

Mount Joy Borough Authority  
Pre-Authority  
February 18, 2014  
Minutes

The Mount Joy Borough Authority held its Pre-Authority meeting on this date in Council Chambers of the Borough Offices Building. Present were Chairman Gainer, Mr. Weidman, Mr. Hornafius, Mr. Rebman and Mr. Derr. Also present were John Leaman, Joe Ardini, Angie Fenicle, Jimmy Dennis with ARRO Consulting and Mike Davis with Barley Snyder. Chairman Gainer called the meeting to order at 4:00 P.M.

**Public Input Period.**

Mr. Nick Liazis from 307 West Main Street a/k/a Mount Joy Diner was present to inquire about an invoice he received for the overage of capacity used at his business. Mr. Liazis stated that Mr. Leaman and Mr. Ardini had met with him to discuss the invoice and how the permit allocation was issued to each commercial property. Mr. Liazis stated that he did not receive all the documents that were sent out for this program and has indicated that he did not receive his permit. Mr. Liazis feels that he should not be responsible for this invoice. Chairman Gainer stated that this program was put in place to manage the water and sewer commercial and industrial accounts. Chairman Gainer stated that staff will look into this matter regarding the mailing of the permits and other letters to be sure that staff did not have them returned. Mr. Gainer asked that he return for the next meeting on March 4<sup>th</sup> to discuss the findings. Mr. Liazis agreed to be present.

Mr. Ned Sterling from 13 West Main Street was present to inquire information on the additional acreage of land needed from the Borough to build the new water treatment plant. Mr. Leaman stated that the Authority approached the Borough for additional ground. Mr. Sterling asked why not pursue ground further north. Mr. Leaman stated that the more you go north the additional ground would fall into the flood plain. Mr. Sterling also asked about the additional 14 acres the Authority owns on the north side of Little Chiques Creek which is where well #3 is located. Mr. Sterling asked why the Authority cannot build the plant on that parcel of land. Mr. Leaman stated that after the tropical storm lee in 2011 the property was surveyed by ARRO Consulting and it was determined that if the plant was built on the 1.1 acres it would have been four to five feet under water. Mr. Sterling asked if the Authority could purchase additional ground on that parcel of land and Mr. Leaman stated that it is proposed to be developed in which the Authority would incur additional cost. Mr. Sterling asked if well 3 is in the flood plains. Mr. Leaman stated that the well is allowed to be in the flood plain in which the mechanicals on the well will be raised out of the flood plain. Mr. Sterling asked when the web site will be updated. Ms. Fenicle stated that the site continues to have some flaws in which staff is working with the web site company to resolve.

**Authority Manager Report.**

Mr. Leaman stated that Mark Harmon from ARRO sent another email to SRBC last week inquiring when the Authority could expect a response on the proposed monitoring plan. Mr. Todd Eaby responded that he would check on the status and report back. At this point, staff has not heard anything additional. Mr. Leaman spoke with the executive director at SRBC and mentioned that this project needs to keep moving, however without a response we are at a standstill. After ARRO submits the monitoring and testing plans, SRBC needs to review and approve before the Authority can conduct the test to determine if a temporary increase in allocation can be obtained.

Mr. Leaman informed the Board that he received the official letter from PA DEP approving the pilot testing waiver. Mr. Leaman stated that he didn't see any unusual conditions but would like Mr. Ben Movahed to review the letter as well. ARRO, Mr. Movahed and staff have scheduled a meeting for February 26<sup>th</sup> to discuss the design of the water treatment plant and the steps to move forward.

Mr. Leaman informed the Board that he was contacted by an Amish man that was referred from the appraiser of the barn. The gentleman is not interested in removing the barn and at this point he does not know of anyone that is in need for a barn. Mr. Leaman is in contact with another gentleman who has connections with the Amish community and if that would fall through, Mr. Leaman suggested advertising in the Lancaster farming classifieds. Mr. Derr also suggested making contact with Mr. George Desmond for some references.

Mr. Leaman stated that he will start making appointments this week with the bordering neighbors in regards to the new water treatment plant as requested by Borough Council.

Mr. Leaman informed the Board that he contacted the USDA and Pennvest last week to inquire about grant opportunities for the new water treatment plant. Mr. Leaman stated that they had conversations about our rate structure and it was determined that our project is not grant eligible due to our current water rates are below the threshold for consideration.

Mr. Leaman requested to schedule a meeting with the Administration Committee to discuss potential pay increases for staff and other budget suggestions to help staff prepare the proposed budget. This meeting is scheduled for February 25<sup>th</sup> at 9:00 A.M.

Mr. Leaman stated that staff met last week for our first meeting regarding the prepping of the new fiscal year budget for the year 2014-2015. The department supervisors will meet again to finalize each departments budget. Staff is recommending that we keep moving ahead with the meeting dates as set forth to allow Ms. Fenicle the whole month of March to prepare the draft budget and present it to the board at the first meeting in April. Mr. Leaman scheduled a meeting with the Finance Committee for March 3<sup>rd</sup> at 1:00 P.M. to present the proposed budget.

Mr. Leaman stated that Mr. Mike Davis from Barley Snyder brought an issue to his attention in regards to the deeds of dedication agreements that have been used over the last few years. This topic was brought to surface because Mr. Mark Stanley with Hartman & Underhill who represents Howard Boyd and Tom Kile was preparing an agreement in which Mr. Davis had noticed it was not the same language as the previous agreements done by Barley Snyder. After multiple of phone conversations and correspondences, Authority staff and Mr. Davis has a standard deed of dedication agreement that will be used for all developments. The agreement needs to be consistent and follow the Authorities rules and regulations.

Mr. Leaman reminded the Board of the Envision Award banquet is Tuesday, February 25<sup>th</sup>.

Mr. Leaman informed the Board that Mr. Josh Deering was appointed as the new Borough Council member. Mr. Leaman also stated that Mr. Deering is a Penn State alumnus and is talking with Borough Council and staff about the alumni association painting a mural on the back wall of the Borough Municipal Building. Mr. Leaman stated he will provide updates as he receives them.

### **Operations Manager Report.**

Mr. Ardini stated that staff repaired two water leaks that Aqua-Tech discovered at 704 West Main Street and Musser Road. After the repairs were made, Mr. Geltmacher has noticed some improvements but still thought there is another leak in the system. Aqua-Tech retuned and leaks were discovered at another location on Musser Road and one at the Cove. Staff is working on repairing the leaks.

Mr. Ardini stated that despite of the abundant snowfall, the Authority had no damage at its properties.

Mr. Ardini mentioned that Ms. Fenicle sent out the invoices for the overage of capacity to the commercial properties that exceeded their permitting allocation. There were nine properties that were affected and of the nine, three business owners made contact in which Mr. Ardini and Mr. Leaman scheduled meetings to discuss.

Mr. Ardini informed the Board that he was contacted by the home owners association of four seasons concerning a manhole that has sunk near Thoreau Drive and Hemmingway Lane. Upon investigation, the manhole did sink and the bottom section was separated from the top section. Mr. Ardini stated that he contacted CH&N for excavation and ARRO for remediation. It was determined to pour twenty yards of concrete in the excavated hole and replace the manhole and piping back into place.

Mr. Ardini stated that he receive a response from Sage Technology regarding the encroachment agreement. They would like to make two changes in which Mr. Ardini sent them to Mr. Davis at Barley Snyder for comments.

Mr. Ardini stated that he is currently in the review process of the booster station specification book while ARRO is working on creating the full plans. Staff will review when completed.

### **Business Manager Report.**

Ms. Fenicle provided to the Board a year to date budget report.

### **Consulting Engineer Report.**

Mr. Dennis provided updates on the following projects and developments:

Church Street Booster Station – ARRO has applied for a Public Water Supply Permit to DEP. ARRO received one comment on December 16<sup>th</sup> requiring a flow meter which was addressed on January 10<sup>th</sup>. An approved construction was received MJBA on January 30<sup>th</sup>. The surveyor was notified on February 3<sup>rd</sup> to schedule the work. However, due to the weather that survey can be pushed back a few weeks.

Pump Station #2 – ARRO received and the plans and specifications are complete. Desmond Construction has McMichael Consulting obtaining construction quotes.

Well 3 and New Water Treatment Plant – PA DEP provided written confirmation that the pilot testing has been waived on February 11<sup>th</sup>. The conditions of the waiver appear to be reasonable. ARRO is currently working with staff to update the cost and timeline which should be completed by February 27<sup>th</sup>.

The Villa's at Elm Tree Phase 6A – The recorded plans have been resubmitted on Feb 12<sup>th</sup>. ARRO is preparing a letter on behalf of the Authority and will be sent on February 19<sup>th</sup>.

Donegal Square Land Development Plan – ARRO is waiting for the PA DEP approved planning module in order to proceed to construction phase.

Reserves at Union School Phase 3 – The plans were received and resubmitted on January 23<sup>rd</sup>. A letter on behalf of the Authority will be sent on February 19<sup>th</sup>.

ABC Keystone Chapter Land Development Plan – The plans were resubmitted on February 12<sup>th</sup> to ARRO for review. ARRO has reviewed and drafted a response letter that will be sent on the Authority's behalf on February 19<sup>th</sup>.

Mount Joy Country Homes Phase 2A, 2B, and 3 – ARRO received plans on January 16<sup>th</sup> for review. ARRO has prepared a comment letter on behalf of the Authority and will be sent on February 19<sup>th</sup>.

Mr. Dennis also mentioned that he has been working with staff to update the water and sanitary systems mapping.

### **Minutes of the Previous Meeting.**

A **MOTION** was made by Mr. Hornafius and a second by Mr. Weidman to approve the January 21, 2014 meeting minutes; motion carried.

### **Unfinished Business.**

There was no unfinished business to discuss.

### **New Business.**

A **MOTION** was made by Mr. Derr and a second by Mr. Rebman to approve the proposal from LandStudies, Inc. for the facilitation of the repairs to Cove Park Spillway; motion carried. Chairman Gainer asked how this project will be funded and Mr. Ardini responded through the Water BR&I Fund. Mr. Ardini mentioned that some of the work will be completed by staff and is hopeful this will save the Authority approximately \$8,000.00; motion carried.

A **MOTION** was made by Mr. Rebman and a second by Mr. Weidman to approve the Developer's Agreement between Mount Joy Borough Authority and Mount Joy Partners for the Donegal Square Development; motion carried.

A **MOTION** was made by Mr. Hornafius and a second by Mr. Derr to approve the Source Water Protection Technical Assistance Program Agreement between Mount Joy Borough Authority and Pennsylvania Department of Environmental Protection (DEP); motion carried.

The Authority Board and staff had discussion on the water and sewer rate increases for the 2014 / 2015 fiscal year. Mr. Leaman mentioned that there have been multiple factors that come into play since the Authority has upgraded faulty meters in the service area. Mr. Leaman provided some information on the difference between increasing the current rate with a flat rate for each tier compared to doing a percentage increase. After a lengthy discussion, the Authority Board directed staff to project the income on a fifty cent flat rate increase on each tier. Chairman Gainer stated that this should give us a good starting point to see whether or not this will be sufficient. Ms. Fenicle stated that she will report her findings at the March 18<sup>th</sup> meeting.

The Authority Board and staff had a discussion on pump station 2. Mr. Leaman stated that he met with Mr. George Desmond regarding the three bids that were submitted to build the station, the agreements between Mr. Desmond and MJBA and the obligations of both parties. Mr. Desmond is questioning the agreement that was signed in 2001. The agreement states that the developer has the obligation to get pricing and build the station and is responsible for 29% of the cost while MJBA is responsible for 71% of the cost to the developer when the project is complete. Mr. Leaman stated that the pricing did come in much higher than what the quotes state back in 2001. Mr. Desmond mentioned that the agreement mentions to refurbish the station and Mr. Leaman stated that the decision was made sometime after 2001 to build a new station and demolish the old station because the structure was deteriorating. Mr. Leaman also stated that since the pricing submitted is much higher than anticipated, the 2012 Construction Fund was secured at \$500,000 during the bond sale which appears to not be enough. Mr. Leaman stated that staff and Mr. Desmond need to agree upon a time frame and a plan on when to start to build the station to help both parties determine how they are going to prepare for the cost of the station. Mr. Gainer asked that he be involved in the meeting with Mr. Desmond. Mr. Leaman stated that he will schedule the meeting within the next two weeks.

#### **Any Other Matter Proper to Come before the Authority.**

There was no other matter to come before the Authority.

#### **Authorization to Pay Bills.**

A **MOTION** was made by Mr. Derr and a second by Mr. Hornafius to approve Requisition No. 20 for the Water and Sewer Operating Funds; motion carried.

A **MOTION** was made by Mr. Weidman and a second by Mr. Hornafius to approve Requisition No. WBRI 14-4 from the Water Bond Redemption Improvement Fund; motion carried.

A **MOTION** was made by Mr. Derr and a second by Mr. Rebman to approve Requisition No. 15 from the 2012 Construction Fund; motion carried.

#### **Adjournment.**

There being no further business, a **MOTION** was made by Mr. Weidman and seconded by Mr. Derr to adjourn. Motion carried and the meeting adjourned at 5:56 PM.

Respectfully submitted,

John D. Rebman  
Secretary