

# Weaverland Valley Authority

## Meeting Minutes

April 8, 2019

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on April 8, 2019. Chairman Ken Witmer called the meeting to order at 6:30 p.m.

The following Board members were present: Ken Witmer, Harold Kilhefner, Jason Firestine, Scott Marburger (arrived late), Gene Pierce, Scot Ash and Tom McDermott. Also present were Gary Martin, Becker Engineering; Jeff Sweater, ELA; Bruce Crabb, Operations Supervisor; and Denise Bensing, Administrator.

**MINUTES:** A motion was made by Gene Pierce, seconded by Tom McDermott, that the minutes of the March 11, 2019 meeting be approved as submitted. The motion carried unanimously.

### **CORRESPONDENCE:**

1. M. J. Reider lab reports (Shady Maple) March. Gary noted that there will not be a surcharge for March.
2. Cawley Environmental/Goodville Treatment Plant: February 2019. Everything operated normally. Gary noted that the transfer of the NPDES permit has been completed and the owner has been notified in writing. Gary did ask that the reports continue to be sent to the Authority.
3. M.J. Reider – Quarterly nitrate results for the Terre Hill system.
4. W. G. Malden – Shady Maple quarterly meter calibration report. All ok.
5. Wide Hollow School (Matthew Leid) – Wide Hollow School purchased the property at 596 Red Run Rd. and is requesting to return the water and sewer capacity. The trailer is being removed and the water and sewer has been disconnected. It was noted that the Authority has not received official notification from the Township that the schoolhouse will not be required to connect. It is unknown if the Supervisors took official action at a Supervisor’s meeting. Without official notification the board decided to table a decision on accepting the return of capacity and asked Frank to send a letter to the Township solicitor explaining the ramifications for making exceptions to the mandatory connection ordinance. Frank will also request the Authority be provided the Supervisors decision in writing.
6. David Lignore, equitable owner 4180 Division – Request to return .2EDU of capacity. Denise explained that Mr. Lignore is purchasing the property at 4180 Division Hwy. He has already converted it from an 8 room boarding house to a 2 bedroom apartment (3 bedrooms in the future). He would like to return the .2 EDU of capacity because it will not be needed. Scot Ash made a motion to accept the return of .2 EDU, seconded by Jason Firestine. Motion carried unanimously.
7. Earl Township Sewer Authority – Notification that the repairs to the sewers downstream of the WVA forcemain discharge on East Earl Rd. The work is currently being bid and expected to be awarded on April 10, 2019. The total cost for this repair is estimated to be less than \$75,000. It was noted that the Authority portion is approximately 1/3.
8. Becker Engineering – ETSA 2018 Chapter 94 Report to DEP.
9. Becker Engineering – WVA 2018 Chapter 94 Report to ETSA.
10. Becker Engineering – WVA 2018 Chapter 94 Report to DEP.
11. Becker Engineering – Churchtown Woodcraft Record Plan review letter.

12. Becker Engineering – Notice to Twin Springs regarding expiration of maintenance guarantee period and request for issues to be addressed.
13. Fry Surveying – Submittal of Record Plans.
14. Fry Surveying – Submittal of Timberlines Estates legal descriptions and exhibits of easements.

**ADMINISTRATIVE REPORT:**

Denise received the signed Sevilla (1319 Black Sheep Circle) Easement Encroachment and License Agreement from the Sevilla’s. It needs to be signed by the Authority and recorded. Denise noted that the Sevillas already paid for the preparation and recording of the agreement. Gene Pierce made a motion to sign and record the Easement Encroachment Agreement for the Sevilla property, seconded by Scot Ash. Motion carried unanimously.

Denise discussed the office addition. Denise also explained that the general contractor discussed with Eldon Stoltzfus that the actual price of the windows and door were significantly higher than the quote he received to prepare the bid. It was suggested that Denise request splitting the cost difference of \$2,581.72 with the general contractor. Although the board has compassion for this situation, they feel this is an issue with Musselman Lumber.

Denise received an invitation for a luncheon with LCPC to discuss the new county comprehensive plan on Thursday, May 2. This invitation is for managers and planners of municipalities, authorities, and school districts. They will outline the process to be followed for the next level of planning. Denise asked if anybody on the board would like to attend or if she should attend. The board asked Denise to attend and report to the board.

**FINANCIAL REPORT:**

The Financial report was read with \$146,401.96 (Sewer \$92,533.30 Water \$53,868.66) in bills for approval.

Water & Sewer Collection Fund	\$1,759.59
Business Checking Water Fund - ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$694,379.64
Construction Account – ETSA Upgrades	\$984.99
FDIC Insured Sweep Account - Sewer	\$2,686,219.35
Business Checking Sewer Fund - ENB	\$250,000.00
Business Checking – Fulton Bank	\$242.46
FDIC Insured Sweep Account – Fulton	1,005,261.47
Joint WWTP Business Checking – Fulton Bank	2,500.00
Fulton Bank Loan Balance	\$987,910.00

A motion was made by Gene Pierce to approve the financial report and pay the bills, seconded by Harold Kilhefner. Motion carried unanimously.

**ENGINEERS’ REPORT:**

**Gary Martin**, distributed his report but deferred the time to Jeff’s report.

**Jeff Sweater**

Regional WWTP: The PA DEP Part 1 (NPDES) and Part 2 (WQM) permits should be in hand by mid-April.

Land Development Planning: The NPDES Stormwater Management (SWM) permits have been approved. The plans should be recorded in the next month and the recording fees will be around \$100 to \$200.

Highway Occupancy Permit (HOP): -The requests have been submitted to the Borough and Township to utilize local roads during the detours.

Construction Documents/Bidding: Bid documents are expected to be released in July or August. The 90% Opinion of Probable Cost (OPC) has been provided to the staff. The OPC is believed to be conservative numbers for the purpose of acquiring USDA funding. Tom expressed that he feels there is too much capacity being built in the plant. Gene asked if the additional capacity increases the cost proportionately. It was noted that building a larger tank to accommodate more capacity would not increase the cost proportionately. Jeff explained that scaling the capacity back

may save \$1 - \$2 million but the most expensive part of the project is the conveyance system. Jason asked if there is a chance that we would not get USDA grants/funding. Jeff explained that there is no 100% guarantee but if the Authority doesn't get the funding from USDA they would need to drop back and rethink how to get the funding. Gene expressed his concern with whether the Authority will be able to pay this back. Jeff explained that the USDA will only give funding for what the Authority can afford. Scot asked how much larger is the plant than what is needed. Jeff noted that it is an additional 200,000 gallons larger. Harold Kilhefner made a motion to apply for \$27.5 million in funding from USDA based on the engineer's OPC and for Ken to sign the application, seconded by Gene Pierce. Motion carried unanimously.

USDA Funding: The USDA feels it is critical for the Authority to develop a Capital Improvement Plan ASAP. The plan can remain simple. Gary and Bruce have already started the process. Gary requested input from the board if they know of any projects that need to be on the plan. Jeff also noted that the USDA is requesting 2018 year end statements.

Gary was asked if the issue with the Sauder Hardscape line needs to be addressed. Gary explained that the line to the Rancks Church Rd. building crosses a Main St. property. At this time, both properties are owned by the same person so it's not a big issue but if this were to change, an easement would be required. Scot Ash made a motion for Denise to send a letter recommending he address this issue, seconded by Jason Firestine. Motion carried unanimously.

### **SOLICITOR'S REPORT:**

Frank Mincarelli

Cheltenham: Frank explained, after some review, he feels that after the conditions set forth in the conditional acceptance in 2007 were satisfied that the water and sewer facilities were lawfully transferred to the Authority. Frank sent a letter to the Township and the homeowner association counsel regarding his change of opinion. Gene Pierce made a motion to formally accept the dedication of the Cheltenham facilities as of today, seconded by Jason Firestine. Motion carried unanimously.

Mandatory Connections: Frank had previously reported that he was contacted by Wilmer Martin who said he doesn't have the money to connect. Frank got back to Mr. Martin with two options. The two options were a 1% USDA loan or the Authority could make the connection and lien the property.

Draft Consent Order and Agreement with the DEP: Frank reported that we were able to get an additional five months and reduce the civil penalties to a total of \$2,800. If the board feels the final draft is acceptable, six copies will need to be signed as well as a resolution. Gene asked Bruce if he feels this is sufficient time to accomplish what needs to be done. Bruce and Gary both feel it is. Gene Pierce made a motion to adopt the resolution as read and for Denise to submit a check for \$2,800 for the civil penalty, seconded by Jason Firestine. Motion carried unanimously.

Clifford and Esther Nolt, 795 Terre Hill Rd. Public Sewer Connection Agreement: Frank drafted a sewer connection agreement as requested by the board at the last meeting. In the agreement, it asks for an escrow to be entered into for any review fees. The board may choose to not require an escrow if they so choose. Jason Firestine made a motion to approve the Sewer Connection Permit waiving the escrow fees, seconded by Harold Kilhefner. Motion carried unanimously.

Collections: Frank distributed an updated list of liens. Many of the liens are from the East Earl Sewer Authority or Blue Ball Water Authority. Frank discussed issuing Writ of Execution of Foreclosure for some of the liens. Initially, Frank will send a Writ to Innes, 708 Rancks Church Rd. and Chadni LLC, 1085 Main St. Gene Pierce made a motion to have a combined policy of an amount of \$3,000 or more or 3 years or more will trigger the process for a writ, seconded by Scot Ash. Motion carried unanimously.

### **OPERATIONS REPORT:**

Bruce reported that there was a DEP inspection of the WWTP. The report for the inspection will be emailed to Ken. There were issues finding the outfall at the Black Creek but it has now been found. The upstream manholes showed evidence of overflowing. It was thought that there was a clog but after some investigating, it was found that during storms the manholes fill up and overflow. Bruce was also notified that, after the last inspection, the septage receiving was supposed to be closed down. Everything now seems to be operating properly and it can continue to operate.

Bruce received a total of 3 quotes for mowing. Curtis Frey was lower by roughly \$200 per mowing. Scott Marburger made a motion to have Curtis Frey do the Authority mowing seconded by Tom McDermott. Motion carried unanimously.

There have been multiple call outs to Well 6 due to the valve issue. Bruce is waiting for Kohl Bros. to fit this repair into their schedule.

The Chapter 110 water allocation was completed and filed for 2018. The Blue Ball area was at 92% and Terre Hill was at 68%. Bruce noted that a leak was fixed in Terre Hill and when he checked the 4<sup>th</sup> quarter they were at 80%. There is still some work to do in Terre Hill but 80% is an acceptable number.

Having no further business, Scott Marburger moved to adjourn the meeting at 9:22 p.m., seconded by Scot Ash. The next meeting will be held on May 13, 2019 beginning at 6:30 p.m.

Respectfully submitted,

Denise A. Bensing

Cc: Scot Ash  
Harold Kilhefner  
Scott Marburger  
Randy Miller  
L. Eugene Pierce  
Kenneth Witmer  
Jason Firestine  
Thomas McDermott  
Bradford J. Harris, Attorney  
East Earl Township  
Terre Hill Borough  
Robert Rissler  
Jeff Sweater, Consulting Engineer  
Gary Martin, Becker Engineering  
Frank Mincarelli, Blakinger Thomas  
John Stoltzfus