

**UPPER MERION MUNICIPAL UTILITY AUTHORITY
MARCH 15, 2011**

The members of the Upper Merion Municipal Utility Authority assembled for their regularly scheduled meeting on Tuesday, March 15, 2011 at the Upper Merion Township Building, 175 West Valley Forge Road, King of Prussia, PA. The meeting convened at 7:00 p.m. and commenced with the pledge of allegiance.

ATTENDANCE

Stanley Channick, Chairperson
Edward Veneziaie, Vice-Chairman
Charles Smyrk, Jr., Secretary
Ronald G. Wagenmann, Executive Secretary
Nicholas Hiriak, Director of Finance
Edward J. O'Brien, Jr., Director of Public Works
Donald E. Burgess, Project Coordinator
Todd Silbergeld, Esq., Solicitor, Brown & Silbergeld, P.C.
Daniel J. Shoemaker, P.E., Consulting Engineer, S. C. Engineers, Inc.
Greg Waks, Supervisors' Liaison
James Ruddy, Assistant Secretary/Treasurer

ABSENT

Lynne Gold-Bikin, Treasurer

MEETING MINUTES APPROVAL

On a motion by Mr. Smyrk, seconded by Mr. Veneziaie with all voting "aye" the meeting minutes of February 15, 2011 were approved as presented. None opposed.

CHAIRMAN'S WELCOME

The Chairman welcomed Mr. James Ruddy, appointed a new UMMUA member at the Tuesday, February 17, 2011 Board of Supervisors Meeting.

APPOINTMENTS

On a motion by Mr. Smyrk and seconded by Mr. Veneziaie, and all voting "aye", James Ruddy was appointed Assistant Secretary/Treasurer.

SOLICITOR'S REPORT

Pennsylvania Department of Environmental Protection (PaDEP)

On behalf of Manko-Gold firm, the Authority sent a letter to PaDEP stating the Authority would not be installing influent flow meters at Trout Run WPCC. Manko-Gold will draft a follow-up letter that will include the entire conveyance and collection system.

Tredyffrin Sewage Agreement

Solicitor, Executive Secretary and Director of Finance are working on revisions to the Tredyffrin Sewage Agreement and will be meeting with Tredyffrin Township in April 2011.

Whitegate Development

The Authority has received the signed sewer easements from Whitegate Development. Solicitor is reviewing the easements and following up on omitted information.

Realen Properties

Executive Secretary has been corresponding with Realen on the Sewer Service Agreement. The sum of \$1,473,740 payable to the Authority is due by March 18, 2011 pursuant to the Sewer Service Agreement of March 18, 2008 and Addendum No. 1 of March 17, 2009. If payment is not received, Realen's sewer rights will cease.

ENGINEER'S REPORT

Tredyffrin Agreement – Pine Hill / Matsunk Agreement

The method for cost recovery was not satisfactory. The Agreement reflected inadequate information and should have reflected the original Tredyffrin Agreement at the Trout Run plant. Engineer is electronically sending to the Solicitor for review an updated agreement along with an exhibit showing Tredyffrin's reasonable share of the cost reflecting over 30 years. The current agreement was extended one year. Executive Secretary recently spoke with the Manager of Tredyffrin to schedule a meeting.

Executive Secretary gave a brief overview of the original agreement to the Authority which stated Tredyffrin pays only for their sewer flow usage. The Township had been absorbing all capital costs. Renegotiation of the Trout Run agreement stipulates Tredyffrin must pay their share of the capital cost upfront when new projects begin.

EXECUTIVE SECRETARY'S REPORT

Henderson Road – Hansen Access

The Transportation Authority will extend the sewer line and when it's complete it will become the Authority's responsibility. For now the Authority is waiting for a response from the businesses on Hansen Access Road. There are four properties. The engineer submitted the proposal showing the design of the sewer flow and the cost which included applying for permits from DEP and HOP. The previous cost quoted was outdated and incorrect. They have been updated with the new preliminary cost of the sewer line.

Casino

Executive Secretary reported the court granted the license. The other party has approximately 14 days to petition the Supreme Court. The Casino administrators will appear before the Board of Supervisors on Thursday, March 17 to advise them about the parking issues. When the appeal timeline has passed, they will submit applications for the building permits, etc. The Casino may be open for business by year 2012.

DIRECTOR OF PUBLIC WORKS' REPORT

Tredyffrin Interceptor

The contractor has over 1,000 feet of pipe laid.

Matsunk Sinkhole Investigation and Remediation

A sinkhole investigation was performed at Matsunk recently identifying voids. The contractor will be making repairs as of March 15.

Collection Systems

There were two exposed lines, one in Crow Creek that was repaired and one in Gulph Creek which consist of an exposed manhole and undermined sewer line. They are in the process of being repaired.

Le Bus

The Township received a letter from Le Bus' Attorney stating they will be appealing the violation and fine; and is requesting an administrative hearing. MIPP Coordinator will be speaking with Solicitor to review the ongoing issues. Environmental Protection Agency will continue to be updated. The amount due is over \$105,000 and must be paid in order to proceed with the hearing.

PROJECT COORDINATOR'S REPORT

PaDEP

The PaDEP Planning Module was rejected because of the Convention Center sewer flow usage. PaDEP is not recognizing the previously PaDEP approved Convention Center discharge which is over 30,000 gallons. The Authority is requesting an increase of 10,000 gallons to accommodate addition of the casino. The footprint of the building is not changing but the size and usage has increased. The plan must be resubmitted to reflect 40,000 gallons sewer flow usage for the project. Project Coordinator is in the process of researching, gathering information and submitting a completed report to PaDEP.

Henderson Road Widening

An issue arose about the Southern Red Oak Tree. Before work can continue, clearance is required with DC&R on the tree. Information has been submitted to DC&R for their review. If the problem has not been resolved it will impact the Sanitary Sewer line.

Project Coordinator announced his retirement as of July 1, 2011.

FINANCIAL REPORT

Director of Finance reported on the March 2011 Financial Monthly Report.

REQUISITIONS

ARRO CONSULTING, INC	\$870.00	7613	Matsunk Generator Project Construction Phase 1/8/11 – 2/4/11
ARRO CONSULTING, INC	\$1,800.00	7627	Tredyffrin Interceptor 1/22/11- 2/18/11
ARRO CONSULTING, INC	\$292.50	7628	Tredyffrin Force Main Construction 1/22/11-2/18/11
BROWN & SILBERGELD, PC	\$2,191.00	223	Professional Services to Authority 2/1/11-2/28/11
UPPER MERION TOWNSHIP % NICHOLAS HIRIAK	** \$101,096.16	MEMO OF 2/8/11	Authority reimbursement to Sewer Fund for 2010 Expenses
PHILLIPS BROTHERS ELECTRICAL CO	\$57,572.42	Pay. App. No. 2	Matsunk WPCC- Period Ending 2/25/11
NORFOLK SOUTHERN RAILWAY CO	\$165.00	9103012617	Lease of Grade Crossing Swedeland, PA 3/1/11-5/31/11

SC ENGINEERS, INC	\$1,690.95	2003-01-206	General Representation to Authority 1/3/11-1/31/11
SC ENGINEERS, INC	\$426.18	2003-19-32	Realen Development - Golf Course 1/3/11-1/31/11
SC ENGINEERS, INC	\$101.19	2003-21-26	Tredyffrin Interceptor 1/3/11-1/31/11
TOTAL:	<u>\$166,205.40</u>		

Requisitions were approved in the amount of \$166,205.40 on a motion by Mr. Smyrk, seconded by Mr. Veneziale. None opposed.

CORRECTION TO REQUISITION

Correction has been entered to the March 15, 2011 Requisition invoice list:

Incorrect Amount:

Upper Merion Township c/o Nicholas Hiriak \$15,862.37
 ➤ Memo of 02/08/11 – Authority reimbursement to Sewer Fund for 2010 Expenses

Total: **\$80,971.61**

Correct Amount:

Upper Merion Township c/o Nicholas Hiriak \$101,096.16
 ➤ Memo of 02/08/11 – Authority reimbursement to Sewer Fund for 2010 Expenses

Total: **\$166,205.40****

*** Please note the above correction was found after approval of the March 15, 2011 Requisitions submission and adjournment of same meeting. The Requisition packet had the correct invoice of amount to be paid; however, an incorrect amount was presented on the summary Requisition list.*

ADJOURNMENT

There being no further business to come before the Authority, the meeting adjourned at 7:36 p.m.

RONALD G. WAGENMANN
EXECUTIVE SECRETARY

Approved: 04/27/2011
 Entered: 04/27/2011