the design phase and he believes HRG can still meet the deadline.

Mr. Capriani stated that if HRG cannot guarantee that they can meet our deadlines then the Authority may have to look into a different alternative to avoid losing the CDBG funding. Mr. Fralick believes that HRG should have no problem having the plans and specifications ready, but is certain that they will not have permits in hand by 12/31/2011. Mr. Fralick also stated that if the project is bid around the holidays, he doesn't believe we'll receive a good response from contractors.

Mr. Lanich asked if HRG would be willing to modify the proposal by adding some language to accommodate the deadlines for the CDBG monies. Ms. Vicari asked if it would be acceptable to the Board to not give specific dates, but add some language stating HRG will meet the milestones required by the County. Mr. Capriani believes this would be acceptable once we clarify the timeline with the County and HRG understands/agrees to make every effort in meeting those deadlines.

EXECUTIVE SESSION – Mr. Eby recessed the Board for an Executive Session at 7:45 p.m. to discuss Contracts. The meeting reconvened at 8:15 p.m.

HRG Proposal Continued – Mr. Swales asked if the Phase I (Preliminary Design Services) included surveying and if so, how much was for surveying? Mr. Fralick stated that the surveying was included and about \$6,000 of the \$13,700 lump sum was for the surveying. The Board is concerned with HRG's surveyors not being able to start until about four weeks from now and the likeliness of delays due to bad weather; therefore, Mr. Swales proposed the Authority contract a surveyor that could work with HRG's CADD personnel. The costs of surveying would then be removed from HRG's proposal. Mr. Lanich recommended the Authority be provided with a firm date of when we can expect preliminary construction drawings.

Mr. Fralick stated that he was uncomfortable with the process and doesn't feel that HRG can be successful under these terms. Mr. Fralick would rather control the entire process since it is work that can be done internally at HRG. Mr. Fralick stated there hasn't been a strong working relationship between HRG and the Authority Board for an extended period of time and that may be a part of the uneasiness with the project. Mr. Swales suggested the Board is comfortable with HRG's proposal and working relationship, but is concerned about the loss of CDBG monies if the deadlines are not met.

Mr. Eby asked the Board if they were willing to take a chance with the surveying being completed around the holidays, inclement weather, etc. with the risk of losing the CDBG monies.

Mr. Swales asked if it were necessary to have permits and easements in place to bid the project. Mr. Fralick stated that it was not necessary, but advisable because of the risk of change orders. Mr. Swales then asked if Mr. Fralick can guarantee that HRG will have biddable documents to the Authority by December 31, 2011. Mr. Fralick stated HRG can have a set of documents ready to turn into the County by December 31, 2011; however, those plans could need revised as a result of the permitting process.

EXECUTIVE SESSION: Mr. Eby recessed the Board for an Executive Session at 8:30 p.m. to discuss contracts. The meeting reconvened at 8:52 p.m.

After considerable discussion, **Mr. Swales moved, seconded by Mr. Capriani to approve Hazen & Sawyer's Engineering Proposal for the Village of Peru Project contingent upon the following:**

Item #1 – Hazen & Sawyer will contract the Surveyor directly and revise the proposal to reflect the surveying cost.

Item #2 – Hazen & Sawyer will provide an updated, acceptable schedule to satisfy the Authority's December 31, 2011 deadline for CDBG funding.

If Item #1 is NOT acceptable, but Item #2 is acceptable to Hazen & Sawyer then:

BTWA will contract a surveyor to work with Hazen & Sawyer to complete the engineering of the project.

If both Item #1 and Item #2 are NOT acceptable to Hazen & Sawyer, then HRG, Inc. will be contracted to complete the engineering of the project.

5 ayes, 0 nays. The motion carried.

NEW BUSINESS: There was no New Business presented for discussion.

ACTION ITEMS:

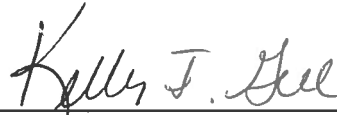
-Warren Miller to contact Brian Book, Hazen & Sawyer.

Next regular scheduled meeting is November 15, 2011 at 6:30 p.m.

ADJOURNMENT:

**Mr. Eby moved, seconded by Mr. Shultz to adjourn the meeting at 9:00 p.m. 5 ayes,
0 nays. The motion carried.**

Respectfully submitted,



Kelly J. Gill, Recording Secretary

CC: Benner Township 11/26/2011