

**ELIZABETHTOWN REGIONAL SEWER AUTHORITY**  
**MINUTES**  
**NOVEMBER 12, 2013**

The Board of the Authority met at 7:00 pm in the West Donegal Township meeting room with the following members in attendance: Keith Murphy, Dave Sweigart, Rick Erb, Allen Sollenberger, Dan Brill, and Ken Shaffer. Also present were: Nick Viscome, Byrne Remphrey, and George Alspach.

No public comments were received.

The minutes of the October 8, 2013 meeting were approved on a motion by Sweigart and a second by Brill.

Unfinished Business

- A. Nick told the Board that he, Keith, and Todd Smeigh attended the Mount Joy Township Planning Commission meeting on October 28, 2013 where our land development plan was reviewed. The only matter in contention is a waiver request for perk discharge. We are requesting a waiver of the requirement for the post development peak runoff to not exceed the pre-development peak runoff. This has to do with our road or access drive. Due to its elevation not all of the water running off the driveway can be captured or detained. Mount Joy Township's manager/engineer supports our waiver request.
- B. Nick informed the Board that the appraisal for our newly created Lot #2 valued it at \$192,000. The Board thought this figure was reasonable and will decide in the future whether to put this lot up for sale.
- C. Nick reviewed the budget and explained the changes he made since the last meeting. He said that he's been in contact with Ken Shaffer with all of the recent budget changes. Nick discussed 2 new exhibits: a comparison of convention financing vs. using invested funds for our new building and background information of the wastewater treatment costs. Regarding the first exhibit, the savings rate for certificates of deposit is much lower than the interest rate for commercial mortgages. Consequently, the Authority will lose less money by using invested funds rather than borrowing money.

The Board will review its existing personnel at the next meeting before passage of the budget. Nick will have a recommendation for the Board. The budget will be adopted on December 10, 2013.

- D. It was moved by Sweigart, seconded by Brill to approve the lease agreement with West Donegal Township for office space for \$2,123.33 per month. This is a \$100 per month increase. Motion carried.
- E. Nick told the Board that he settled with Elizabethtown Borough on Thursday to transfer the title for the flusher truck which we bought for \$13,000.

### New Business

- A. Nick discussed a chain of email correspondence with Dave Schoffstall, former chairman of the Authority and developer of Bossler Court subdivision. In the early to mid-1980's Dave installed at his cost the sewer line to serve Bossler Court. In recognition of these installations costs Dave and other developers were charged a \$25 connection instead of the going rate at the time (\$300) per lot. It is Dave's contention that this "developer's discount" had no expiration time and should be extended to his undeveloped lot. This was thirty years ago and the sewer permit/connecting tapping fee legislation has changed numerous times. George also presented statutes and case law that speaks to the expiration or "sunsetting" of older sewer connection policies. The Board discussed Dave's position and by unanimous consent rejected Dave's assertion that he should be charged \$25 for his vacant lot's connection to the public sewer under the arrangement employed in the early 1980's.
- B. Nick explained that the cost of having the Miller Road pumping station down due to a break in the trunk line sewer, is at \$12,800 and rising since the largest invoice from Abel Construction hasn't arrived yet.
- C. Nick discussed an invoice from Paul Davis Restoration for \$2,227.07 for clean up of the Justin Fry basement resulting from the Miller Road trunk line break. The Authority's insurance company refused coverage from clean up costs because the Authority is immune in these cases. The Board decided to pay the clean up costs directly to Paul Davis Restoration.

### Engineer's Report

Byrne handed out an updated version of a Capital Improvements plan. Due to our pending construction of a new building, the Authority is forecasted to spend over \$700,000 between the new building, pump station improvements, and I/I repairs. The updated Capital Improvements plan will be funded from maturing certificates of deposit and funds available in the Operating Fund.

Treasurer's Report

Ken took the Board through the monthly financial reports. Ken also presented the accounts payable for November amounting to \$599,687.33. It was motioned by Brill, seconded by Sweigart to approve the accounts payable for November.

Ken presented a requisition for the Construction Fund. It was requisition 6-2013 to D.C. Gohn Associates for \$4,476.71 for work relative to our subdivision/land development plan. It was motioned by Sweigart, seconded by Brill to approve this requisition.

Finally, Nick asked the Board for the following action:

- Change the name of the Revenue Fund to the Capital Reserve and Vehicle Fund.
- Leave \$50,000 in the Fund and transfer the balance to the Operating Fund.
- Transfer \$25,000 for 2013 into the Fund. This will be a sinking fund.

It was motioned by Brill, seconded by Shaffer to approve the renaming of the Revenue Fund.

The meeting adjourned at 8:10 pm.