

WAYNESBORO BOROUGH AUTHORITY

AUGUST 19, 2008

MINUTES

Authority Chairman Jon Fleagle called the regularly scheduled meeting of the Waynesboro Borough Authority to order at 7:30 p.m. with the following in attendance:

Borough Authority Members – S. Allen Stine, Lee Layman, Jon Fleagle and William Pflager
(Christopher Snively was absent)

Borough Staff – S. Leiter Pryor, Director of Borough Utilities
D. Lloyd Reichard, II, Authority Solicitor

APPROVE MINUTES: Allen Stine made a motion to approve the minutes of the July 15, 2008 regular meeting, as written. William Pflager seconded; the motion passed unanimously.

SHENTEL LEASE AGREEMENT: Tucker Lahr, Shentel PCS, was present. He reported that they have completed the construction drawings and structural analysis, as discussed; and terms for the proposed agreement have been reviewed/agreed upon by the Authority's Solicitor. He explained that Shentel will have to install a mast on the tank in order to get their antenna above the existing antennas, but noted that it will not interfere with any existing operations on the tank. Their ground equipment is almost identical to what is currently there, and they will restore any disturbed areas (such as replacing the fence and re-seeding).

Leiter Pryor noted that Shentel provided a structural analysis, which the other two companies did not. He and Lloyd Reichard have compared Shentel's agreement with the other companies' agreements to ensure that protective measures for the tank were included. When the requested changes have been incorporated into the agreement, Shentel will provide originals for execution.

Leiter Pryor was instructed to send the construction drawings to Gannett Fleming for their review and comment. (Mr. Lahr noted that Shentel will bear the costs of Gannett Fleming's engineering review.) Following their approval, the appropriate permits will be obtained and construction can then begin. Leiter Pryor advised that an underwater inspection was recently performed on the Broad Street tank, and they determined that there is no indication of any damage caused by welding the antennas/equipment which have already been installed.

SOURCE DEVELOPMENT UPDATE: Leiter Pryor reported that a pre-construction job conference was held on August 12th, the Notice-to-Proceed will be issued effective August 25th, and a meeting will be scheduled with the Franklin County Soil Conservation District. He has also been working with Allegheny Power for service on-site.

PENNVEST UPDATE: Leiter Pryor noted that he has been working on PENNVEST documents, many of which will need to be executed by the Chairman and/or Secretary. He also presented the Authority with a "Resolution to Borrow" for approval – he explained that this confirms the WBA's agreement to borrow \$2.6 million. Lloyd Reichard has reviewed and approved the proposed resolution. Lee Layman made a motion to approve the proposed Resolution for Loan #89184. William Pflager seconded; the motion passed unanimously.

LOAN NUMBER 89184

AUTHORIZING THE SECURING OF A LOAN FROM THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY ("AUTHORITY") BY THE BORROWER, IN AN AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,600,000.00 (THE "LOAN") FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE THE COST OF THE CONSTRUCTION OF THE WATER SUPPLY SYSTEM ("SYSTEM") OF THE BORROWER, TO PAY COSTS AND EXPENSES OF SECURING SUCH LOAN; AUTHORIZING THE EXECUTION AND DELIVERY OF A PLEDGE OF FULL FAITH AND CREDIT AND OF THE GROSS REVENUES AND RECEIPTS; APPROVING THE FORM, TERMS AND CONDITIONS OF THE LOAN DOCUMENTS; AUTHORIZING THE EXECUTION OF THE LOAN DOCUMENTS AND PROVIDING FOR THE AUTHENTICATION AND DELIVERY THEREOF; AND THE DISPOSAL OF THE PROCEEDS RECEIVED AND TO BE RECEIVED FROM THE LOAN.

Complete copy on file at Borough Hall.

Lee Layman then made a motion to approve all necessary documents to facilitate the proposed PENNVEST loan closing scheduled for September 18th. William Pflager seconded; the motion passed unanimously.

Leiter Pryor noted that he has received updated cost sheets and estimates that need to be incorporated with the loan. (WBA members were given a copy to review.) Tim Glessner has indicated that the engineering expenses have exceeded the \$600,000 loan amount. Mr. Pryor stated that the total contract price is \$3.6 million, the \$200,000 grant from Congressman Shuster would reimburse the engineering costs, which leaves almost \$1 million for the WBA to pay out-of-pocket. This amount could be paid from the Construction Fund, where tap fees have been deposited. The Authority noted concern about the increase in inspection fees, as well as the engineering cost increase; and Leiter Pryor was requested to provide a breakdown of engineering expenses on the project to date for their review.

ENTERPRISE AVENUE PUMP STATION UPDATE: Leiter Pryor noted that he provided an update on the upgrade project when the Authority toured the facility prior to this meeting. He reiterated that 90-95% of the punch-list items have been completed. Gannett Fleming will conduct a walk-thru in the near future, and he is hopeful that they will "sign-off" next month. He noted that a Certificate of Substantial Completion will need to be signed, and he presented a change order in the amount of \$2,735.00 for replacement of the vent caps for the wet well.

Overall, Mr. Pryor reported that the project went well. The only outstanding item is the manhole in the street that needs to be elevated, and Gannett Fleming is currently working on a solution to this problem. Chairman Fleagle noted that some clean-up work still needs to be done. Leiter Pryor was requested to provide the Authority with a breakdown of the costs on this project also.

DEP AWARD: Leiter Pryor reported that he and Gordon Cruickshanks recently attended the PA AWWA Conference at State College, at which time they received national recognition from DEP/EPA for their participation in a volunteer program which involved extensive monitoring and recordkeeping at the Water Filtration Plant. Waynesboro's plant was in the top 14 in the nation to be recognized for their outstanding achievements in filter plant optimization, and he noted that this is a reflection of the staff's efforts. A press release has been forwarded to the *Record Herald*, *Morning Herald* and *Public Opinion*, and Mr. Pryor was requested to extend the WBA's commendation to the Water Plant staff on their achievement. He was also instructed to prepare a written commendation to be placed in the staff's personnel files.

Mr. Pryor noted that the WBA's September meeting will be held at the Water Plant, and he has invited the staff to attend.

MISCELLANEOUS ITEMS: Leiter Pryor noted that he was contacted by Black Dot Wireless, who reportedly is trying to re-negotiate the AT&T/Cingular lease with the WBA. The Authority noted that they have considered these proposals previously and are not interested in pursuing it.

Mr. Pryor noted that the underwater inspection company proposed that regular inspections be conducted in the future. He recommended that the Authority consider this idea, as it could extend the tank life for 10+ years and could be paid from the Tank Maintenance Fund. He reported that they cleaned out the tank while they were conducting their inspection, and found only 1/4" of sediment since it was last drained and painted.

Leiter Pryor noted that, during the last inspection at the Antietam Dam, it was discovered that the bottom drain valves were not operating properly. He would like to have these functioning properly when the next inspection report is done. He has been in contact with a contractor who is hopeful that he can fix the problem.

Mr. Pryor added that the Emergency Response Plan for the Antietam Dam has been tentatively approved, however signature pages need to be re-submitted in blue ink.

Mr. Pryor also noted that there is a joint seeping at the Sewer Plant. He has requested a proposal from Mr. Rehab to TV the line and do the necessary repairs.

PAY BILLS: Allen Stine made a motion to approve the payment of the following requisitions –

Water Requisition #08-19 - Borough of Waynesboro - \$2,783.75 - Reimbursement (Invoice Paid to Dennis E. Black Engineering, Inc. Re: 2007 Antietam Dam Inspection)

Hollengreen Utilities Escrow Account Requisition #HE-49 - 4-M Construction Services Company - \$51,017.94 - Enterprise Avenue Pumping Station Rehabilitation (Contract One - General Construction) - Estimate No. 7 for work performed up to and including July 21, 2008

Hollengreen Utilities Escrow Account Requisition #HE-50 - D & M Electrical and Automation, Inc. - \$5,728.75 - Enterprise Avenue Pumping Station Rehabilitation (Contract Three - Electrical Work) - Estimate No. 8 for work performed up to and including July 21, 2008

Sewer Requisition #893 - The Pennsylvania State University - \$325.00 - 1 DEP Permit 271-Biosolids

Sewer Requisition #894 - Reichard Law Offices, LLC - \$1,847.50 - 3rd Quarter, 2008 Legal Services + Filing Fee (Gemcraft Agreement)

Sewer Requisition #895 - Material Matters, Inc. - \$360.00 - Environmental services in connection with locating and qualifying new farm sites under ADEPT Chapter 271 for beneficial use of biosolids for the period April 26, 2008 to May 23, 2008

Lee Layman seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 8:53 p.m. on a Stine/Pflager motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant