

THE HARRISBURG AUTHORITY

BOARD OF DIRECTORS

REGULAR MEETING AGENDA

**DECEMBER 21, 2011
6:00 PM**

AGENDA

- I. Call to Order - Pledge of Allegiance - Roll Call
 - II. Announcements - Chairman
 - Executive Sessions were held on December 9th @ 9:00 AM and December 14th @ 7:00 PM, December 16 @ 12:30 PM and today December 21st at 4:30 PM to discuss personnel and litigation matters.
 - Next meeting is scheduled for Wednesday, January 25, 2012 at 6:00 PM.
 - Announcement that 2012 Regular Monthly Meetings of The Harrisburg Authority **will be held on the fourth Wednesday of each month (with the exception of the December meeting) at 6:00 p.m.** at the following location: The Harrisburg Authority, 212 Locust Street, Suite 302, Harrisburg, PA 17101.

January 25, 2012	July 25, 2012
February 22, 2012	August 22, 2012
March 28, 2012	September 26, 2012
April 25, 2012	October 24, 2012
May 23, 2012	November 28, 2012
June 27, 2012	December 19, 2012
 - Notice of the regular monthly meetings during 2012 will be published in a newspaper of general circulation and will be posted at the office of the Authority as required in accordance with the Sunshine Act. The meeting dates will also be posted on the Authority's website @ www.hbgauthority.com
 - Announcement that the 2012 Holiday Schedule will be posted to the website.
- III. Staff Reports
 - Executive Director (Interim)
 - Engineering Director
 - Facility Director
 - Finance Director (Interim)
- IV. Operator Reports
 - Covanta Harrisburg, Inc. – Resource Recovery Facility
 - City of Harrisburg Public Works Department - Bureaus of Water and Sewer
- V. Consultant Reports
 - Q&A and additional information as necessary
- VI. Minutes of Previous Meetings:
 - November 15, 2011 Special Meeting
 - November 22, 2011 Regular Meeting to the Agenda
- VII. Public Comments - Agenda Items (3 minutes)

VIII. Old/New Business:

GENERAL/ADMINISTRATIVE:**A. Personnel Change - Title Change for Karen McKillip:**

Motion: The Board authorizes that Karen M. McKillip's title will change from Office Manager/Executive Assistant to Document Manager/Right to Know Officer effective January 1, 2012.

B. Special Financial Advisor to Work with State's Receiver Team:

Motion: That the Chairman and/or Interim Executive Director be authorized to negotiate and enter into an agreement with a Financial Advisor to work in conjunction with the State's Receiver Team to seek operational efficiencies for the Water and Wastewater Systems of The Harrisburg Authority and the City of Harrisburg. Funding Source: To be paid out of any transaction proceeds.

WASTEWATER**A. Letter Agreement with HRG re: Update Status of Engineering Various Contracts for 2008 and 2009 AWTF Improvement Projects:**

Motion: The Board authorizes the Chairman and/or Executive Director to accept the scope and fee changes proposed and outlined in a Letter Agreement dated December 8, 2011 from Herbert, Rowland, and Grubic, Inc. for the 2008 and 2009 AWTF Improvement Projects as summarized below

<u>PROJECT</u>	<u>FEE ADJUSTMENT</u>
Belt Filter Press Procurement	\$1,389.00
Dewatering System Upgrade	\$7,308.33
Grit Removal System Upgrade	\$7,478.00
Facility Improvement Projects	<u>\$ 4,072.12</u>
TOTAL	\$20,247.45

WATER**A. CDM Smith, Inc. - Filter Media Proposal:**

Motion: That the Chairman and/or Interim Executive Director be authorized to accept the scope and fee outlined in the proposal dated October 7, 2011 from CDM and authorizes the Chairman and/or Interim Executive Director to execute the Agreement with CDM Smith, Inc. dated December 22, 2011 in the amount of \$12,150.00. Funding Source: Water Fund #7435 - Filter Media Replacement.

B. HRG – Land Development Review and Related Services (Planning through Construction):

Motion: The Board authorizes the Chairman and/or Executive Director to accept the scope and fee changes proposed and outlined in a Letter Agreement dated December 19, 2011 from Herbert, Rowland and Grubic, Inc. for the Land Development Review and Related Services. The Board also authorizes the Interim Executive Director to execute Confirmation of Assignments, as needed, under this Agreement. Funding Source: Developer's Escrow Funds.

C. HRG (GIS Pilot Area):

Motion: The Board authorizes the Chairman and/or Interim Executive Director to negotiate and enter into an Agreement with Herbert Rowland and Grubic, Inc. for engineering services relative to the GIS Pilot Area Project. The Agreement will be ratified for approval at the January 2012 monthly Board meeting. Funding Source: Water Fund #7430 - GIS.

D. Removal of Resolution No. 2011-010 from the Table:

Motion: Authorizes the removal of Resolution No. 2011-010 from the table as of 10/26/11 for approval of the City of Harrisburg's 2012 Water Operating Expense Budget.

SOLID WASTE:**A. Rettew Proposal for Ash Landfill – Addendum #5, Preparation of 2011 Municipal Waste Landfill Annual Operation Report :**

Motion: At the end of each year, THA's Ash Landfill is surveyed to update ash disposal capacity and in combination with operating data provided by THA and Covanta, provide the information necessary for preparation of the DEP Municipal Waste Landfill Annual Operation Report. A proposal has been received from Rettew to perform this work for a not-to-exceed price of \$9,000.00. The Board approves the Chairman and/or Executive Director entering into Addendum #5 with Rettew Engineering for preparation of the 2011 Municipal Waste Landfill Annual Operation Report. Funding Source: Solid Waste Fund #6514.5C - Landfill Engineering.

B. Tolling Agreements:

Motion: The Board authorizes Douglas Schleicher, Esq. of the firm of Klehr Harrison Harvey Branzburg, LLP to execute Tolling Agreements related to potential legal claims of The Harrisburg Authority.

FINANCE:**A. Election to Participate in Bank of America Settlement – Claim No. 1001204 (Trade Date: 9/15/99) for 1999 & 2003 Water Revenue Bonds:**

Motion: The Board authorizes the Chairman and/or Interim Executive Director to accept or reject the terms of the settlement offer with Bank of America relative to Claim No. 1001204 (Trade Date: 9/15/99) regarding the 1999 & 2003 Water Revenue Bonds upon the advice of legal counsel and upon the vote of the Board via email.

B. Election to Participate in Bank of America Settlement – Claim No. 1001207 (Trade Date: 4/17/02) for 1999 & 2002 Water Revenue Bonds:

Motion: The Board authorizes the Chairman and/or Interim Executive Director to accept or reject the terms of the settlement offer with Bank of America relative to Claim No. 1001207 (Trade Date: 4/17/02) regarding the 1999 & 2002 Water Revenue Bonds upon the advice of legal counsel and upon the vote of the Board via email.

C. Election to Participate in Bank of America Settlement – Claim No. 1001265 (Trade Date: 5/22/02) for 1996 Series I – Harrisburg School District Revenue Bonds:

Motion: The Board authorizes the Chairman and/or Interim Executive Director to accept or reject the terms of the settlement offer with Bank of America relative to Claim No. 1001265 (Trade Date: 5/22/02) regarding the 1996 Series I – Harrisburg School District Revenue

Bonds upon the advice of legal counsel and upon the vote of the Board via email.

D. Election to Participate in Bank of America Settlement – Claim No. 1001205 (Trade Date: 10/15/02) for 1998 Series A and B Capitol Associates Project Office and Parking Revenue Bonds:

Motion: The Board authorizes the Chairman and/or Interim Executive Director to accept or reject the terms of the settlement offer with Bank of America relative to Claim No. 1001205 (Trade Date: 10/15/02) regarding the 1998 Series A and B Capitol Associates Project Office and Parking Revenue Bonds upon the advice of legal counsel and upon the vote of the Board via email.

E. Election to Participate in Bank of America Settlement – Claim No. 1001206 (Trade Date: 8/20/03) for 2003 Series ABC Resource Recovery Facility Revenue Bonds:

Motion: The Board authorizes the Chairman and/or Interim Executive Director to accept or reject the terms of the settlement offer with Bank of America relative to Claim No. 1001206 (Trade Date: 8/20/03) regarding the 2003 Series ABC Resource Recovery Facility Revenue Bonds upon the advice of legal counsel and upon the vote of the Board via email.

F. Accept the Financial Statement and Supplementary Information for Year Ended December 31, 2009 with Independent Auditor's Report:

Motion: The Board accepts the Financial Statement and Supplementary Information for Year Ended December 31, 2009 with Independent Auditor's Report prepared by the auditing firm of Maher Duessel and authorizes the distribution in compliance with the various Trust Indentures.

G. Budgets:

1. Resolution No. 2011-010 (Approval of 2012 Water Operating Expense Budget):

– The Board authorizes and approves the City of Harrisburg 2012 Proposed Water Budget dated November 22, 2011 except for:

- (a) the portion thereof relating to the City's General Administration Charges, which the Authority desires to dispute; and
- (b) the amounts included for Administration Salary and associated expenses, which the Authority desires to be increased to the amounts included in the October 20, 2011 Draft.

Said revisions mirror the "Requested" numbers enumerated in the "Expenditure Budget Workbook" presented November 22, 2011 and results in an authorized amount of \$4,534,698 in Direct Operating Expenses and disputed General Administrative Charges, which unless resolved would revert to the previously approved 2011 amount of \$1,398,118.

IX. Board Member Comments

X. Public Comment - Non Agenda Items (3 minutes)

XI. Adjournment