

May 11, 2006
102 Hill Road, Denver PA

The regular monthly meeting of the East Cocalico Township Authority was held on Thursday, May 11, 2006 at 7:00 p.m. in the Township Municipal Building.

Those in attendance were as follows:

Members:	Eugene Heft, Donald Jones, Daniel Becker, Linda Walmer, Harold Noll, Donald Lewis, Randy Leid, Scott Lied, Eric Fichthorn
Solicitor:	Lucy Dowd (arrive 7:07 p.m., leave 9:50 p.m.)
Engineer:	George Wagner (arrive 7:08 p.m., leave 9:50 p.m.)
Manager:	Karen Koncle
Employees:	Kenneth Spitler, Larry Sweigart, Jane Rathman
Visitors:	Scott Martin, Frank Mincarelli, Douglas Matthews, for Morganshire; Board of Supervisors-Douglas Mackley, Alan Fry, Noelle Fortna

The meeting was called to order by Chairman, Eugene Heft.

MINUTES of the April 6, 2006 monthly meeting were approved as presented on motion by Daniel Becker, second by Harold Noll and carried.

INVOICES on the following pages were reviewed and approved for payment on motion by Daniel Becker, second by Donald Jones and carried.

REQUISITIONS: Upon motion by Daniel Becker, second by Donald Jones and carried, Sewer Requisition No. S237 was approved for payment from the Sewer Bond Redemption and Improvements Fund. Water Requisitions Nos. W516, W517, W518, W519, W520 and W521 were approved for payment from the Water Bond Redemption and Improvements Fund on motion by Daniel Becker, second by Harold Noll and carried.

TREASURER'S REPORTS for February, March and April were reviewed and accepted subject to audit.

MONTHLY CAPACITY REPORTS: Reports for the month of April were reviewed and approved on motion by Donald Lewis, second by Randy Leid and carried.

RECOGNITION OF VISITORS: At this time Chairman Heft recognized Scott Martin, developer of Morganshire, who in turn introduced his attorney Frank Mincarelli, and engineer Douglas Matthews. Attorney Mincarelli of Blakinger Byler & Thomas opened the discussion by stating that they were here this evening to get some guidance and perhaps some closure to some issues with regard to the design of the pump station and Phases II and III of Morganshire. He felt that School Lane Assoc. has been compliant with the Authority's requirements and felt that the concessions made by Mr. Martin and agreements entered into with ECTA to build the pump station are quite generous. December of 2005 a review letter was written by CDM specifying all the issues they had with regard to the pump station itself. Later on March 15th the engineer for the developer addressed each issue, he believed satisfactorily, since there was no response from CDM. Also received was a memo from the ECTA Superintendent listing what he wanted to see, and if these items are required, it would necessitate a re-design of the pump station. Mr. Mincarelli stated that a total redesign would be out of the question. He further discussed some mixed signals regarding grass versus stone and trees that the initial plan required, but now it appears are to be removed. Mr. Mincarelli also made the point that the sewer lines installed by School Lane Associates permitted the Authority to install public sewers to areas that had failing systems, etc.

ECTA MINUTES

May 11, 2006

Page 2

George Wagner of CDM stepped up to inform those present that he could speak to some of the issues having discussed the January 19th memo with the Superintendent. One issue involved elimination of a second access drive which was included on the preliminary plan. The lack of this second access caused problems with vehicular access and turn-around capability. The Engineer felt that extending paving alongside the building, relocating the well to accommodate the paving extension and providing grass in all unpaved areas are necessary modifications. If the removal of the buffer trees and relocation of the fence are in compliance with zoning regulations, these are also valid requests that will decrease maintenance.

After a lengthy discussion, Mr. Martin agreed that the well could be moved, and paving extended to provide space for turn-around capability. He did state he would like the trees to remain. It was suggested that perhaps trees for screening could be planted on residents' property. Zoning requirements will be reviewed to determine what is required for screening. Daniel Becker suggested that issues discussed this evening should be put in writing and mailed to Scott Martin for his review.

MANAGER'S UPDATES:

IMG: The Manager informed the Board that the IMG meeting previously scheduled for May 15th has been cancelled since there were no agenda items. The final reconciliation of the 2005 Sewer Budget has been received and copies provided to all Board Members. ECTA actually has a credit of \$51,246.79.

ADAMSTOWN BOROUGH: A courtesy copy of an agreement between Adamstown and Spring Township has been received. The agreement identifies Spring Township as a bulk customer for 10,000 gallons and they will be charged appropriately. Don Lewis questioned if ECTA's Solicitor should review the agreement.

WOODCREST RETREAT: Sewer module was approved by DEP, dependent upon design approval and several other issues.

RT. 897 SEWER EXTENSION PROJECT: The Township Solicitor was provided with a list of those residents who have not connected to the sanitary sewer system as part of this extension project.

WATER MATTERS: The Manager provided copies of a letter from Adamstown Borough declining interconnection of water systems at this time. Also provided was information on the drought watch imposed by the State in April. Mrs. Koncle also reminded the Board that a follow-up meeting should be scheduled to finalize reassessment for Precision Medical Products (PMP).

ADMINISTRATIVE MATTERS: Legal advice is being sought on the matter of renewing the Authority's incorporation.

ADAMSTOWN LAWSUIT: A letter has been received from Adamstown explaining that this matter has been terminated appropriately.

YOUTH AID PANEL: The Manager explained that the Township Police Department and Regional Policing efforts have put together a Regional Youth Aid Panel of volunteers from the community to help guide wayward youth into fulfilling assignments for community service and/or service to their victims as a requirement and part of their punishment. The Police Dept. is looking for sponsors for this program that would provide assignable duties, and the Manager asked if the Authority Board is interested in becoming a sponsor. Randy Lied made a motion that if sponsorship is no burden on the Authority staff and insurance

will provide appropriate coverage, the Manager should pursue Authority sponsorship. The motion was seconded by Dan Becker and carried.

2005-2006 ANNUAL AUDIT: The Manager informed the Board that auditors Weinhold & Nickel are currently working on the Authority's annual audit for fiscal year 2005-2006.

INFORMATION/ARTICLES OF INTEREST: The Manager pointed out that articles providing information on various subjects were included with her report for this month.

SUPERINTENDENT: The Superintendent reviewed his report, a copy of which is on file in the Authority office. Mr. Spittler further added that he spoke with a representative of PennDOT who advised that the contract for resurfacing of West Church Street has been awarded. A preconstruction meeting will be held on Monday, May 15th and it is expected that re-surfacing will start in Denver Boro, but that hasn't been confirmed. The Superintendent advised that he has informed Scott Kimball, 109 West Church Street, that if re-surfacing should start at the East end of West Church Street, Scott may lose the ability to open cut the roadway for his sewer connection if the work is not performed in a timely manner.

Harold Noll questioned the status of the non-conformance of the water service at the Comfort Inn. The Solicitor indicated she will make contact with the attorney for the owners to determine the status.

The Superintendent informed the Board that Redman Homes has been advised that they must comply with ECTA regulations for meter pit installation. A letter has been received from their attorney questioning these regulations as they apply to this project. Although ECTA was previously told that there was to be no water/sewer service to this construction, the Superintendent later learned that a mandatory emergency sprinkler system was to be installed in accordance with a municipal requirement. After discussion, the matter was referred to the Solicitor.

COMMITTEE UPDATES:

ADAMSTOWN: Donald Lewis reported that he and Russ MacNair of CDM attended an informal meeting with representatives of Adamstown Borough on April 18th for the primary purpose of beginning a dialog relative to future wastewater treatment requirements for ECTA. New PADEP nutrient loading limitations were discussed as well as the Authority's Adamstown diversion project. Adamstown expressed an interest in meeting again in several months to share information on ongoing projects.

PERSONNEL: Donald Jones reported that the Personnel Committee met to review several options for health insurance as prepared by Harding-Yost. It was the recommendation of the Committee to provide health insurance for employees through Highmark Blue Shield, Alternate Plan 3, which would allow a 16.3% decrease in monthly premiums to the Authority. Donald Jones then made a motion to ratify the recommendation of the Personnel Committee to secure health insurance for ECTA employees from Highmark Blue Shield, Alternate Plan 3, second by Harold Noll and carried.

T-MOBILE: Scott Lied reported on the status of this project. T-Mobile has completed a survey of the site, but location of the access road needs to be firmed up. ECTA will pay for the survey, T-Mobile will pay for improvements to the access road. A few points still need to be clarified in the Agreement.

ENGINEER'S UPDATES:

WATER PROJECTS:

WEST CHURCH ST. WATER MAIN REPLACEMENT: The Engineer recommended execution of the Certificate of Substantial Completion dated February 24, 2006, for this project. Dan Becker made a motion to have the Chairman and Secretary execute the Certificate as recommended, second by Randy Leid and carried. The final punch list is being prepared.

WATER BOOSTER STATION NO. 1: It is expected that the Land Development Plan application will be submitted to the Township by May 25th. CDM anticipates having a preliminary set of plans available for the Authority's review by the June 8th meeting. This includes architectural plans which could be shown to the Stauffers. A memorandum was provided to the Board regarding ECTA's existing telemetry system and a plan for staging upgrades to the system. On motion by Dan Becker, this memorandum will be discussed at the next Water Committee meeting. The motion was seconded by Eric Fichthorn and carried.

ELEVATED STORAGE TANK: CDM has been evaluating potential sites for a water storage tank at the eastern end of the system. These sites, along with the existing tank #3 site (Pen Ren) should be reviewed by the Committee and direction provided to the Engineer as to how ECTA wants to proceed.

WATER BOOSTER STATION NO. 2: Six copies of a conceptual layout have been provided to the Manager and Superintendent for review. This item will be discussed at the next Water Committee meeting.

RT. 897 SEWER EXTENSION PROJECT: Wexcon has completed all work under the contract. The only remaining item is repair of damage done to a driveway. The homeowner has reported that his driveway still contains cracks after the sealing was done. CDM will follow up with this claim to ensure satisfactory restoration.

ADAMSTOWN SEWER FLOW DIVERSION: CDM is preparing a Letter of Understanding to be forwarded to Adamstown Borough regarding fencing and electric issues. During the next month plans should be completed in preparation to go out for bids for the project.

SEWER REHABILITATION: It is expected that E. H. Hertzog will be starting work on this project on Monday, May 15th.

PMP (Precision Medical Products): Dan Becker noted that since a month of flow data has been documented for this facility, he would recommend that this issue be discussed at the meeting of the Water & Sewer Committees to finalize this matter.

MORGANSHIRE: The Engineer reiterated what was discussed earlier, in that CDM will write a letter to developer Scott Martin confirming that the paving area will be enlarged, the well will be moved back, the arborvitae will be eliminated around the pump station and moved to private properties pending approval of the Township Zoning Officer, and grass instead of stone in all unpaved areas.

GIBBEL BROS. (former KOA Campground): In a recent pre-planning meeting, the owner proposed subdividing the Mt. Zion Church property along the PA Turnpike from the area fronting on Denver Road. The

ECTA MINUTES

May 11, 2006

Page 5

question was raised as to whether subdivision can be accomplished without water capacity, a question that has to be answered by the Township.

STEVENS COURT: CDM will prepare a feasibility study for the cost to upgrade the Stevens sewer sump station as a result of the Stevens Court project (38 residential lots, 1 commercial lot) and proposed Zimmerman tract. In addition, discharge from the proposed water treatment plant will be considered. A draft comment letter will be forthcoming. Developers in the drainage area will most likely be asked to contribute their proportionate share to the improvements to the pump station.

ECTA SUPERVISORS: At this time the East Cocalico Twp. Board of Supervisors joined the Authority Board to discuss drilling of private wells inside the UGB (Urban Growth Boundary). Requests continue to be received from developers, both residential and non-residential, due to the lack of water capacity available. Several points discussed were:

- A residential developer couldn't allow private wells on individual lots because the acreage of the development most likely wouldn't support a water supply for the number of wells needed. Property owners would have to pay tapping fees when public water becomes available, abandon their well, and convert internal plumbing to connect to the public system.
- A residential developer who may propose drilling one well to supply his entire development would lose acreage due to requirements for wellhead protection, and when public water becomes available, additional costs would be incurred to connect individual lots to the public system.
- The message needs to get out to the developers that the Authority is trying to plan for the future to accommodate the growth expected for this area. However, the time required may not match the developer(s) schedules. We need to work together to bring water on line.

After lengthy discussion, both groups agreed that it is best to continue to deny drilling of wells within the UGB.

SOLICITOR UPDATES:

ASPI/ACME: The Solicitor reported that she informed ASPI's Attorney Birch that if they want to use the Authority's manhole they should accept the Authority indemnification language and sign the Agreement. They are going to have a meeting next week and will get back to Mrs. Dowd concerning their decision.

WEST CHURCH WATER MAIN EASEMENTS: Easements for the West Church Street Water Main project have been prepared and are ready for signature. On motion by Daniel Becker, second by Randy Leid and carried, the appropriate officers were authorized to sign the Agreements with Mary Belle Graybill, Grace Graybill and the Ephrata Hospital.

At 9:02 p.m. Chairman Heft recessed the regular meeting and went into Executive Session for the purpose of discussing land acquisition, and the PACT lawsuit.

At 9:42 p.m. Chairman Heft reconvened the regular meeting noting the Board discussed three items in Executive Session: PACT lawsuit and land acquisition matters for Test Well F and Test Well M. Mr. Heft further noted no Board action is needed for Test Well M and PACT lawsuit matters.

ACTION REGARDING TEST WELL F LAND ACQUISITION:

On a motion by Donald Jones and seconded by Eric Fichthorn, the Board unanimously authorized the Solicitor to send the draft Sale Agreement to acquire Test Well Site F owned by Rozanne Zimmerman to the property owner's counsel, J. Dwight Yoder, stipulating the deadline for execution is May 24, 2006.

On a motion by Randy Leid and seconded by Scott Lied, the Board unanimously authorized the Test Well F Committee, Board Chairman S. Eugene Heft and Vice Chairman Daniel Becker, to review and approve or disapprove any/all requested revisions to the Sale Agreement as needed.

On a motion by Donald Jones and seconded by Randy Leid, the Board unanimously authorized the Solicitor to file condemnation proceedings to take the land needed for developing Test Well F for a public water source and for constructing related infrastructure if the Sale Agreement with the property owner is not executed by May 24, 2006.

There being no further items for discussion before the Board, Donald Jones made a motion, and Linda Walmer seconded with the Board voting unanimously, to adjourn the meeting at 9:47 p.m.

Respectfully submitted,

Harold E. Noll, Secretary