

**UPPER MERION MUNICIPAL UTILITY AUTHORITY
(UMMUA)
February 19, 2013**

The members of the Upper Merion Municipal Utility Authority assembled for their regularly scheduled meeting on Tuesday, February 19, 2013 at Upper Merion Township, 175 West Valley Forge Road, King of Prussia, PA. The meeting convened at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE

Edward Veneziale, Chairman
Charles Smyrk, Secretary
James Ruddy, Treasurer
Alan Boroff, Esquire, Solicitor, Brown & Silbergeld PC
Fred Ciotonni, P.E., Consulting Engineer, S C Engineers, Inc.
Carole Kenney, Supervisors' Liaison
David G. Kraynik, Executive Secretary
Edward J. O'Brien, Jr., Director of Public Works
Nicholas Hiriak, Director of Finance

ABSENCE

Stanley Channick, Vice-Chairman
Gian Singla, Assistant Secretary/Assistant Treasurer

MEETING MINUTES APPROVAL

On a motion by Mr. Smyrk, seconded by Mr. Ruddy, with all voting "aye" the meeting minutes of January 15, 2013 were approved. None opposed.

SOLICITOR'S REPORT

FRANCIS E. SCHULTZ, JR. (LAWSUIT FILED)

Francis E. Schultz, Jr. has filed a lawsuit against Upper Merion Township (*Township*) and Upper Merion Municipal Utility Authority (*Authority*) based upon a sewer backup. The matter has been turned over to the insurance company which is representing the interests of the Township and the Authority. In view of the insurance coverage, this claim will not have a material effect on the Authority's finances.

THE PIAZZA GROUP (INQUIRY OF PROPERTY LOCATED AT TROUT RUN)

Mr. Piazza's agent inquired about the purchase of property at Trout Run from the Authority. This was discussed under "New Business" and various questions were raised, particularly the zoning for the matter and the position of the Board of Supervisors. Additional questions were raised as to whether the sale could be private or public, and the amount of buffer that would be remaining. There was also a discussion that there should be a workshop before the Board of Supervisors to which the Authority is invited. Mr. Piazza's agent is requesting a site of approximately six (6) acres for parking and buffer. All agreed a decision by the Authority at this time was premature.

ENGINEER'S REPORT

O'NEILL GROUP (*BRIDGEPORT PROJECT*)

There has been no further activity. The Engineer is waiting for plans to be received on this project.

HIGHWAY IMPROVEMENTS (*SOUTH GULPH ROAD PROJECT*)

There has been no further activity. The Engineer is waiting for plans to be received on this project.

CHAPTER 94 REPORTS

Engineer is preparing the annual Chapter 94 Reports that have to be submitted to PaDEP by the end of March for Trout Run WPCC and Matsunk WPCC.

EXECUTIVE SECRETARY'S REPORT

TARGET

The Target project is moving ahead. Demolition permits have been issued and construction has started.

CHILI'S RESTAURANT (*ROUTE 202 AND SOUTH GULPH ROAD*)

The Board of Supervisors approved plans to demolish the existing restaurant, construct a new Chili's restaurant and install sidewalks and additional new landscaping.

AT&T RETAIL STORE AND CHIPOTLÉ MEXICAN RESTAURANT (*EXXON STATION PROPERTY*)

The Board of Supervisors approved plans to construct an AT&T Retail Store and a Chipotle Mexican Restaurant that will be located on the property occupied by Exxon Station.

SHAKE SHACK (*MALL BOULEVARD AND GODDARD*)

The Board of Supervisors approved plans to construct the Shake Shack Restaurant. Location selected is the rear of the mall (*Mall Boulevard & Goddard*).

BURGER KING (*ROUTE 202, LOCATION- MALL AREA*)

Development plans to demolish the existing restaurant and construct a new Burger King along with a drive thru have been submitted to the Board of Supervisors for approval.

CHILDREN'S HOSPITAL OF PHILADELPHIA (*CHOP*)

Development plans for a Specialty Care Center have been submitted to the Board of Supervisors for approval.

NEW BUSINESS (EXECUTIVE SECRETARY'S REPORT)

THE PIAZZA GROUP

On Wednesday, January 30, 2013 the Executive Secretary, Director of Public Works, the Consulting Engineer (*Fred Ciotonni, P.E.*) and UMMUA's Solicitor firm represented by Todd Silbergeld, PC met with Mr. Piazza and Joseph Orsatti- Land Planner, Orsatti & Associates, Inc. (*representing The Piazza Group*). Mr. Piazza is interested in developing a 22 acre site adjacent to the Trout Run WPCC property. The project involves construction of apartments, commercial properties and a hotel. There are some major issues that need to be addressed before a decision is made. Mr. Piazza expressed interest in meeting with the Authority and the Board of Supervisors to discuss and resolve the pending issues involved with this property and the project.

DIRECTOR OF PUBLIC WORKS REPORT

SWEDELAND PUMPING STATION PROJECT (ARRO – PSA AGREEMENT)

ARRO was authorized to produce a design for the Swedeland Pumping Station modernization project approximately seven (7) years ago. The economy dictated postponement of the project. The Authority budgeted funding for this project in 2013 and as a result a PSA was generated by William Bohner (*ARRO Consulting, Inc.*) to review the previous specifications of the modernization design and establish whether or not changes and/or updates need to be applied.

ROTARY PRESS PROJECT

The pre-bid meeting for the Matsunk Rotary Press Project is scheduled for Tuesday, February 26, 2013 and the Bid opening is scheduled for Tuesday, March 5, 2013 at Matsunk WPCC.

ARRO CONSULTING, INC. (*WILLIAM BOHNER, ENGINEERING CONSULTANT*)

SWEDELAND PUMPING STATION PROJECT (ARRO – PSA AGREEMENT)

Upon review of the previous specifications, William Bohner (*ARRO Consulting, Inc.*) surmised that changes are required to the modernization design. From a technical perspective the mechanical and electrical equipment have to be re-evaluated along with the technical specifications and plans. Work with manufacturers to ensure that there have not been any changes or adjustments to models and/or control equipment during the postponement.

On a motion by Mr. Smyrk, seconded by Mr. Ruddy, with all voting "aye" the motion to approve the PSA Agreement executed by ARRO Consulting, Inc. for the Swedeland Pumping Station Project was approved. None opposed.

FINANCIAL REPORT

The Monthly Financial Report for January 31, 2013 was presented.

REQUISITIONS

**UPPER MERION MUNICIPAL UTILITY AUTHORITY
REQUISITIONS
FEBRUARY 19, 2013**

PAYEE	AMOUNT	INVOICE NO	DESCRIPTION
BROWN & SILBERGELD, PC	\$986.00	492	Professional Services: Tredyffrin Sewage Agreement; CHOP at Realen; Orsotti/Piazza; Goodman Properties; 1/08/2013 - 1/31/2013 <i>(January)</i>
NORFOLK SOUTHERN RAILWAY COMPANY	\$224.32	90059823	Lease of Pipe <i>(Original Code)</i> Located at Upper Merion, PA; 01/01/2013 - 12/31/2013 <i>(January-December)</i>
PENNSYLVANIA MUNICIPAL AUTHORITIES ASSOCIATION	\$580.00	ID: 397	2013 Active Membership Dues
SC ENGINEERS, INC.	\$1,422.82	2003-01-229	Professional Services: On-Lot Septic System; South Gulph Road Sewer Relocation Project; Tredyffrin Invoice <i>(Matsunk Agreement)</i> ; 12/03/2012 - 12/30/2012 <i>(December)</i>
UPPER MERION TOWNSHIP	\$82,698.75	1242013	2009A General Obligation Bond Issue <i>(Authority's Share)</i>
TOTAL:			<u>\$85,911.89</u>

On a motion by Mr. Smyrk, seconded by Mr. Ruddy, with all voting "aye", the Requisitions for February 19, 2013 in the amount of **\$85,911.89** were approved as presented. None opposed.

ADJOURNMENT

There being no further business to come before the Authority, the meeting adjourned.

**DAVID G. KRAYNIK
EXECUTIVE SECRETARY**