

**MINUTES OF THE REGULAR MEETING**  
**July 28, 2014**  
**WARWICK TOWNSHIP WATER AND SEWER AUTHORITY**

The regular July 28, 2014 meeting of the Warwick Township Water and Sewer Authority was called to order at 7:00 p.m. by Vice Chairman Richard Carlin. The following Board members were present: Secretary John Sklencar, Secretary/Treasurer Edward Thompson and Member Stanley Rockovich. Chairman Paul Stavrides was excused from attendance.

Also present at the invitation of the Board were the following:

Michael Sullivan, Executive Director  
Edward Rudolph, Esq., Rudolph Clarke LLC  
Frederick Ebert, P.E., Ebert Engineering

**MINUTES**

Upon motion of Mr. Rockovich, seconded by Mr. Carlin, the Board approved the amended minutes of the May 19, 2014 Board Meeting by a vote of 3-0-1 with Mr. Sklencar abstaining. Upon motion of Mr. Rockovich, seconded by Mr. Carlin, the Board approved the June 23, 2014 Board Meeting minutes by a vote of 4-0.

**PUBLIC COMMENT**

- A. Confirmed Appointments – There were no confirmed appointments.
- B. From the Floor – There were no visitors in attendance.

**FINANCIAL REPORT**

The Board performed a six (6) month review of the 2014 budget as well as the financial reports. Mr. Carlin noted the strong tapping fee figures collected by the Authority. Mr. Sullivan reported that the year-to-date numbers in the profit and loss statement are in line with the Authority's approved budget. There was no action taken by the Board.

**TREASURER'S REPORT**

**Requisitions**

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Requisition No. 42 a transfer of \$117,301.97 from the BRIF Funds to Operating Account was approved 4-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Requisition No. 43, a transfer of \$253,949.53 from the Revenue Funds to Operating Account was approved 4-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Bill Payment List 07/14-A in the amount of \$318,326.50 was approved 4-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Bond Construction Fund Requisition #29 for Fish Creek WWTP Upgrade Phase II for Ebert Engineering in the amount of \$1,409.15 was approved 4-0.

### **Releases**

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Professional Services Releases (TD Bank) in the total amount of \$6,695.69 were approved 4-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, escrow releases and professional service invoices (pending) in the amount of \$9,741.19 were approved 4-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Developer Construction Escrow Release Requisition #1 for Kruse Partnership in the amount of \$45,489.92 was approved 4-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Professional Service Releases (TD Bank) for Warwick Village Commons (WaWa) in the amount of \$1,617.00 was approved by a vote of 3-0-1 with Mr. Carlin recusing himself from the discussion and vote.

### **SOLICITOR'S REPORT**

#### **Authority Business**

Mr. Rudolph referred the Board to his written report.

#### **Legal Complaints**

Klipper v. Carroll Engineer and WTWSA – Mr. Rudolph reported that the Authority has submitted briefs as required to the Commonwealth Court.

#### **Developments**

Warwick Village Commons Development Agreement – Mr. Carlin withdrew from the meeting participation during the discussion of the Warwick Village Commons. Mr. Rudolph updated the Board regarding the various aspects and components of the agreement.

On motion of Mr. Rockovich, seconded by Mr. Thompson and with a 3-0-1 vote with Mr. Carlin rescuing himself, the following motion was approved.

I move that the Warwick Township Water & Sewer Authority ("Authority") Board, by its authorized officers, execute the Development Agreement ("Agreement"), between the Authority and Buckingham Retail Properties, LLC ("Developer"), concerning the construction of a commercial development consisting of four (4) buildings proposed to consist of a convenience store with gas services, a pharmacy, day school and a mixed office/retail building, tax parcel numbers 51-003-089-003 and 51-003-090, subject to receipt by the Authority of a duly executed Agreement; all payments required of the Developer under the terms of the Agreement, relinquishment of a certain easement and grant of a certain easement as indicated in the Agreement before August 18, 2014; and, all other items deemed necessary by the Executive Director.

Warwick Village Commons Easement Agreement – On motion of Mr. Rockovich, seconded by Mr. Thompson and with a 3-0-1 vote with Mr. Carlin rescuing himself, the following motion was approved.

I move that the Warwick Township Water & Sewer Authority (“Authority”) Board, by its authorized officers, execute the Easement Agreement (“Agreement”), as approved by the Authority Solicitor, between John A. Meyer, Jr. and Dianne Meyer, as grantors, and the Authority, as Grantee, concerning a perpetual easement being granted to the Authority in, over and under portions of tax parcel number 51-3-87 (Goddard School Property) to permit the installation, construction, connection and use of public sanitary sewer facilities, together with the right of ingress, egress and regress over the easement area for permitted purposes for the development known as “Wawa”; and, the Revocation and Termination of Deed of Easement (“Relinquishment”) between the Authority and Kendarbren Partners, L.P., by Jondi, Inc., its general partner, regarding the relinquishment of a certain easement over tax map parcel number 51-18-17-6 as consideration of the aforementioned Goddard School Property easement, subject to receipt by the Authority of a duly executed Agreement and Relinquishment before August 18, 2014 and all other items deemed necessary by the Executive Director.

Mr. Carlin rejoined the conversation to participate in the remaining meeting agenda items and discussion.

The Bridges of Warwick Development Agreement – On motion of Mr. Rockovich, seconded by Mr. Sklencar and with a 4-0 aye vote, the following motion was approved.

I move that the Warwick Township Water & Sewer Authority (“Authority”) Board, by its authorized officers, execute the Development Agreement (“Agreement”), concerning the construction of an assisted living facility consisting of one hundred thirty (130) beds, tax parcel number 51-003-078, subject to receipt by the Authority of a duly executed Agreement; all payments required of the Developer under the terms of the Agreement, a certain access easement and blanket easement as indicated in the Agreement before August 18, 2014; and, all other items deemed necessary by the Executive Director.

Heritage Creek II – Toll Brothers – Mr. Sullivan presented a Professional Services Agreement for the development of ninety (90) single family homes recently purchased by Toll Brothers. Mr. Thompson objected to the reference to a golf course community in the agreement. Mr. Carlin moved to approve the agreement with Toll Brothers, LLC subject to the removal of the reference to the golf course community in the name of the development. The motion was seconded by Mr. Sklencar and approved by a 4-0 vote. Mr. Carlin initialed the change in the agreement.

## **ENGINEER'S REPORT**

### **Authority Projects**

The Authority's engineer generally reviewed the projects within the written engineering report.

Route 263 Improvements – Mr. Ebert reported that the majority of the pipe work related to the water main relocation is complete for Phase I and that testing of the main prior to activation continues. The Authority engineer will work with staff to start the submissions to PA Department of Transportation for reimbursement.

Fish Creek Upgrade – The Authority solicitor reported that he is waiting for the final plans and specifications from the special project engineer and will perform his final review upon receipt.

SCADA Update – The SCADA system is active and a final punch list is being prepared. Staff is fine tuning the setting for the individual water interconnections.

Executive Session – The Board entered into an Executive Session at 8:05 p.m. to discuss matters of potential litigation. There was no action taken. The Board reconvened to the regular meeting at 8:15 p.m.

## **AUTHORITY REPORT**

### **Operations – Executive Director**

Operations Report – Water/Sewer – Mr. Sullivan referred the Board to the written operations reports. The Executive Director noted that the unaccounted for water remains low for the water distribution system as reflected in the reports.

### **Administrative – Executive Director**

Electric/Sludge Hauling Invoices – The Board generally reviewed two of the largest operating expenses.

### **Developments – Executive Director**

Resolution No. 2014-01 – Disposition of Records – On Motion of Mr. Sklencar, seconded by Mr. Rockovich, the Board approved Resolution No. 2014-01 for the disposition of records in accordance with the Municipal Records Manual and as detailed in the Resolution. The motion was approved by a 4-0 vote.

Resolution No. 2014-02 – Revision to the Fee Schedule – On Motion of Mr. Sklencar seconded by Mr. Rockovich, the Board approved Resolution No. 2014-02 for the attorney fee at the established rate for preparation, filing and pursuit of municipal liens for delinquent water and/or sewer accounts and as detailed in the Resolution. The motion was approved by a 4-0 vote.

EPA Well Monitoring – Mr. Sullivan referred the Board to the enclosed diagram depicting the current monitoring areas initiated by the EPA. The Authority has offered several sampling locations including the unused Country Crossing Production Wells as well as the Remax Well #7. The Authority will be provided copies of the sampling results.

Various Correspondence – Mr. Sullivan referred the Board to the contents of the meeting packet.

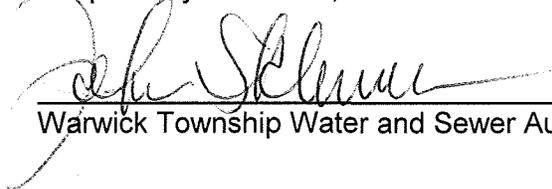
**CHAIRMAN'S MINUTE**

Joint Meeting Announcement – The Executive Director reminded the Board of the September 26, 2014 joint meeting with the Board of Supervisors at 7:00 a.m.

Adjournment – There being no further business, the Board, upon motion of Mr. Sklencar, seconded by Mr. Rockovich, and with a 4-0 aye vote, adjourned at 9:45 p.m.

Respectfully submitted,

BY:



Warwick Township Water and Sewer Authority