

SPRING-BENNER-WALKER JOINT AUTHORITY

REGULAR MEETING September 27, 2021

ATTENDANCE:

AUTHORITY MEMBERS:	Spring	Toby Dashner Joseph Galbraith Christie McMurtrie
	Benner	Brian Book Willis Houser, Jr.
	Walker	Dennis McDowell Joseph Swanderski

GUESTS: Dave Palmer & Devon Warner – Berks Homes

EXECUTIVE DIRECTOR: N. Warren Miller

EMPLOYEES: Dion Barnard, Will Barton and Kelly Gill

CALL TO ORDER:

The September 27, 2021, Regular Meeting of the Spring-Benner-Walker Joint Authority was called to order at 7:00 P.M. by Dennis McDowell, Chairman. Mr. McDowell thanked everyone for attending and stated that the meeting would be recorded for transcription purposes.

ROLL CALL:

Joseph Swanderski, Secretary, took Roll Call, recording seven members present. Mr. Heny and Mr. Hoffman were excused from the meeting. Mr. McDowell, Chairman, noted that with a quorum present, the Spring-Benner-Walker Joint Authority was permitted to conduct business under the laws of Pennsylvania.

PLEDGE OF ALLEGIANCE:

Mr. McDowell, Chairman, led the Board members, Employees and Guests in the Pledge of Allegiance.

APPROVAL OF MEETING MINUTES:

Mr. McDowell asked the Board if there were any questions and/or changes to the September 13, 2021 meeting minutes as presented. **Mr. Houser moved, seconded by Mr. Dashner to approve the Minutes of the September 13, 2021 Regular Meeting as presented. 7 ayes, 0 nays, 2 absent. The motion carried.**

CORRESPONDENCE: There was no Correspondence presented for discussion.

FINANCIAL REPORTS:

Treasurer's Report: Mr. McMurtrie reviewed the financial reports for the period ending 08/31/2021. Mr. McDowell asked if there were any questions regarding the Treasurer's Report. **Mr. Galbraith moved, seconded by Mr. Book to approve the Treasurer's Report as presented. 7 ayes, 0 nays, 2 absent. The motion carried.**

APPROVAL OF PAYMENTS:

Approval of Requisitions:

Revenue Fund Requisition 2020-36 – Mr. McMurtrie presented the Board with Revenue Requisition #2020-36 in the amount of \$48,792.36. Mr. McDowell asked if there were any questions regarding the presentation of Revenue Fund Requisition 2020-36. **Mr. Swanderski moved, seconded by Mr. Dashner to approve Revenue Requisition 2020-36 payable to SBWJA in the amount of \$48,792.36. 7 ayes, 0 nays, 2 absent. The motion carried.**

GUESTS:

Dion Barnard – Mr. Barnard introduced himself as the Authority's newest employee. Mr. Barnard began employment with our Authority on August 23, 2021 in the maintenance department.

Dave Palmer and Devon Warner (Berks Homes) – Dave Palmer and Devon Warner of Berks Homes were in attendance at the meeting to provide an update on the status of the gravity sewer extension project and pump station as part of the Village of Nittany Glen (VNG) subdivision Phase IV that was discussed during the Authority's last board meeting. Penn Terra Engineering is currently finalizing the record drawings that were red-lined and returned to them last week. They intend to submit the corrected record drawings within the next day or so. There were a few issues outstanding with the start-up of the pump station that occurred earlier today as well.

Mr. Palmer presented the Authority Board with a signed Agreement of Dedication that was prepared by the Authority's solicitor and a maintenance bond for Phase IV of the VNG; however, he was informed that our Authority is unable to accept the dedication of the facilities at this time due to the outstanding items needed. Mrs. Gill also indicated the maintenance bond would need reviewed as well since this is the first these documents have been provided to the Authority personnel. Mr. Miller asked Mr. Palmer if they were looking for conditional approval of the project and Mr. Palmer stated yes. **Mr. Galbraith moved, seconded by Mr. McMurtrie to conditionally approve the Agreement of Dedication and associated maintenance bond for the gravity sewer main and related facilities for the Village of Nittany Glen Phase IV upon receiving the remaining outstanding items. The pump station must be functioning properly but will not be accepted until it has the required backup power source. 7 ayes, 0 nays, 2 absent. The motion carried.**

Mr. Palmer and Mr. Warner exited the meeting at 7:10 p.m.

EXECUTIVE DIRECTOR'S REPORT:

Pump Station #11 (Jenny Gap) – Mr. Miller indicated the fencing was installed at Pump Station #11 (Jenny Gap) last week and provided the Board with a photo of the finished work.

Pump Station #10 (Valley View) – Mr. Miller stated the upgrades to Pump Station #10 (Valley View) will commence this week.

Belle Rose Townhomes – At the last meeting discussion was held about the Belle Rose Townhomes that are being proposed along the Benner Pike, beside the Benner Pike Village (previously known as the Foxlure Mini-Mall). The proposal is for a 10-unit complex that will consist of one gravity sewer line with individual laterals to each unit. The developer, Richard Payne, has indicated that he intends to keep the sewer facilities privately owned and therefore won't be dedicating any infrastructure to our Authority. As part of the planning process, the PA DEP is requiring the developer to obtain an Operation and Maintenance Agreement (O&M) for the sewer facilities since they will remain privately owned. Mr. Miller stated this is the first that he's been made aware of such a requirement and has attempted to contact Rob Everett, PA DEP, to inquire about the agreement, but didn't have an opportunity to speak with Mr. Everett prior to the meeting. Mr. Book stated that he believes the PA DEP is protecting the customer if an issue would occur and the owner didn't resolve the issue. Discussion was held about our Authority's rules and regulations as they pertain to privately owned facilities.

The developer's engineer has provided a draft O&M agreement which has been forwarded to Mr. Mix for his review. Mr. Mix has made some modifications to the agreement, but was inquiring why the developer wouldn't want to dedicate the facilities to the Authority.

Mr. Miller indicated there are several other privately owned facilities on our sewer system, mostly mobile home parks and apartment complexes, that don't have O&M agreements and was wondering how those should be handled since the PA DEP now seems to be requiring them. Mr. Miller will discuss this further with Rob Everett, PA DEP, and report his findings at a future meeting. Mr. Miller indicated the Authority staff will compile a list of all privately owned facilities on the sewer system that may have a need for an O&M agreement.

OLD BUSINESS: There was no Old Business presented for discussion.

NEW BUSINESS: There was no New Business presented for discussion.

COMMITTEE REPORTS:

Personnel & Community Relations Committee: Mr. Hoffman was absent from the meeting.

Facilities Committee:

SBWJA New Facility –Mr. Book indicated he has been in contact with Larry Walker, KBB, regarding the search for a new facility for the Authority. This most recent correspondence (email) from Mr. Walker states the Authority should determine the number of out buildings needed and report back to him because the Authority may need to consider options similar to Penn Eagle Industrial Park. Mr. Book stated Mr. Walker was initially told we would need 3500 square feet of office space, a shower facility for the maintenance department and he believed six garage bays. Mr. Dashner indicated we need at least ten garage bays.

Mr. Book reported that Mr. Walker has still been in contact with Glenn O. Hawbaker (GOH), but they don't seem willing to part with any land at this time. The Board discussed Mr. Walker's contract expiring at the end of 2021 and their concern with the lack of properties being presented. Mr. Book will relay the property requirements to Mr. Walker and the Board's concerns with the lack of properties being presented.

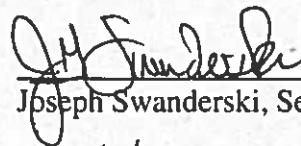
Financial Committee: Mr. McMurtrie had nothing to report.

EXECUTIVE SESSION – Mr. Miller requested an Executive Session to discuss litigation. Mr. McDowell recessed the Board for an Executive Session at 7:32 p.m. to discuss litigation. The meeting reconvened at 7:44 p.m.

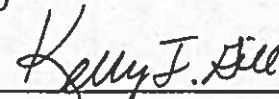
ADJOURNMENT:

Mr. Book moved, seconded by Mr. McMurtrie to adjourn the meeting at 7:44 p.m. 7 ayes, 0 nays, 2 absent. The motion carried.

Respectfully submitted,



Joseph Swanderski, Secretary



Kelly J. Gill, Recording Secretary

CC: Benner Township _____
Spring Township _____
Walker Township _____