

**BETHEL TOWNSHIP, DELAWARE COUNTY
SEWER AUTHORITY**

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RECORD OF MINUTES

**Minutes of the Regular Meeting of the BETHEL TOWNSHIP DELAWARE
COUNTY SEWER AUTHORITY, MARCH 29, 2012**

The regular meeting was called to order by Felicia Kendus, Chairman at 7:00 p.m.. Those present were Paul Ware, Vice Chairman, Rob Sykes, Board Member, Patricia Petrosky, Secretary-Treasurer, Walter Fazler, Engineer, Laurence L. Smith, Solicitor. There being a quorum present, the Chairman declared that the meeting was ready to proceed with business. Pledge of Allegiance given at this time.

MONTHLY ACTIVITY REPORTS

Motion by Paul Ware to approve minutes of regular meeting held March 1, 2012. Seconded by Rob Sykes. Unanimous.

Motion by Rob Sykes to approve Financial Statement for March 2012. Seconded by Paul Ware. Unanimous.

ADMINISTRATION COMMITTEE

Chairman - Vice Chairman - Secretary/Treasurer

Paul Ware read our Financial Report for March 2012- **Receipts** - Sewer Rents & Other - \$14,562 - Month to Date - \$384,643 - Year to Date - Tapping Fees - \$3,500 - - Month to Date - \$8,750 - Year to Date -- Interest - \$33 - Month to Date - \$626 - Year to Date - **Total Receipts** - \$18,095 - Month to Date - \$394,019 - Year to Date - **Disbursements** - (\$37,099) Month to Date - (\$411,262) Year to Date **Net Cash Receipts (Disbursements)** (\$19,004) Month to Date - \$(17,243) - Year to Date - **Cash at Beginning of Month** \$451,245 - Month to Date - \$449,484 - Year to Date - **Cash at End of Month** - \$432,241 - Month to Date - \$432,241 - **Operating Cash Account** - \$218,097 - **CD Bank Account** - \$214,144 - **Total** \$432,241 **Sewer Rents Receivable 3/29/12** \$166,643 - **Accounts Payable** - \$37,492

Motion by Rob Sykes to approve the Financial Report. Seconded by Paul Ware. Unanimous.

MAINTENANCE /CONSTRUCTION COMMITTEE

Rob Sykes & Donna Vance

Rob reported there was a power failure at the Scots Glen Pump Station. Walt indicated the old wires were removed and new lines installed. Repair completed.

SOLICITOR'S REPORT

Foxfield - The Developer is moving forward with dedication of sanitary sewer improvements and rights of way. The developer will be submitting legal descriptions of easements and rights-of-way for facilities in private properties (in addition to those already submitted for facilities located in or near the streets of the community), as well as homeowners association governing documents granting access to the association for such facilities with an assignment of that access to the Authority. Before dedication is accepted, verification will be required that the developer has complied with the latest engineering review and that all necessary easements and rights-of-way and title insurance for same have been provided.

Tapping Fee Adjustment: A Resolution concerning tapping fee adjustment has been adopted by the Board. It is effective May 1, 2012. The Board is considering a policy to allow property owners to apply to the Board before May 1, 2012 to pay the current tapping fee if the owner is under a hardship preventing the owner from paying the entire tapping fee by May 1, 2012. Such requests will be considered on a case by case basis at the sole discretion of the Board. The property owner must submit a letter and any other documentation requested by the Board and pay a down payment and installment payments agreeable to the Board. A motion was made by Paul Ware to accept this tapping fee adjustment hardship payment policy. Seconded by Rob Sykes. Unanimous.

Creekside Run – The Developer is moving forward with dedication of sanitary sewer improvements and rights of way.

Connection Compliance – Several owners have responded and requested to make arrangements for this. A report concerning the issues was provided to the Township at its Board of Supervisors meeting on March 13, 2012.

ENGINEER'S REPORT

PennDot Naamans Creek Road – Work is 100% complete on this project. Reviewed Road-Con's pay request in the amount of \$52,244.82. At the request of the Board, \$6,946.60 has been withheld which is the amount the Authority has asked from Road-Con for the damage that occurred at 906 Naamans Creek Road. The payment to Road-Con is \$45,298.22. Motion by Rob Sykes to approve the payment of \$45,298.22 to Road-Con. Seconded by Paul Ware. Unanimous.

1168 Naamans Creek Road – Special permission has been granted by the BTSA for a one time discharge of storm water to the BTSA sewer system. At this point we are waiting on the property owner to comply with the requirements set forth in the permit and outlined in the Special Meeting on February 13, 2012.

Chapter 94 – The Chapter 94 report is complete. A copy is in the Authority's packet. This report is submitted to DELCORA which is required under DEP outlining what the current flows of the Authority are and also projecting out what we think in the next five years what we think the flows will be to insure that our system is not going to be overloaded. As far as our system is concerned there is no concern with the capacity of the system. However, there are concerns with contractual capacity with New Castle County Delaware. One of the things to keep in mind is we are very close to reaching the limit of contractual capacity with New Castle County Delaware. There are a few projects coming in in that watershed, mainly State Line venture that we may not have contractual capacity for. There are ways that we can remedy that.

Walt stated that when he compared the flows from Sharon flow meter and the Pyle Road pump station flow meter, the manholes that were raised and enhanced by sealing the joint between the cast iron frame and replaced bad frames and covers, the flows went from 300,000 gallons per day to 260,000 gallons per day. This would amount to a \$20,000 per year savings on treatment costs.

BOARD MEMBERS REPORT

NEW BUSINESS/UNFINISHED BUSINESS

Thomas Kwaszkiewicz, 3210 Garnet Mine Road – Feels the new tapping fee is terrible. He can understand everything is going up, but to go from \$3,500 to \$6,100 he thinks is an awful lot of money. Mr. Kwaszkiewicz asked about the people who did not tie in, when they go to pay their tapping fee are they going to be offered the money that they were supposed to get for their property that the Township has taken? Larry indicated they were offered money and certain properties were condemned. Nearly every property there has been settled. Property owners who didn't take the offer and didn't contact the Authority had the opportunity to bring proceedings in court to have the Board of View look at their property and render a decision as to how much it is worth. Mr. Kwaszkiewicz said it wasn't that. The Authority offered a certain amount back then, you didn't have to go to court. Larry stated at some point it becomes encumbent upon the property owner, if they do not find the offered money acceptable, they would have to seek a higher amount in court. There are people who remain unpaid who either haven't settled their proceedings or they have settled in court but refuse to sign the documentation. There could in theory be people who do not seek higher amounts, they could certainly approach this Board and resolve what they are claiming.

Mr. Kwaszkiewicz asked if there was a time limit on the connection if their tapping fee was paid by May 1, 2012? Larry responded the Authority does not know what the Township is going to do about requiring the people to connect. It is the Township who

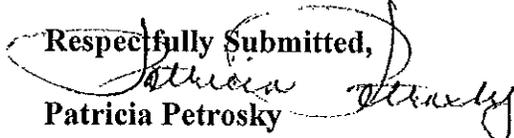
has an ordinance that requires people who are within 150' of the sewer to connect. People who are outside of 150' who want to connect can come in to pay their tapping fee and deal with the Township when they adopt a policy on that. That will be coming up later in the year.

Anyone who has a hardship should come to the Authority Board right away, before that May 1st date so it can be dealt with.

The tapping fee is transferable from one owner to the next. If someone pays their tapping fee and doesn't connect, and they sell their property, that tapping fee stays with the property.

Martin Kwaszkiewicz, 1025 Bethel Road – Mr. Martin Kwaszkiewicz's questioned if there would be a letter stating the tapping fee would be transferable with the property? Larry stated this will be in the minutes today, but we would put this in a letter to him. A letter would be sent out from the Authority.

There being no further business, the meeting was adjourned at 7:25 p.m. on a motion by Felicia Kendus. Seconded by Paul Ware. Unanimous.

Respectfully Submitted,

Patricia Petrosky
Secretary/Treasurer