Dover Township Sewer Authority  
2480 West Canal Road  
Dover PA 17315

Chairman: Dean Smith  
Vice Chairman: John Miller  
Treasurer: John Matthews  
Secretary: Kevin Hake  
Member: Michael Husson  
Attorney: Christian Miller

Minutes of the March 28, 2012 Authority Meeting

Attendance:  K.Hake, J. Matthews, M. Husson (Authority Members) S. Simon (Plant Operator) T. Biese (DTWWTP) C. Miller (Attorney), P. Gross (BH), Chris Hamme (Sewer Chief)

Excused Absence:  D. Smith and J. Miller (Authority Members)

It is to be noted that John Matthews assumed the role of Acting Chairman for the meeting.

Approval of Minutes:
K. Hake made a motion to approve the Authority minutes for the February 22, 2012 meeting as submitted. The motion was seconded by M. Husson and unanimously approved.

Engineer’s Report:
Due to ongoing litigation, discussion regarding the PE work was minimal, with P. Gross reporting as follows:
- PSI finished PE’s warranty work on the oxidation ditches, including chalking the lines which were damaged due to the flood.
- The work was completed for the original $17,000 change order plus time and materials for $6,830.65. PE’s warranty work portion only amounts to $18,000.03.

P. Gross reported the following regarding closing out the Galway Bay contract:
- Johnston Constr. has re-installed the gear reducer motor for aerator 2B-2 and all equipment related to such aerator is currently operational at the plant.
- P. Gross stated the subcontractors are continuing with punch list work and gave an update as to status of punch list items, stating that he felt the contract will be closed out and final retainage disbursed by the April meeting or soon thereafter.

P. Gross discussed the Gate replacement project, stating that PSI will also being receiving change orders on the project to install a drainage pipe under Graffius Rd and to install a hatch on the roof.

P. Gross submitted invoice’s and change orders for review and approval, as evidenced by the following approved motions:
- M. Husson made a motion to approve DT-11-01-Gate-General Change order #2 in the amount of $25,700.00 to install 36” SLPP Drain pipe for the Graffius Road crossing and the installation of Bilco Type S roof hatch. The motion was seconded by K. Hake and unanimously approved.
- M. Husson made a motion to approve DT-11-01-Gate-General Change order #3, for time & material costs associated with additional repair to the electrical conduits serving the aerators, control panels and lights for oxidation ditches #1 and #2 for the sum of $6,830.65. The motion was seconded by K. Hake and unanimously approved.
M. Husson made a motion to approve PSI’s DT-11-01-Gate-General Request for payment in the amount of $21,447.58, leaving a balance of $101,983.07 for the project. The motion was seconded by K. Hake and unanimously approved.

M. Husson made a motion to approve Buchart Horn DT-11-07-Gate Request for payment in the amount of $1,420.00, leaving a balance of $16,069.014 for the project. The motion was seconded by K. Hake and unanimously approved.

**Treasurer’s Report:**
J. Matthews reported that M&T Bank has dropped the $17.00 fee and will reimburse the Authority for past charges of such amount on the Authority’s account.

**Plant Operator’s Report:**
S. Simon submitted to the Authority the following: the Monthly Operation Report, the 2011 Annual Report, the DEP Discharge Effluent Violations letters, and the Authority’s response letter to DEP’s NOV. Such documents are incorporated herein by reference.

S. Simon reported that the average daily flow for February was approximately 3.393 MGD.

S. Simon also reported on and provided discussion regarding the procedure and process to alleviate the DEP violations, stating that she felt she could work with DEP to get a less severe outcome. However, she still anticipates fines and a consent agreement/order from DEP. She requested the Authority’s counsel, MPL, be used to work with DEP regarding the violations and eventual resolution thereof.

C. Hamme reported on the current projects that the sewer crew is working on, with the overall goal being to map the sewer system while also reducing I&I.

**Executive Session:**
J. Mathews adjourned the meeting into executive session at 7:50 p.m. to discuss litigation matters related to the Pro Electric lawsuit. The executive session ended at 8:35 p.m., at which time J. Mathews reconvened the regular meeting.

**New Business:**
M. Husson made a motion to authorize MPL, as the Authority’s counsel, to file any counterclaims available to Pro Electric’s amended complaint and to permit Dean Smith to sign the required verification for such filing. The motion was seconded by K. Hake and unanimously approved.

M. Husson made a motion to release $55,000 of the Pro Electric escrow funds to Pro Electric. The motion was seconded by K. Hake and unanimously approved.

M. Husson made a motion to reject Pro Electric’s AFP due to delay claims related to the Galway Bay settlement and corresponding payment. The motion was seconded by K. Hake and unanimously approved.

M. Husson made a motion to authorize MPL, as the Authority’s counsel, to enter into settlement negotiations regarding the Pro Electric litigation. The motion was seconded by K. Hake and unanimously approved.

M. Husson made a motion to accept a letter of credit from Pro Electric in exchange for Pro Electric’s escrow funds held with the Authority, with such letter of credit in the amount of $333,027.52, which will be reduced by $47,763.00 on July 13, 2012. The letter of credit will be subject to counsel’s terms.
regarding settlement or final order of court. The motion was seconded by K. Hake and unanimously approved.

Being no further business the meeting was adjourned at 8:45 pm.

Next Meeting Date:
4/25/12 at 7:00 PM

Respectfully submitted,
Kevin Hake
Secretary