

BENNER TOWNSHIP WATER AUTHORITY

REGULAR MEETING

September 21, 2010

ATTENDANCE:

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

OTHER ATTENDEES: Kelly Gill – SBWJA

CONSULTING ENGINEER: Charles Stover, E.I.T.

CALL TO ORDER:

The September 21, 2010, Regular Meeting of the Benner Township Water Authority was called to order at 6:36 P.M. by Tom Eby, Chairman.

APPROVAL OF MEETING MINUTES:

The Minutes of the August 17, 2010 regular meeting were presented for review. **Mr. Shultz moved, seconded by Mr. Lanich to approve the Minutes of the August 17, 2010 Regular Meeting as presented.** 3 ayes, 0 nays, 2 absent. **The motion carried.**

TREASURER'S REPORT:

Mr. Lanich reviewed the Treasurer's Report as presented. The total balance as of August 31, 2010 for both bank accounts is \$145,941.35. **Mr. Eby moved, seconded by Mr. Shultz to approve the Treasurer's Report as presented.** 3 ayes, 0 nays, 2 absent. **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. Eby moved, seconded by Mr. Shultz to approve the Paid Checks in the amount of \$272.73 and Bills by Vendor in the amount of \$1,700.94.** 3 ayes, 0 nays, 2 absent. **The motion carried.**

SBWJA REPORT: Due to Mr. Miller being absent from the meeting, Mrs. Gill reviewed his report with the Board.

Opequon Well – Mrs. Gill reported that the issues with the Opequon Well Phase Converter were corrected upon the installation of new run and start capacitors.

Village of Peru – Mrs. Gill informed the Board that the Commonwealth is reviewing the application for the Village of Peru upgrade project and requested a cost breakdown for the project, which was provided during the meeting. HRG and Mr. Miller worked together to prepare the document estimating the total construction cost at \$335,170. The Board inquired about whether or not the total construction cost included the section of mainline that SCI Rockview indicated they would be installing at their expense. Mrs. Gill stated that she was unsure; however, this could be confirmed with Mr. Miller.

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

Mr. Capriani entered the meeting at 6:42 p.m.

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

HRG representation – Mr. Stover informed the Board that Steve Siegfried, P.E. will be leaving HRG by the end of this month and Adrienne Vicari will be the Authority's project manager. Mr. Stover will be attending the monthly meetings.

Contact List – Mr. Eby requested a contact list be prepared consisting of contact information for the Authority's engineer, solicitor and SBWJA. Mrs. Gill stated that she will prepare the contact list upon receiving updated information from HRG.

Act 57 Study – Mr. Stover stated that he inquired about the status of the Act 57 study and Ms. Vicari confirmed that once our Authority and Grove Park Associates (GPA) enter into a reimbursement agreement, the study can be completed. This would include GPA providing itemized infrastructure documentation to support the \$1,000 per EDU water tap fee they want the Authority to collect.

Mr. Capriani questioned the need for an Act 57 study if a reimbursement agreement is in place for the acquisition of the Grove Park Water System. Mr. Stover stated he would discuss this with Ms. Vicari and provide the Board with an answer.

Mrs. Gill informed the Board that to date the Authority has spent \$4,930.00 for the Act 57 Study with HRG.

EXECUTIVE SESSION: Mr. Eby recessed the Board for an Executive Session at 6:52 p.m. to discuss Real Estate. The meeting reconvened at 7:15 p.m.

GUESTS: There were no Guests present.

CORRESPONDENCE: There was no Correspondence presented for discussion.

OLD BUSINESS:

Grove Park Water System –Mr. Eby informed the Board that he met with Garen Smith, Grove Park Associates (GPA), following the last Board meeting to discuss the Authority's comments regarding the Letter of Intent he provided. The Board discussed moving forward with the acquisition of the Grove Park Water System with the following to be included with the Letter of Intent:

- The Board agrees to the general terms of the Letter of Intent which are:
 - ◆ \$2,000 Down Payment
 - ◆ \$1,000 Collected for GPA Per Lot for All Water Taps on Unsold Lots, Not to Exceed 40 lots
 - ◆ 5% Administrative Fee will be assessed for collection of each water tap, in addition to water tap collected for GPA
- All current customers of the water system must have a water meter installed based on BTWA's specifications and be inspected by December 31, 2010; GPA must provide a list of customers to be used for providing notification of intention to acquire water system and requirement for meter installation
- GPA must provide HRG with acceptable cost basis justification for Act 57 Study
- GPA to provide test reports, engineering records including, well drilling, testing and permitting results and documents, and record drawings
- GPA will provide record of Operation & Maintenance Costs for past 12 months
- GPA to provide SBWJA with written authorization to complete an inspection of water system including any testing and/or evaluations

Mr. Lanich moved, seconded by Mr. Capriani to authorize SBWJA to prepare and sign a Letter of Intent to Grove Park Associates for the acquisition of the Grove Park Water System incorporating the items discussed during the meeting and referenced within these meeting minutes; to include a \$2,000 down payment to Grove Park Associates with the signed Letter of Intent; to authorize the Authority's solicitor, Richard Campbell, to draft a sales agreement to be forwarded to the Authority Board before providing agreement to Grove Park Associates with the anticipation of the sales agreement being finalized during the 10/19/2010 meeting. 4 ayes, 0 nays, 1 absent. The motion carried.

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

ACTION ITEMS:

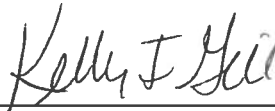
- **SBWJA to prepare and sign Letter of Intent to Grove Park Associates**
- **Richard Campbell to draft Sales Agreement**
- **SBWJA to prepare professional contact list to distribute to BTWA Board**

Next regular scheduled meeting is October 19, 2010 at 6:30 p.m.

ADJOURNMENT:

Mr. Capriani moved, seconded by Mr. Lanich to adjourn the meeting at 7:42 p.m. 4 ayes, 0 nays, 1 absent. The motion carried.

Respectfully submitted,



Kelly J. Gill, Recording Secretary

CC: Benner Township 10/20/2010

September 21, 2010

HRG

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State College, PA 16801
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September 21, 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)

At this time, there is nothing new to report.

Act 57 Tapping Fee Report (1494.007)

HRG spoke with the Authority's Chairman about the Grove Park Subdivision developer's desired reimbursement terms. The Authority could pay the up front cost of \$2,000 to the Grove Park Subdivision Developer for the takeover of the Grove Park Subdivision. In accordance with Act 57, the Authority is able to charge each lot connected after the take over the \$1,000 fee that is to be forwarded to the Grove Park Subdivision developer as part of the purchase of the system. The Authority will also be capable of charging an additional administration fee and the meter/installation fee that will be retained by the Authority.

Once the developer of the Grove Park Subdivision and the Benner Township Water Authority enter into a reimbursement agreement and the developer provides itemized infrastructure documentation to support the \$1,000 per EDU fee, the draft Act 57 tapping fee report can be finalized.

Peru Feasibility Study (1494.0425)

HRG forwarded a cost breakdown of the Village of Peru water system upgrade to Mr. Miller for the Centre County Planning Office.

We look forward to discussing these and any other issues at tonight's meeting.

Very truly yours,

Herbert, Rowland & Grubic, Inc.

Charles W. Stover II

Charles W. Stover II, E.I.T.
Water and Energy