

UPPER MERION MUNICIPAL UTILITY AUTHORITY
FEBRUARY 15, 2011

The members of the Upper Merion Municipal Utility Authority met for their regularly scheduled monthly meeting on February 15, 2011 at the Township Building, 175 W. Valley Forge Rd., King of Prussia, PA. The meeting was called to order at 7:00 p.m., and commenced with the pledge of allegiance.

ROLL CALL: Stanley Channick, Chairman; Edward Venezia, Vice-Chairman; Charles Smyrk, Jr., Secretary; Lynne Gold-Bikin, Treasurer; Ronald G. Wagenmann, Executive Secretary; Nicholas Hiriak, Director of Finance; Edward J. O'Brien, Jr., Acting 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 and Bonnie M. Weikel, Recording Secretary. Also present was James Ruddy.

MEETING MINUTES: On a motion by Mr. Venezia and seconded by Ms. Gold-Bikin, the January 18, 2011 meeting minutes were approved. None opposed.

Executive Secretary's Introduction: The Executive Secretary introduced Mr. James Ruddy, who will be appointed at this month's Board of Supervisors Meeting as a new UMMUA member. Mr. Ruddy noted that he formerly worked on the Shade Tree Commission, works at the Farmers Market and is currently retired.

SOLICITOR'S REPORT: The Solicitor reported on the following:

Whitegate Development: The Solicitor has prepared and sent sewer easements to property owners at the Whitegate Development. We have received a few signed easements, and expect to receive the rest in the near future. He will update the Authority at the March 15, 2011 meeting.

DEP Meters: We are still awaiting a DEP document from Mr. Joseph Danco. The DEP verbally indicated that metering is required only at "joint/inter municipal connections".

Mr. Shoemaker noted that previously, a PO was performed by Mr. Jonathan Rindy on the wet test.

Valley Forge Colonial: The Sewer Easements and Amendment have been executed and recorded with the Recorder of Deeds.

LeBus: LeBus has made their first quarterly payment in the amount of \$3,000 for their fine.

Realen Properties: The deadline for the Sewer Service Agreement of March 18, 2008 and Addendum No. 1 of March 17, 2009 is on March 18, 2011. The payment is in the amount of \$1, 473,740 and should be made to the Authority. If the payment is not made, Realen's sewer rights will lapse.

The Solicitor suggested that the Executive Secretary send a notice to Realen regarding the March 18, 2011 deadline for payment.

The Executive Secretary noted that Realen is now in the process of working on the installation of the sewer line, pump station and force main.

ENGINEER'S REPORT: Mr. Shoemaker reported on the following:

Tredyffrin Interceptor: Staff met with the contractor at a pre-construction meeting regarding the force main extension for the Tredyffrin Interceptor. A Notice to Proceed and a Letter of Credit will be required from PennDOT.

The contractor met with the Convention Center personnel to determine a staging area for construction and to identify where the Convention Center's shows are held. Mr. Shoemaker stated that in speaking with Mr. Bohner of ARRO Consulting Company, an e-mail is to be sent to the Convention Center with the contractor's schedule, in an attempt to have the project move ahead efficiently.

Mr. Shoemaker stated that Mr. Bohner recommended that the areas of construction at 800 West Eighth Avenue and the adjacent property, Secure Drug Company, be contacted as to when the excavation will begin. The Secure Drug Company is a FDA approved, DEA secured site.

American Water Company: A major water line will be installed across the Schuylkill River, near the "Old" Rt. 202. The line will cross our Abrams Force Main. Mr. Shoemaker and staff reviewed the revised plans and indicated that the plans are satisfactory. The Collections System will issue a letter to American Water Company's engineer advising that the plans are satisfactory.

A two foot clearance will be required between our lines and American Water Company's lines and we have requested that they place markers, to indicate the location of our lines vs. their lines.

Chapter 94 Report: The DEP is requesting information for the Chapter 94 Report, which must be completed by the end of 2011. Mr. Shoemaker was placing his report on the Chapter 94 Report on hold until hearing what cost the DEP will be requiring from the Authority. He added that there are a number of options; but according to DEP'S Solicitor Joseph Manko, we should not have any cost. We will await his formal letter before we issue our final Report.

That Report will incorporate the comments from Solicitor Pizonka and the meeting that was held in August of 2010 with Mr. Wagenmann, Mr. O'Brien, Mr. Shoemaker and the DEP as to how they will interpret our capacity at the plant.

One local municipality refused to forward information to the DEP, noting that the DEP could appeal their response. To date, there have been no consequences.

We have meters in Tredyffrin's borders, a connection from Radnor for 12 homes and Bridgeport Borough. Bridgeport Borough would be responsibility for their meters.

EXECUTIVE SECRETARY'S REPORT: Mr. Wagenmann reported on the following:

Realen Properties: We received the executed Agreement from Little Washington Water Company. They are requesting an estimate of what the per-thousand gallon cost will be in 2012 for the Realen Properties.

Mr. Wagenmann and Mr. O'Brien will prepare an estimate as requested.

Mr. Wagenmann reiterated that Realen's first payment is due on March 18, 2011.

Henderson Road Sewer Extension: This project is being performed by the Transportation Authority as part of the Henderson Road Project. Their plans and specs have been given to staff regarding some small changes that need to be addressed, i.e., right-of-ways. The sewer extension should

begin this coming spring. The PennDOT Highway Occupancy Permit has been received for this project.

Wawa Super Market: The Wawa Super Market for the Henderson Road Project has been completely eradicated for this location.

Tredyffrin Interceptor: Mr. Wagenmann will meet with Mr. O'Brien and Mr. Shoemaker to renegotiate the Tredyffrin Interceptor Agreement for the flow that goes to the Matsunk WPC.

ACTING DIRECTOR'S REPORT: Mr. O'Brien reported on the following:

Tredyffrin Interceptor: The contractor has prepared a tentative work schedule for this project and intends to begin work on February 21st.

Matsunk Generator Project: A "hand-out" memorandum was distributed for the Matsunk Generator Project. Mr. Bill Wise of ARRO Consulting Company indicated that there are electrical issues associated with this project regarding the wiring, "as build" issues, breaker failures and trips. During the last expansion, there was a reduction in the size of some of the wiring. The wiring is not consistent with the plans and needs to be changed.

Swedeland Pumping Station: Mr. O'Brien reported that the design for the Swedeland Pumping Station has been completed. The Engineer contacted the Commonwealth Finance Authority regarding the H2O Grant that we applied for. The Grant has been tabled until March.

Le Bus: We have received the first installment of the \$3,000 fine from Le Bus. It appears that in the fourth quarter, they are in violation again. This fine can be approximately \$98,000.

Mr. O'Brien stated the EPA issued Le Bus a letter prior to this issue indicating that their reports were insufficient and incomplete. EPA is aware of this last violation and is in the process of issuing Le Bus a "Show Cause" letter. These issues consist of oil and grease, weight reporting and a failure to resample. They are to resample and notify the Township that the results were over regulations and must be completed within a month.

Mr. Shoemaker noted that Ms. Janet Serfass, MIPP Coordinator, is the person that should be responsible for these violation issues. If there is an appeal, she would be the proper person to discuss for legal issues against the Township. He further stated that if the Authority and Township do not comply with the rules and regulations, the EPA could also fine the Authority and Township. Le Bus may also be fined for a federal offense.

It was suggested that Ms. Serfass attends the next regularly schedule meeting. Mr. O'Brien agreed to ask Ms. Serfass to be present at that meeting.

PROJECT COORDINATOR'S REPORT: Mr. Burgess reported on the following:

Tredyffrin Interceptor: Mr. Burgess reported that PennDOT has a meeting scheduled with the contractor on February 16. A Letter of Credit has and the bonds have been returned to the bidders, as required by the Commonwealth.

Henderson Road Project: Mr. Burgess has a meeting scheduled for February 16, 2011 with several of the people on Hansen Access Road to review the option of tying into the pumping station at the Kunda Beverage site, which connects with Chef Bakeries. There may be five connections made. When completed, the pumping station will be dedicated to the Authority.

Lloyd: Mr. Lloyd has made another payment for his sewer connection and should be paid up in the near future.

FINANCIAL REPORT: Mr. Hiriak presented the monthly Financial Report.

REQUISITIONS:

UPPER MERION TOWNSHIP C/O Nicholas Hiriak	\$145,767.42	Inv. of 12-21-10 – Reimbursement – Semi-Annual Interest on 2009 A - GO Bond.
PENNSYLVANIA MUNICIPAL AUTHORITIES ASSOCIATION	580.00	Inv. of 1-28-11 – 2011 Active Membership Dues.
ARRO CONSULTING, INC.	190.00	Inv. 7242 – Tredyffrin Interceptor Expansion - 2-11-10 to 1-21-11.
ARRO CONSULTING, INC.	6,090.00	Inv. 7243 – Matsunk Generator Project - Construction Phase – 12-4-10 to 1-7-11.
BROWN & SILBERGELD, P.C.	4,334.50	Inv. 210 – Professional Services to Authority – 1-3-11 to 1-31-11.
SC ENGINEERS, INC.	859.02	Inv. 2003-01- 205 – Professional Services to Authority -11-29-10 to 1-2-11.
SC ENGINEERS, INC.	<u>680.92</u>	Inv. 2003-21-25 – Tredyffrin Interceptor Expansion – 11-29-10- 1-12-11.
TOTAL:	<u>\$158,501.86</u>	

Requisitions were approved in the amount of \$158,501.86 on a motion by Ms Gold-Bikin, seconded by Mr. Smyrk. None opposed.

ADJOURNMENT: There being no further business to come before the Authority, the meeting adjourned at 7:40 p.m.

**RONALD G. WAGENMANN
EXECUTIVE SECRETARY**

Approved: 03/15/2011
Entered: 03/15/2011