

The regularly scheduled monthly meeting of the Municipal Authority of the Borough of Sinking Spring was opened on Tuesday, November 11, 2008, at 7:00 p.m., at the Sinking Spring Borough Hall, by Mr. Dennis Leiby. The following Authority members were present:

Francis Butkus (Absent)  
Dennis Leiby  
Jeffrey Mohn  
Kandis Moser

Others present were: Mr. Alex Morrison, ARRO Consulting, Municipal Authority Engineer; Mr. John Hoffert, Authority Solicitor; and Ms. Elizabeth White, Authority Secretary/Treasurer who recorded the minutes of the proceedings.

### **APPROVAL OF MEETING MINUTES:**

Mr. Leiby asked if everyone had a chance to look over last months meeting minutes and if there were any errors or corrections. Hearing none he asked for a motion to approve the minutes from October 27, 2008. Mrs. Moser made a motion to approve the October 27, 2008 minutes; seconded by Mr. Leiby. Motion carried.

### **ENGINEERS REPORT:**

Mr. Morrison presented the Engineers Report dated November 11, 2008. Copy attached.

#### Wastewater Treatment Plant Project:

Mr. Morrison stated that PaDEP has informed us that the project has been approved and a permit will be issued upon approval by the DRBC (Delaware River Basin Commission). He stated that the information is on the DRBC docket for review and that he does not expect any problems with it.

#### Dissolution of the Authority:

Mr. Morrison stated that Borough Council approved an Ordinance to assume the Authority debt and that approval from DCED (Department of Community and Economic Development) is required.

#### Infiltration and Inflow Study:

Mr. Morrison stated that there has been no additional contact from ADS.

**ENGINEERS REPORT: (Cont.)**Traditions of Sinking Spring:

Mr. Morrison stated that the planning module was approved by Borough Council and is contingent upon the Corrective Action Plan (CAP) being implemented. He stated that the CAP includes the upgrade and minor expansion of the treatment plant.

Mountain Home Road Sanitary System Additions Project:

Mr. Morrison mentioned that there was a low level alarm problem that was fixed. He also mentioned that they ran another pump test and the pumps performed well.

Mr. Morrison mentioned that on the second page of the report there was a revised letter to the home owners on Mt. Home Road. He stated that as discussed at the last meeting they added the statement concerning the property owner contacting the Borough if they will have problems paying the tapping fee. He stated that both the Borough and the Authority would have to consent to the letter before it went out to the property owners.

Inter-Municipal Agreement (I.M.A.):

Mr. Morrison mentioned that the Borough solicitor has agreed to meet with any interested party. He stated that Mr. Fitzpatrick has proposed some dates but most of them have passed. He stated that he will contact him again and get new dates.

Mr. Morrison mentioned that Mr. David Schlott Jr. has prepared a memorandum addressed to the Borough Council and the Authority members. He stated that it basically goes back as far as the 500,000 GPD plant and steps through the capacity; who owned what capacity, when they owned it, when things were transferred, and how they were transferred. He stated that it comes down to the final value of present capacity reserved followed by capacity allocation based on the proposed agreement. Mr. Morrison stated that they did this for historical purposes because there has always been some confusion on where capacity went and who had what.

Mr. Morrison mentioned that Mr. David Bright of Spotts Steven and McCoy also provided to Mr. Schlott the electronic copy of the drawing that goes in the Inter-Municipal Agreement so that everyone could have a color copy which he has handed out. He also mentioned that he handed out copies of the sewer line drawing for the Borough which ultimately needs to be expanded to include all of the neighboring municipalities' sewer lines as the information is gathered.

Mr. Morrison asked if there were any questions and stated that he is willing to go through the memorandum.

**ENGINEERS REPORT: (Cont.)**

Mr. Leiby asked if we needed a motion for the Mt. Home Road letter. Mr. Morrison stated that the Authority could make a motion if they wanted to but that he only needs the consent of the Authority members. Mr. Leiby asked if everyone was in agreement with the letter to which they stated yes.

Mr. Morrison mentioned that he also attached the letter from PaDEP to the back of the Engineers Report. He stated that the letter states that they have approved the treatment plant project and that they are withholding the permit until they get the commission's review.

**JOHN HOFFERT:**

Mr. Hoffert stated that he has had various correspondence and e-mails back and forth with Mr. Moravich, attorney for the Wilson School District. He stated that they have finally come to an agreement as to how to prepare the letter which he sent on November 11, 2008. He stated that he included in the letter the exclusiveness of the collection costs assessed by Lower Heidelberg Township. He mentioned that he also stated in the letter that it was based on the information which he received so that it got the engineer off the hook as far as him not certifying anything.

Mr. Hoffert mentioned, as Mr. Morrison had mentioned earlier, that he received an e-mail from Mr. Fitzpatrick to set up various times for a meeting, it was never consummated. Mr. Hoffert stated that it is almost a mute issue since the Borough has passed the Ordinance assuming the Authority debt. Mrs. Moser stated that as long as they don't want us to sign the agreement it is fine. Mr. Morrison stated that they would still like to meet, and if possible, get the Authority's signature if they can provide the Authority with the education that they are looking for so that the Authority is comfortable in signing it. He mentioned that what they would really like to avoid, as the Borough, is a letter, which we discussed sending from the Authority, saying that we disagree with it and cannot support it. He stated that they would not want that letter sitting around perpetually saying the Authority never agreed with it so they would prefer to meet, go over it, and answer any questions to the point that the Authority would feel comfortable to actually sign the agreement.

Mrs. Moser mentioned that at the last meeting the Authority had asked Mr. Hoffert to send a letter listing our concerns with the agreement. She asked Mr. Hoffert if he received a response to that letter. Mr. Hoffert stated that he received a phone call from Mr. Fitzpatrick and that he has been very cooperative. He stated that Mr. Fitzpatrick and Mr. Schlott wanted to meet one on one to go over it and that is why Mr. Fitzpatrick sent the e-mail with the various dates that he could meet.

**JOHN HOFFERT: (Cont.)**

Mrs. Moser stated that she is still very uncomfortable with the letter to the Wilson School District. She stated that she doesn't believe that it has anything to do with the Sinking Spring Municipal Authority and that the letter should have come from Lower Heidelberg Township. Mrs. Moser stated that she would like a letter to be sent to Lower Heidelberg Township explaining why we sent the letter. Mr. Hoffert stated that if we want a letter sent then we should make a motion to that affect and he will send a letter. Mrs. Moser made the motion to have Mr. Hoffert send a letter to Lower Heidelberg Township explaining why we sent the letter; seconded by Mr. Mohn. Motion carried.

**APPROVAL OF BILLS:**

Ms. White mentioned that we received another bill from Reinsel for another \$650.00 to cover the audit. Mr. Leiby explained that we were still holding another bill from Reinsel for \$1,400.00 until something was corrected. He stated that he does not know what this other bill for \$650.00 is for and would like more information on it. Mrs. Moser made a motion hold this additional bill for \$650.00 until we are sure the audit is correct and have more information; seconded by Mr. Mohn. Motion carried.

Mrs. Moser asked how much we paid the auditor last year and if we received a proposal from them. Ms. White stated that last year we paid them \$2,475.00 and that she did not believe that they had submitted a proposal.

Mr. Leiby went over all of the bills as listed below.

One bill from the Reading Eagle in the amount of \$47.85 for advertising the rescheduled meeting.

One bill from Mr. Hoffert in the amount of \$350.00 for services through November 11, 2008.

One bill from Ms. White in the amount of \$90.00 for services through November 10, 2008.

Mr. Mohn made a motion to approve all of the above listed bills except Reinsel's; seconded by Mrs. Moser. Motion carried.

**TREASURER'S REPORT:**

Mr. Leiby asked if everyone had received a copy of the Treasurer's Report dated November 11, 2008 and if anyone had any questions. Motion was made by Mrs. Moser to accept the Treasurer's Report; seconded by Mr. Mohn. Motion carried.

**ADJOURNMENT:**

Mr. Leiby asked if there was anything else for the good of the order and asked for a motion to adjourn.

Mrs. Moser made a motion to adjourn at 7:35 p.m.; seconded by Mr. Mohn. Motion carried.

Respectfully Submitted,

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Elizabeth White  
Municipal Authority Secretary/Treasurer