

**MINUTES OF THE REGULAR MEETING  
OCTOBER 27, 2014  
WARWICK TOWNSHIP WATER AND SEWER AUTHORITY**

The regular October 27, 2014 meeting of the Warwick Township Water and Sewer Authority was called to order at 7:00 p.m. by Chairman Paul Stavrides. The following Board members were present: Vice Chairman Richard Carlin, Secretary John Sklencar, Secretary/Treasurer Edward Thompson and Member Stanley Rockovich.

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. Sklencar, seconded by Mr. Carlin, the minutes from the September 22, 2014 Board Meeting were approved by a vote of 4-0-1.

**PUBLIC COMMENT**

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

**FINANCIAL REPORT**

Mr. Sullivan referred the Board to the reports contained in the meeting packet. A more detail discussion will follow regarding the 2015 Draft Budget.

Mr. Carlin discussed various line items on the Balance Sheet. Mr. Carlin will forward his questions to Mr. Sullivan for further details.

Mr. Sullivan discussed a check in the bill list for \$25,000 to The Cutler Group Inc. for the Dark Hollow Road Restoration Project. The check is for the Authority portion of the road paving. A motion was made by Mr. Carlin and seconded by Mr. Rockovich, to hold the above referenced check until the Township signs off on the project as complete was approved 5-0.

**TREASURER'S REPORT**

**Requisitions**

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Requisition No. 48 a transfer of \$51,864.76 from the BRIF Funds to Operating Account was approved 5-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Requisition No. 49, a transfer of \$230,952.26 from the Revenue Funds to Operating Account was approved 5-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Bill Payment List 10/14-A in the amount of \$240,477.02 was approved 5-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Bond Construction Fund Requisition #32 for Fish Creek WWTP Upgrade Phase II for Ebert Engineering in the amount of \$445.94 was approved 5-0.

### **Releases**

On motion of Mr. Sklencar, seconded by Mr. Rockovich, Professional Services Releases (TD Bank) in the total amount of \$6,303.23 were approved 5-0.

On motion of Mr. Sklencar, seconded by Mr. Rockovich, escrow releases and professional service invoices (pending) in the amount of \$99.00 were approved 5-0.

On motion of Mr. Thompson, seconded by Mr. Rockovich, professional services (TD Bank) for Warwick Village Commons (Wawa) in the amount of \$15,991.66 were approved 4-0-1 with Mr. Carlin rescuing himself.

### **SOLICITOR'S REPORT**

#### **Authority Business**

Mr. Rudolph referred the Board to his written report.

The Board entered into an executive session at 8:00 p.m. to discuss matters of litigation. The Board reconvened to the regular meeting at 8:25 p.m. at which time the following action was taken.

Lot #27 Warwick Business Campus Settlement Agreement – Upon motion of Mr. Sklencar, seconded by Mr. Thompson and with a 5-0 vote, the Board approved the following motion.

I move that the Warwick Township Water & Sewer Authority (“Authority”) Board, by its authorized officers, authorize and direct the Executive Director to execute all documents and more particularly the Mutual General Release and Settlement Agreement (“Release”) among the Authority, Michael Butler (“Buyer”) and Bucks Realty Group (“Broker”) related to the release of the amount of the deposit being held for the benefit of the Authority by the Broker; and, which further nullifies the Agreement of Sale dated April 23, 2014, between the Buyer and the Authority with regard to the sale of Tax Parcel Number 51-013-010-002, and releases all claims by the Broker and Buyer against the Authority.

#### **Legal Complaints**

Klipper v. Carroll Engineer and WTWSA – Mr. Rudolph provided an update to the Board related to the ongoing litigation and the arguments at the Commonwealth Court.

## Developments

The Bridges of Warwick - Extension of Development Agreement – On motion of Mr. Carlin, seconded by Mr. Thomson and with a 5-0 vote the following motion was approved.

I move that the Warwick Township Water & Sewer Authority ("Authority") Board, by its authorized officers, reaffirm its resolutions adopted July 28, 2014, and September 22, 2014, to execute the Development Agreement ("Agreement"), between the Authority and Basile Senior Housing Limited ("Developer"); and, the Financial security Agreement among the Authority, Developer and Susquehanna Bank ("Bank"), 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 all payments required of the Developer under the terms of the Agreement, including the funding of the escrow account with the Bank, a certain access easement and blanked easement as indicated in the Agreement; and, all other items deemed necessary by the Executive Director.

Warwick Village Commons – Extension of Conditional Approval – On motion of Mr. Thompson, seconded by Mr. Rockovich and with a 4-0-1 vote with Mr. Carlin rescuing himself from the discussion and vote, the following motion was approved.

I move that the Warwick Township Water & Sewer Authority ("Authority") Board, by its authorized officers, further extend the approval to 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, as approved by Resolution adopted July 28, 2014, and extended by Resolution adopted September 22, 2014; subject to receipt by the Authority of a duly executed Agreement and Relinquishment by December 31, 2014, and all other items deemed necessary by the Executive Director.

Woodlands at Warwick (Heritage Creek II) – On motion of Mr. Thompson, seconded by Mr. Rockovich, and with a 5-0 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") among the Authority and Toll PA XVII, L.P. ("Developer") and Creek Road Development Group, L.P., in its capacity as owner of the Golf Course, concerning the construction of ninety (90) single-family detached dwellings, tax parcel number 51-3-137; and, a treated wastewater effluent pump station at the Country Crossing Wastewater Treatment Plant, subject to receipt by the authority of a duly

executed Agreement; all payments required of the Developer under the terms of the Agreement; and, all other items deemed necessary by the Executive Director

## **ENGINEER'S REPORT**

### **Authority Projects**

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

Route 263 Improvements – Mr. Ebert noted that the contractor is continuing to work on the project.

Fish Creek Upgrade – Mr. Ebert reported that the special project engineer finalized the design plans and specifications and delivered the documents to the Authority for review.

SCADA Update – The SCADA system is active and a final punch list is being issued and the login has been refined.

## **AUTHORITY REPORT**

### **Operations – Executive Director**

Operations Report – Water/Sewer – Mr. Sullivan referred the Board to the written operations reports.

Country Crossing – NPDES Permit Renewal Update – Mr. Sullivan reported that the NPDES permit was published on September 29, 2014. With the new permit, the Authority gained flexibility in meeting the permit requirements. The prior permit required the Authority to discharge to the lagoon and the creek for a specified period of time. With the new permit, discharge from the plant can be made to either location with notification to the PA DEP. In addition, the Authority gained a nutrient credit for any water spread over the golf course as long as documentation of the water used. The Authority will meter the water used on the Golf Course. This helps the Authority to meet the PA DEP permit as well as gain efficiencies on the Authority operations without Capital funds outlay. The permit is for five (5) years. The permit will be finalized in thirty (30) days pending the required comment period.

### **Administrative – Executive Director**

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

Bulk Water Report – The Board generally reviewed the Bulk Water Report.

2015 Draft Operating Budget Presentation – The Board had a brief discussion of the preliminary 2015 Draft Budget. Mr. Sullivan gave a brief overview of the Draft. The Board will discuss in more detail at the next regularly scheduled Board meeting.

Update on Various Proposed Developments – Mr. Sullivan updated the Board on various proposed and active developments.

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

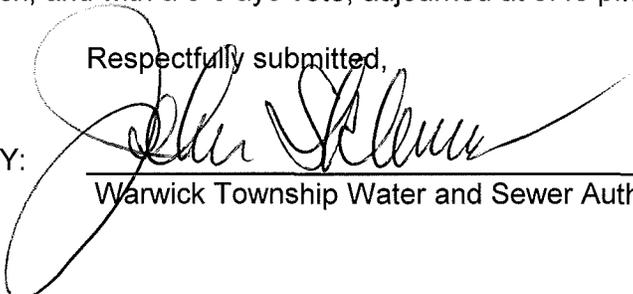
**CHAIRMAN'S MINUTE**

PMAA Region 1 Fall Meeting – The PMAA Region 1 Fall Meeting is scheduled for November 24, 2014.

Adjournment – There being no further business, the Board, upon motion of Mr. Thompson, seconded by Mr. Rockovich, and with a 5-0 aye vote, adjourned at 9:40 p.m.

Respectfully submitted,

BY:

  
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Warwick Township Water and Sewer Authority