

The joint workshop meeting of the Borough Council and the Municipal Authority of the Borough of Sinking Spring was called to order on Wednesday, May 28, 2008 at 6:30 p.m., at the Sinking Spring Borough Hall by President Stewart Wenrich. After the Pledge to the Flag, Regina Shade called the roll reflecting the following Council Members present:

Stewart Wenrich
Bruce Light
Barbara Kutz
Lawrence Schmidt
George Butkus
James Zerr
Elizabeth Sloan (absent)

Authority Members:

Francis Butkus, Chairman
Dennis Leiby
Brenda Messina
Jeffrey Mohn
Candy Moser

Other officials present were: Mayor Clarence Noecker; Charles Fitzpatrick, Borough Solicitor, Michael Hart, Public Works Director, David Schlott, ARRO Consulting, and Regina Shade, Borough Secretary/Treasurer, who recorded the minutes of the proceedings.

Authority officials present were: John Hoffert, Solicitor, Alex Morrison, ARRO Consulting, and Elizabeth White, Secretary.

COUNCIL PRESIDENT – STEWART WENRICH:

Mr. Wenrich stated that the parade this past Monday was excellent. He thanked Wernersville for allowing us to participate and wanted it known that he felt the parade was a huge success.

VISITORS:

Mr. Jay Vaughan of Spring Township addressed Council on behalf of the Supervisors of Spring Township. He handed out a letter to Council. Mr. Vaughan read the letter. The letter was an invitation to sit down with them and discuss the possibility of providing a regional facility as opposed to two (2) separate wastewater treatment plants on the Cacoosing Creek. In addition to Council, members of the Authority also received copies of the letter. Mr. Vaughan stated the only request that they have is if Council or the Authority does not wish to sit and talk or if they are interested in discussing this further, that a letter be sent informing the Township of our thoughts. The Township has submitted an ACT 537 Plan which indicates that the Township will need to expand their plant within the next few years. Mr. George Butkus questioned if this new structure would be neither their plant nor our plant. Mr. Vaughan feels there is unlimited potential. The

VISITORS (cont'd):

Township plant is paid for. He continued that they are not advocating anything however before both municipalities spend money, they were wondering if it wouldn't be worth sitting down both sides and see if there is something that can be done so both don't need to spend lots of money. Can something be done that will benefit both municipalities? Mr. George Butkus wondered if we have the time to wait as we backed ourselves into a corner. Mr. Schmidt stated we are years away from having a plant built. Mr. Butkus stated next year is when we are in the projected overload. Mr. Butkus stated he did understand there was a difference between a projected overload and an actual overload. His understanding was that DEP is looking at what your projected overload is. You are supposed to stay ahead of the curve. Mr. Schmidt stated this discussion should go on with just Council. He stated Mr. Vaughan made the proposal; he believes we should let me go and get back to him with a response. Mr. Vaughan was just asking to get back to him with an answer. Mr. Wenrich thanked him and told him that they will discuss this along with the Authority. Someone will get back to the Township. Mr. Schmidt questioned if there was a timetable involved. Mr. Vaughan said they would like to hear something within the next month or so. The next Supervisor's meeting is the 9th of June. It is the second and fourth Mondays of the month. He continued that he hopes within thirty (30) days they could hear something. Mr. Vaughan thanked Council.

NEW APPOINTEE:

Mrs. Shade stated there is an opening on the Municipal Authority because of the resignation of Mr. Biggs. She continued that we did receive a letter from Mr. Thomas Angstadt of 26 Krick Avenue dated January 8, 2008 stating he would like to serve on the Authority. Mrs. Shade did try contacting him both via e-mail and telephone. She received an e-mail stating that he could not serve on the Authority at this time due to a 12 hour rotating work schedule. About the same time we received a letter from Mrs. Kandi Moser requesting she serve on the Authority as well. Mr. Butkus stated that Mrs. Denise Stine told him that if a position became available on the Authority she would like to serve however he did not forward that information to Mrs. Shade. Mr. Wenrich stated being that we have received a written letter from Mrs. Moser he was looking for a motion to appoint her. Mr. Schmidt made a motion to appoint Mrs. Moser to the Municipal Authority; seconded by Mr. Light. AYES – 5, NAYS – 1 (Mr. Butkus); motion carried. Mr. Wenrich questioned how many seats were open. Mrs. Shade stated only one (1). Mr. Wenrich stated that if Mr. Butkus has contact with Mrs. Stine, he would like her to submit a letter of intent. Council welcomed Mrs. Moser to the Authority.

PUBLIC SAFETY – JAMES ZERR:

Mr. Zerr stated that our new fire rescue squad was damaged at an accident. He continued that it was in Lower Heidelberg Township. It was parked and the towing company was up righting the vehicle out of the ditch. It was up part way up on the road and it started teeter tottering and the driver thought he could just pull it up. It landed on all four (4) wheels and rolled right into the new truck. It needed a brand new front bumper and the towing company will be buying the bumper. Otherwise it is okay.

BUSINESS:

Mr. Wenrich would like to see this meeting not last more than two (2) hours. He requested that statements be brief and to the point.

This is a joint meeting of the Borough Council and the Municipal Authority. Back in February, Mr. Wenrich asked the Authority if they would be interested in becoming a working Authority. He wanted them to come up with a game plan. Mr. Fitzpatrick stated we need to find out from the committee what the finding of their research was. Mr. Butkus stated we had one (1) meeting and then at the next meeting we authorized Mr. Fitzpatrick to begin the paperwork to make them a working authority. It was his understanding since we were moving ahead with making them a working authority that the group did not need to meet anymore. Mrs. Shade stated that was correct it is in the minutes that way. Mr. Fitzpatrick said one (1) of the issues that was raised is he does not know if there was any discussion by the Authority whether they will accept that responsibility or not. It was reported to him that at the last meeting of the Authority there was no discussion of that issue. Mr. George Butkus stated that was partially untrue. There was no discussion on that specific issue however there was a discussion on the operational expenses of the Authority for several of the maintenance projects that have been going on. There was a discussion on the Authority's monies can't cover the maintenance and operation fees those monies need to come out of the sewer revenue account. He continued there was not a heavy debate as they thought they were becoming an operating authority and they thought they would proceed in the best interest of the system. Mr. Fitzpatrick stated there was certainly doubt in some people's mind as it was referred to him. The information that was given to him was that the matter was not discussed. If that is not the case and the Authority is willing to take this on then there is a need to discuss the breakdown of who is going to do what in achieving the creation of an operating authority. Mr. George Butkus asked at what point in time the Authority or the Solicitor from the Authority received written notification that it was Council's decision to go ahead and that we needed a definitive yes or no answer. To his knowledge they never received anything in writing and since they didn't receive anything in writing they didn't know they needed to do anything. Mr. Schmidt said it was a motion at a Council meeting. Mr. Wenrich said at the April 16th meeting we discussed making the Authority a working authority, the solicitor was charged with getting information and paperwork in order to get the ball rolling as far as our side goes. At that time Mr. Wenrich was hoping that when the Authority met recently they would have an outline or a game plan ready to accept the responsibility of taking it over. Mr. Wenrich stated that he and Mr. George Butkus had a conversation where Mr. Wenrich asked Mr. Butkus to get the ducks in the row so that when the time comes they are ready to go. He would have hoped the Authority would have discussed staffing, a chain of command, who will be operating it, office locations, and all the little stuff. In addition, he was hoping that they would have begun looking into getting funding. Mr. George Butkus stated they have authorized their engineer to start looking into that. The Borough will have to pitch in. Mr. Wenrich feels there needs to be a structure of command and then you build from that point. Once you have the personnel in place then what do you need from there. The second phase would be what funding is available. Mr. Francis Butkus stated Council took action however there was no official communication between Council and the Authority. He sat at the meeting and heard this however if he was not at the meeting he would not have known this. He feels he should have been given a directive as it is now it is only hearsay. Mr. Wenrich said, no, it wasn't down on paper however you were at that meeting and you as head of Authority heard it. In addition, there is

BUSINESS (cont'd):

Council representation, who is head of the Sewer Committee was told directly. It is in the minutes. If you need a written letter we can provide that however it was a little disheartening but the feedback that we received there were no steps taken or discussed. Mr. Francis Butkus stated that is exactly why it wasn't discussed. They received no official notification and without that we were advised to do nothing. Mr. Francis Butkus went on to state how this has been this way for quite some time. Mr. Wenrich stated he didn't want to have anyone get up on their "soapbox" about this. He continued that he was only a phone call away. Mr. Francis Butkus could have asked Mr. Wenrich for something official and he would have been more than happy to give him the letter. Mr. George Butkus stated part of the problems we have today with some of the documents is because at that time we did things with a handshake; we did it verbally. Mr. George Butkus questioned what are the steps we need to take? Mr. Fitzpatrick said one (1) of the things you need to decide and this would be the Authority's decision is in regard to employees. Is the Authority going to hire employees or are they going to want to enter into an agreement with the Borough to hire or retain the Borough employees for Authority work. If this is going to be done those papers would need to be drafted. Another issue is the location of these employees; is the Authority going to rent space from the Borough for these employees or are they going to work at the plant. There are collection issues along as billing issues. All of these items are going to need to be discussed so if agreements are needed we can create them. The leases will need to be cancelled. The debt structure that the Authority currently has will probably remain the same as the Authority owns the debt. Embarking on an ambitious expansion probably will make the Borough have to guarantee the debt. Those issues will need to be discussed. Mr. George Butkus questioned if the expansion is part of this issue. Mr. Fitzpatrick said it doesn't have to be decided at the creation of the operating Authority however all parties must know what is involved. It does not absolve the Borough of total responsibility of the system because according to Bond Council it's not likely the Authority could get a good rate without the Borough guaranteeing the debt. Mr. George Butkus stated he did not know how much they would need to borrow for the new debt. If it is the numbers that have been discussed it is certainly significant and that would require the Borough to act as guarantor according to Mr. Fitzpatrick. Mr. Fitzpatrick stated he did not know how the letter Mr. Vaughan read will impact this as well. If there is a creation of a regional plant it might be easier if the Authority is an operating authority. A brief discussion ensued. The Authority will continue to be appointed by Borough Council. They will not be elected by the people of Sinking Spring. Mr. Wenrich stated this isn't an official agreement; that will happen when the Authority becomes an operating authority. This will be well documented. Mr. George Butkus stated that was true but by the same token we didn't notify them of what was needed from or expected from them. Mr. George Butkus assumed that Mr. Fitzpatrick would be contacting them and telling them these are the forms that needed to be filled out and this is how we should proceed. Mr. Fitzpatrick questioned how was he to get paperwork together when he had no direction. He knows nothing on how the Authority will be structuring things. Mr. George Butkus did not know that was a question and he did not know whether the Authority knew anything about this. He was not blaming Mr. Fitzpatrick he was just pointing out the confusion. Mr. Light feels maybe we should hold off on doing anything till we see which way we are going with Spring Township. Mr. Wenrich said we have to sit down as a Council and review it. The Authority needs to sit down and discuss this and together we come up with an answer for Spring Township. Mr. Francis Butkus said what was presented by Mr. Vaughan was nothing different then what was presented to them four (4) years ago. They promised us an answer

BUSINESS (cont'd):

in ninety (90) days; three and half (3 1/2) years later we are still waiting for that answer. They are now coming back with the same proposal. We can't afford to hold on any further; we have already submitted a corrective action plan to DEP. Mr. Wenrich stated we aren't saying we have to sit here and wait for that. We need to look at every aspect that comes forth for the best of the residents. He might not be in favor of it however it does need to be looked at. Mr. Francis Butkus stated that the answer was put in back then; that making a joint authority would be the best financially for everyone. It should have come into our plant for many physical reasons of which he explained. Mr. John Hoffert, Solicitor for the Authority, addressed Council. Mr. Hoffert stated that the reason the Authority did not pick up the ball and run with it was because they were not 100% sure this is exactly what Council wanted. Mr. Hoffert believes the Authority will accept the challenge of making this a working authority. Mr. Hoffert said he was not sure as not that long ago Council was going to disband the Authority. Mr. Hoffert does not feel we should wait until we talk with Spring Township. We should move ahead and perhaps then speak with Spring too. Mr. Light does not want to hold this up he just feels we should talk to Spring Township. Mr. Zerr had a question for Mr. Francis Butkus. Mr. Zerr stated that Spring Township approached you over four (4) years ago. He questioned why didn't Mr. Francis Butkus pursue this? Mr. Francis Butkus stated they did pursue it. If you think that making this a regional authority would have been the best for everyone why didn't you keep pursuing it, Mr. Zerr questioned. Mr. Francis Butkus stated they disbanded their Authority. Mr. Zerr said then why didn't you pursue the Supervisors? Mr. Francis Butkus said they went back on five (5) separate occasions and all they heard from Spring was 'we are waiting on a report from our engineer'. Mr. Francis Butkus said at the meeting with Mr. Vaughan that if we aren't here for the good of all residents then we shouldn't be here at all. Mr. Schmidt was at that meeting and he agreed with Mr. Francis Butkus. Mr. Francis Butkus explained how everything happened. Mr. Francis Butkus stated back in 1972 the Army Corp. of Engineers that were part of the Delaware River Valley Basin felt one (1) of the two (2) plants should be closed. It was easier for Spring to flow to us as we had a newer plant. Mr. Schmidt stated we are not here to discuss this right now. Ms. Messina questioned why Mr. Zerr was so concerned about what happened over four (4) years ago. Mr. Zerr said he was not upset. He said now it is here again why didn't we do this four (4) years ago. Mr. Zerr questioned Mr. Francis Butkus; he said you feel this is the best thing (regionalization) that could happen for the residents. Mr. Francis Butkus said at that time it was. Mr. Zerr questioned Mr. Francis Butkus how he feels right now. Mr. Francis Butkus said "yes" he does believe it would be in the best interest as long as it does not inhibit our plans to move ahead now. Mr. Zerr questioned with the upgrade do we know where we stand with the ACT 537 Plan. Mr. George Butkus stated there is no change to the plan. Mr. Zerr's question is does an ACT 537 Plan need to be in place so we can upgrade the plant. Mr. George Butkus stated we already do have an ACT 537 in place. Mr. George Butkus stated our plan is in place, was filed with DEP and has been approved by them. Depending on what we are doing we don't need to do a new ACT 537. Mr. Zerr rephrased his question. We have a completed ACT 537 filed with DEP plan. Mr. Alex Morrision explained that we do have the ACT 537 in place. However since we are in a projected overload DEP is making us file a CAP (corrective action plan). We have already submitted that telling them how we will proceed. Mr. Wenrich stated then it is an amendment to our submitted plan. A brief discussion ensued as to the ACT 537 plan. Mr. Zerr questioned Mr. Butkus since the Township completed their ACT 537 plan it appears they are in the same boat we are. Mr. Francis Butkus stated true however there are some things Mr. Zerr did not understand. That specific section on Spring he is not sure what it says exactly. All neighboring reports are in

BUSINESS (cont'd):

there and how they impact us. Mr. George Butkus stated going regional would mean an amendment to the ACT 537. Mr. Wenrich stated if we went regional we probably would need a totally new ACT 537. Mr. George Butkus stated that Spring was working on this ACT 537 since before he got on Council. The Chapter 94 Report is an annual report that goes to DEP explaining your flows. More or less, he continued, it is a warning device that shows them if you are or aren't in an overload situation. Mr. Wenrich questioned if their plant was smaller than ours. Mr. Francis Butkus believes they are rated at 1.2. He has heard they were in overload however he was not sure if they were in a hydraulic or organic overload. Mr. Wenrich stated if you look at the Township's footprint and then look at the Borough's footprint, he can't believe they wouldn't be in overload. Mr. Francis Butkus stated that they have four (4) different districts they send to. Mr. Wenrich understood that however with all the development that is going on he can't believe they aren't overloaded. Mr. Schmidt thinks we need to know what Spring Township's plan is. Mr. Wenrich agreed. He asked Mr. Schlott about the paper upgrade. Mr. Schlott stated we are in a projected hydraulic and organic overload. One (1) of the options was to work on the I&I which would eliminate flows to the plant which would help with the hydraulic overload at the plant. At the same time do a paper rerate to increase the organic capacity at the plant. ARRO recommended not going that route. One (1) reason was that they were not secure enough that you would get enough capacity with the I&I abatement program. If you are going to rerate the plant you should try to get the hydraulic as well as organic. Mr. Schmidt bought into that; however now given the letter from Spring how much do we have to do to upgrade the plant in the immediate future to handle the problems we have; a minimal upgrade. Mr. Schlott thought that is what we were doing. We were increasing the capacity by 250,000 gallons. This upgrade includes the headworks, the new pump, and the reed beds. The only question then is the new clarifier. Mr. Schmidt now comes back to Mr. Schlott and said can we back away from the clarifier in light of the letter. The paperwork needs to be done so we can apply for a DEP permit by July 15th. Mr. Schmidt asked Mr. Schlott what is his best guess for the start of construction. Mr. Schlott said you have to bid it. We are about one (1) year away from construction. Mr. Schmidt asked Mr. Schlott if we move forward with these upgrades and look at this, would that be the best idea for saving money for the Borough. Mr. Schlott questioned if you were looking for the minor upgrades to 1.25 and look at the plan with Spring as well. This would not include the clarifier. Mr. Schmidt said that is the highest costing item. Mr. Schlott stated whether we have the clarifier in there or not we are still looking at the same start date. Mr. Schmidt stated he is only looking at saving money. He doesn't want us to spend six (6) million dollars and then say, oh let's go with this. Then we haven't done right for the people, Mr. Schmidt said. Mr. Wenrich said if we are looking at the regional plant what type of mega facility are we going to have to build or modify our plant to meet what this demand might be. Mr. Schmidt agreed. Mr. Schmidt wanted to continue with the upgrades however just maybe we should get their money and expand our plant into a much bigger facility. Mr. Schlott said what they are proposing is the expansion of their plant. Mr. Schmidt stated it doesn't say that in the letter. Someone said it might be implied. Mr. Schmidt said that they want a regional facility that is what it says rather than two (2) separate wastewater plants. Mr. Wenrich said he sounded like one (1) will be closing. Mr. Schmidt stated we have more land than they do. Mrs. Kutz was thinking the same. Mr. George Butkus questioned if we do everything and don't include the clarifier do we get enough out of the upgrades. Mr. Schmidt said we aren't beginning construction for a year. Within that year we should know which way we are going.

BUSINESS (cont'd):

Mr. Wenrich understood what Mr. Schmidt was saying. We could add that in up until construction. Mr. Schlott said you can add it in but the issue would be you wouldn't have the permits you need. Mr. Schlott explained about the permits. Mr. Morrison stated without the clarifier it will not be a 1.25 upgrade which would not get us out of the projected overload. Mr. Schmidt stated that was not what he was told. He thought we could upgrade without the clarifier. The clarifier was a nicety which Miller requested a long time ago. The BCM said the same thing. ARRO answered BCM's report by saying that the capacity of the two clarifiers, they did not feel comfortable with increasing the capacity from 1 MGD to 1.25 MGD without the inclusion of the additional clarifier. Mr. Francis Butkus said if you don't put that in, you don't have enough slack space. You can't build a clarifier overnight. Mr. Francis Butkus stated it would be much more cost effective for them to come into us. Mr. Schmidt said with all due respect but there has been a lot of political problems with this one (1) of them being South Heidelberg Township. When South Heidelberg decided they wanted to go to Spring it put a whole new light on Spring. Mr. Francis Butkus stated that Mr. Vaughan said in the meeting that the reason the pump station was never built was because their Authority never asked him to. That was an untrue statement; they were asked four times. The reason this was not put in was not ours or South Heidelberg's. Mr. Schmidt questioned where we were in those negotiations. Mr. Fitzpatrick stated he spoke to Ms. Heidi Masano. She has forwarded her comments to Mr. David Bright. Mr. Hoffert received a copy of it. We are getting closer. Mr. Fitzpatrick stated the letter was vague. He went on to say does it include Lower or South Heidelberg. Mr. Wenrich stated we have one important thing on the agenda for the June meeting and that is the contract with Miller Environmental. Mr. Wenrich asked if we could get a one (1) year extension or perhaps a one (1) year contract. Mr. Fitzpatrick stated a contract could be negotiated. Mr. George Butkus questioned if we don't object then we could move ahead. Mr. Wenrich wanted an answer by the June 5th meeting. Mr. Francis Butkus stated we would be crazy for getting rid of them. He would like to keep Miller. They know the plant and if an expansion happens they are ready for it. Mr. Peter Juzyk stated there would be an amendment of \$726 a month to handle the pump station on Mt. Home Road. He also included a few options, one of which opening up negotiations with all parties till something is done. There are a lot of options. Mr. Wenrich wanted something ironed out at the June meeting; he is trying to be proactive. Mr. Schmidt made a motion that the Borough will accept a contract from Miller Environmental via a letter; seconded by Mr. Butkus. Mr. Wenrich asked for a roll call vote. AYES – 6, NAYS – 0, ABSENT - 1; motion carried. Mr. Wenrich asked Mr. Francis Butkus to poll his group. They all said yes to have Miller send us a contract. Mr. Zerr had a few financial questions. He asked Mr. Francis Butkus why after the Authority was notified they might be disbanded did they Authority take a substantial amount of money and pay down the low interest debt. Mr. Francis Butkus stated they were obligated to use those funds for either a capital improvement or to pay down the debt. If they were going to dissolve then they would be doing no capital improvements so they had to pay down the debt. They took \$638,000.00 and paid down the note. According to the bank's figures they saved \$434,000.00. Mr. Schmidt said in light of what needs to be done now, that doesn't seem so good. Now, we have to borrow more money. Mr. Schmidt said we don't have the money for the capital improvements. Mr. Francis Butkus said if we have to expand right now, we would have to borrow that money for which we need now for expansion. Mr. Schmidt agreed. Mr. Francis Butkus said and not paying off that loan would mean you would have to pull that money over into the new debt which is \$600,000.00 you don't have to borrow. You still have about \$600,000 in debt. You

BUSINESS (cont'd):

are paying interest on interest. Mr. Zerr questioned if we could have renegotiated the current loan. Mr. Francis Butkus said no. Mr. Zerr questioned if he asked them. Mr. Francis Butkus said they did. Mrs. Shade asked how you knew to ask them about renegotiating the loan if you didn't know there was going to be an expansion. Mr. Francis Butkus stated they had done some talking. Mr. George Butkus said that there is an assumption that if the Authority did not put the \$600,000 plus down we would have enough to do the expansion. Mr. Schmidt said no one thought that at all. It would be \$600,000 more than we have now. Mr. Wenrich said it would pay for the clarifier and leave \$100,000 in the account. Mr. George Butkus stated you would have had to re-borrow \$400,000 more because of the interest that you had to pay off on the old loan. Mr. Schmidt said this was all done because you thought that we were going to dissolve the Authority. It was done in spite, Mr. Schmidt said. One (1) member of the Authority told Mr. Schmidt, this was done to spite Council no other reason. It was a spiteful maneuver to embarrass this Council, Mr. Schmidt said. Mr. Schmidt just doesn't feel it was a prudent move at that time. Mr. Francis Butkus said the people from bond council did. Mr. Light said this was done in spite and the worst part was that we couldn't use that money for general purposes. Mr. George Butkus stated that was not true. He had an audit report that showed we used the sewer revenue account to pay for that photo over there, research on the fire company deed, along with other Ludgate bills. Mrs. Shade stated as far as the TOPO map that was for sewer lines as well can be paid out of that account. Mr. Wenrich said what was done in the past is done we can't change it. We can go either way...not talk at all and go on our separate ways or become friends. Mr. William Moser questioned what was the interest percentage rate? Mr. Francis Butkus did not remember however he thought it was around 4 or 4.5% that was too long ago. Mr. Zerr said according to his notes it was 4.3%. Mr. Moser asked what the rate is today. Mr. Francis Butkus stated no one really knows. Mr. Moser said what is the lowest amount you can get? Mr. Fitzpatrick stated this would almost need to be a bond issue for this amount of money. The market will determine the interest rate. A discussion ensued between Mr. Moser and Mr. Butkus at their seats on whether this was a prudent move. Mr. Fitzpatrick feels 4.5% is a good interest rate to use. Mr. Zerr asked Mr. Butkus to take a poll vote to see if his Board would be interested in becoming an operating authority. Mr. Butkus did and all five (5) members were in agreement to become an operating authority. In addition, Mr. Zerr wanted another poll of his members to authorize their solicitor to get with our solicitor to start moving ahead. The discussions that Mr. Zerr wants to see occur involve financing, who will physically operate the system, continuing relationship with the Borough Council regarding some of the Borough employees providing support to the Authority (road crew and some administrative), billing materials (computers and personnel), timing (when should this become effective), and adoption of rules and regulations by the Authority for the operation of the system. Someone questioned if this information should come from the Borough. Mr. Zerr felt it should come from the Authority. Mr. George Butkus said he believes what Mr. Zerr was suggesting was to have their solicitor meet with our solicitor and have these points addressed. Mr. Francis Butkus polled his committee and they were in agreement to do that. Mr. Zerr then asked Mr. Francis Butkus if his committee will agree to sit down with Spring Township and see if a regionalization is feasible. He wants them to come back to Council. The Authority agreed to do that. Mr. Wenrich felt the Authority should speak to Spring Township and the Borough will talk amongst themselves to see if this would be a feasible idea. A discussion ensued. Mr. Francis Butkus questioned what would happen if one (1) group was for it and one (1) group was against the idea. Mr. Schmidt thought it might be a good idea if a

BUSINESS (cont'd):

member or two (2) of Council attended the meeting along with the Authority members. Mr. Francis Butkus stated they were expecting a lot more members of Council at their last meeting. He feels a lot of these questions could have been answered. Mr. Wenrich said it was miscommunications. Mr. Leiby said Mr. Fitzpatrick stated earlier that a regionalization would be easier if the Authority was an operating authority. Mr. Francis Butkus questioned where is their guidance at this point in time? Do they stop ARRO in their design or do they tell them to proceed? Mr. Wenrich stated that the Authority committed to that a long time ago. He said that they got a stop put on by Mr. Schmidt with putting on the clarifier. Mr. Wenrich said that was one (1) Councilman's thought. Mr. Wenrich said that Mr. Schmidt was bringing up a "what if." He continued that does not change any prior decisions Council made. They will continue moving forward on the design. Mr. Fitzpatrick said it appears they are moving ahead with the design of the plant. It would appear to him that they will be incurring engineering expenses at least till you go out to bid and then for overseeing the construction. He asked if it would hurt delaying those actions for thirty (30) to sixty (60) days till some of this can be talked out. He feels if this becomes a regional plant the scope of the work will change dramatically. If you are going to have a regional plant that will serve a larger area you don't want to have two (2) construction projects. You want to do it in one (1) project. The reason being you will have a duplication of expenses that will kill the project. It might benefit everyone by determining the scope of the project before you proceed on the current project. Mr. Schlott said the Correction Action Plan that was submitted to DEP, it states on there that we will be applying for a Part II Permit by mid July. Mr. Wenrich said prior to October 9th of last year the Authority was well into the design of the new plant. Mr. George Butkus said that the timetable to hash out all the details on a regional plant would probably be still going on while we do the minor upgrade. Mr. George Butkus questioned if we do move ahead with a regional treatment plant, would anything need to be undone to increase whether it is oxidation ditches, clarifiers, and more reed beds? Mr. Schmidt said he doesn't think that could be answered as we don't know how much more we will be getting. Mr. Wenrich asked if we expand to 1.25 that will hold us for the next 20 years. Mr. Francis Butkus said, no. He said it would depend on what happens to the Boscov's property and to some of the other properties in the downtown area. Alcon is looking at another expansion. He said this is "crap shoot." Mr. Francis Butkus said he hopes it will last at least ten (10) years. A discussion ensued as to how long this might take. Mr. Hoffert feels he and Mr. Fitzpatrick could sit down and hammer out some of this within the next thirty (30) days. Mr. Fitzpatrick said some of the things we will need Council and Authority thoughts. Mr. Fitzpatrick feels he could use sixty (60) days. Mr. Hoffert does not want anyone to become impatient. Mr. Fitzpatrick questioned when everyone would like to see this happen. Mr. Francis Butkus said he thinks it will be phased in. Mr. Fitzpatrick said no you must have an effective date. Mr. Wenrich said that should be in the business plan. Mr. Hoffert doesn't think it will happen till the last quarter of the year. There is a lot that needs to be done. Mr. Zerr questioned if we should continue joint meetings to keep everyone abreast of what is going on. The meetings could take place on Authority meeting night or perhaps the June workshop meeting. Mr. Wenrich stated in the event that the two (2) Solicitors need more time they certainly can have more time. However if they have something to present, the June 25, 2008 meeting can be used as a joint meeting night as opposed to a regular workshop. Council would like a week notice for advertising. Mr. Zerr questioned how we were going to handle the letter from Spring Township. He would like to see one (1) or two (2) members from each the Authority and Council sit down and talk with them. He also wondered if the Borough or Authority

BUSINESS (cont'd):

Secretary should send them a letter asking to sit down with them and hear what they have to propose. Mr. Wenrich would like to have an open discussion at the June meeting regarding this issue. Mr. Zerr stated we need some type of direction from the Authority. They already said they will discuss it. Mr. Wenrich stated that he sees no answer coming this week; however they will have an answer within thirty (30) days.

PUBLIC COMMENT:

No Public Comment

ADJOURNMENT:

Mr. Butkus made a motion to adjourn at 8:36 p.m.

Respectfully submitted,

Regina M. Shade, Borough Secretary/Treasurer

Elizabeth White, Authority Secretary/Treasurer