

Weaverland Valley Authority

Meeting Minutes

August 12, 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 August 12, 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, Gene Pierce, Randy Miller, Tom McDermott and Scot Ash. Also present were Gary Martin, Becker Engineering; Julian Mazero, ELA; Grant Hummer, ELA; Bruce Crabb, Operations Supervisor; and Denise Bensing, Administrator.

MINUTES: A motion was made by Gene Pierce, seconded by Randy Miller, that the minutes of the July 8, 2019 meeting be approved as submitted. The motion carried unanimously.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) July - There will not be a surcharge for July.
2. ELA follow up letter from Charles Haley apologizing for the letter received from Jeff Sweater in July.
3. DEP – eDMR Use Requirement Reminder. Denise noted that Bruce has been provided with a copy of the letter and he will create an account for the new WWTP NPDES permit.
4. Earl Township – Change Order #1 notification for \$18,376.31. Gary noted that this is the change order he reported on in June.
5. Maher Duessel – Notification of Tracey Rash’s resignation effective Sept. 30th.
6. East Earl Township letter to ELA – Approval of detour route for WWTP.
7. DEP Water Supply Inspection Report – Terre Hill water system was inspected on July 11. Gary noted there were no penalties or fines. There are a few issues but Bruce is working on addressing them.
8. Blakinger Thomas letters to the four remaining property owners on Wide Hollow Rd. and Red Run Rd. who have not contacted the Authority about the required connection.
9. Fry Surveying – Lancaster Pole Buildings updated land development plans. Becker and Bruce are currently reviewing the plans.
10. Becker Engineering letter to New Holland Borough - Notification of 2020 flow projections.
11. Becker Engineering - Edge Investments plan review #2. Gary noted that everything is complete.
12. Becker Engineering – Copy of Terre Hill Corrosion Control Feasibility Study that was submitted to DEP.
13. East Earl Township letter to Trevor Martin, 4356 Division Hwy. regarding installing a fence without a permit and interfering with sewer easement.
14. Resolution 2019-12 and Edge Investments Developer’s Agreement – Gene Pierce made a motion to adopt Resolution 2019-12 with Edge Investments, seconded by Harold Kilhefner. Motion carried. Tom McDermott abstained.
15. Ezra Martin for Amos and Rebecca King, 1059 Main St. – The Kings are planning to subdivide the property and construct a single dwelling on the Sunset Ave. portion of the property. The property currently has a building with three apartments and has capacity of seven sewer EDU’s and three water EDU’s. The Kings are requesting to allocate one of the sewer EDU’s to the property that will be subdivided off and relinquish the three sewer EDU’s

that will not be needed. Gene Pierce made a motion to approve the relinquishment of three sewer EDU's effective at the end of the billing cycle, seconded by Scot Ash. Motion carried unanimously. Gene Pierce made a motion to approve the request to allocate one EDU to the subdivided lot, seconded by Randy Miller. Motion carried unanimously.

ADMINISTRATIVE REPORT:

Denise distributed a budget to actual for the board to review. Although there are some line items that are slightly over where they should be at this time of the year, the overall budget to actual doesn't look bad.

Denise reported that the property owner at 1086 Sunset Ave. moved the propane tank and mailbox off of the Authority well house property. Denise also reported that she sent a letter to the property owner of 142 Toddy Dr. When this property was first developed, the property owner was given permission to install a simplex grinder pump system because the office was only a trailer. The agreement was that if a permanent structure would be built that they would be required to install a duplex grinder system. Under the Authority Rules and Regulations, commercial properties are required to have duplex systems.

FINANCIAL REPORT:

The Financial report was read with \$134,833.95 (Sewer \$121,556.93 Water \$25,969.87) in bills for approval.

Water & Sewer Collection Fund	\$2,272.43
Business Checking Water Fund - ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$700182.12
Construction Account – ETSA Upgrades	\$984.99
FDIC Insured Sweep Account - Sewer	\$2,846,932.04
Business Checking Sewer Fund - ENB	\$250,000.00
Business Checking – Fulton Bank	\$234.46
FDIC Insured Sweep Account – Fulton	1,011,834.68
Joint WWTP Business Checking – Fulton Bank	2,500.00
Fulton Bank Loan Balance	\$987,910.00

A motion was made by Scot Ash to approve the financial report and pay the bills, seconded by Scott Marburger. Motion carried unanimously.

ENGINEERS' REPORT:

Gary Martin

Constructability Review: Planning and staffing to start review mid-August based on an October/November 2019 bid date. Plans were provided to Gary and Bruce tonight. Julian also noted that he contacted Ben Lockwood at DEP to let him know that the Authority will be funded by USDA and the schedule will be updated in the next couple of weeks.

SRBC/DEP Permitting: The Lead-Copper treatment feasibility study for Terre Hill system has been completed and submitted to DEP for review. Based on the results, Becker is recommending that the pH adjustment be discontinued at all three sources. If it is approved, the Authority will be able to remove the pH adjustment equipment which will result in a decrease in labor and chemical cost. Becker is recommending a corrosion inhibitor chemical feed system be added to each well. The SRBC mandated Groundwater Elevation Monitoring plan for the Terre Hill system has been updated. Some technical comments were received from SRBC with regards to Well 4 of the Blue Ball system. These comments are being addressed.

Twin Springs Maintenance Guarantee: All outstanding items have been addressed. Gary recommends releasing the Letter of Credit for Maintenance Guarantees for the water lines, the water plant and the sewer lines. Gene Pierce made a motion to release the Letter of Credit(s) for Twin Springs for the sewer lines, water lines, and the water plant, seconded by Scott Marburger. Motion carried unanimously.

Mark Weaver Water Connection: This property is located north of Tractor Supply. Although this area is in Earl Township it is served by WVA water. Mr. Weaver constructed his wood working business without permission from Earl Township. The business is currently receiving potable water from a water tank which was constructed for fire suppression. Earl Township is investigating mandatory water connection for this property. Mr. Weaver has been told that he may not build his house on this property until public sewer is constructed in the area.

Blue Ball Water Tower Footers: Ron Hershey will be doing a quarterly survey check in the next few weeks.

Julian Mazero

Regional WWTP: Plans were provided to Gary Martin and Bruce this evening. ELA's MEP sub consultant is still working to address outstanding comments. ELA is also addressing comments with other sub consultants.

PA DEP Project Schedule: Julian notified Ben Lockwood at DEP that the project will be funded by USDA and the schedule will be updated in the next couple of weeks.

Highway Occupancy Permit (HOP): ELA has revised the proposed detour plans to only use State Routes during construction. The PennDOT HOP's only address detours specific to the impacted roadways associated with the infrastructure construction. Since the detour doesn't propose to use any Township roads, the Authority cannot include this as part of its HOP. The Township can do road restrictions on its own if they would like. ELA recommends the Township discuss the permanent road restriction with the Township Engineer. Scott explained based on the recent closing of the bridge on Rt. 625, the Township wanted to restrict truck traffic on some of the roads. He emphasized that this will definitely impact the Township roads with truck traffic. Julian advised Scott that the Township can post restrictions on the roads but if the restrictions are challenged, a traffic study would need to be done by the Township engineer. The Township would have liked the Authority to cover the costs for the road restrictions. Tom felt that if the Township wants to permanently restrict a road then the cost should be covered by the Township but the temporary restrictions could be justified. Gene asked Scott to get some costs together for the Authority to discuss.

USDA Funding: ELA met with the Day to Day committee to discuss and finalize the USDA application. The committee recommended requesting funding of \$25,721,000, a semi-annual payment schedule and a 1-year interest only period. The committee also discussed what to do if the bids come in above the estimate. The Authority received the Letter of Conditions from USDA this morning and Sean McElroy would like to have a meeting to clarify some items. Julian explained that there is one more public notification to be done and it will cost approximately \$280.00. Gene Pierce made a motion to approve the public notification for the USDA application, seconded by Jason Firestine. Motion carried unanimously. Julian will arrange a meeting with Sean McElroy, Frank Mincarelli, Bill McCarty, Gene Pierce, Ken Witmer, and Harold Kilhefner.

SOLICITOR'S REPORT:

Frank Mincarelli (via email)

Mandatory Connections: A follow up letter was sent to the four property owners who have not responded to the earlier notices.

Main Extensions: Frank has no update on the Developer's Agreement with LPB Real Estate, LLC.

Financing of Wastewater Collection and Treatment Project: Frank has been keeping bond counsel updated on the status.

Lateral Installation: The Developer's Agreement with Edge Investments has been signed.

Accounts Receivable: Bobbagoy entered a payment plan agreement and was scheduled to make the first payment on Aug. 1st. Denise noted that the agreement was returned to her with the first payment on Aug. 7th. Judgment was entered on Crosson and Innes. The next step is the lien foreclosure process. In order to take the next step, the sheriff requires a payment of \$2,500 for each property to cover his costs. These costs are added to the amount claimed by the Authority so the Authority is reimbursed when a third party purchases the property. The board should let Frank know if they want to proceed. Also, McCarthy remains in bankruptcy.

Brad Harris (via email)

Frogtown Rd. Pumping Station Land Purchase: Settlement which was scheduled for Aug. 14th has been delayed because the title search revealed the property is subject to two option agreements. Neither option has been recorded so the specific terms are not known.

Regional WWTP & Access Drive: Waiting on title search. Hoping to schedule settlement the week of the Authority's September meeting.

OPERATIONS REPORT (Distributed via email):

Ken read Bruce's report which is on file.

DAY-TO-DAY COMMITTEE:

Clean Energy: This property is one business with two grinder pumps, each connected directly to the system. After some digging, it was found that in 1988 the Authority board agreed for the property owner to purchase to EDU's and two grinder tanks and pumps but only pay for one EDU. The board asked Denise to send a letter to the current owner regarding the agreement.

Service Truck: \$60,000 was budgeted for a new service truck but Bruce found out that he was given a bad quote. The actual cost for the truck Bruce is looking for is \$74,000. Bruce is now looking into a used truck which has a tank. The tank isn't very big but would be sufficient for residential grinder tanks. It was noted that Bruce needs to be careful on the weight of the truck because only one of the operators has a CDL license.

Licensing of Operator: Justin has expressed an interest in getting his operator's license. The board agreed that if the other operators would like to get licensed then they should encourage them to do so.

NEW BUSINESS:

Water Tower Inspection: Doug DeClerk has inspected the water tower in Blue Ball in the past. He could be asked that if he is in the area that he provide a quote to the Authority. The Terre Hill tank appears to be a concrete tank. A structural inspection could be done. Gary will check on the regulations for inspecting the tanks and Jeff Bologna will contact Doug DeClerk.

Resolution 2019-11 Open Records Policy: Gene Pierce made a motion to adopt Resolution 2019-11, seconded by Scott Marburger. Motion carried.

USDA Letter of Conditions (LOC): Julian noted that this is not a closing document and even if it is signed the Authority can still walk away from the offer. Tom asked if the Authority could lobby to get a higher grant %. Julian explained that Sean from USDA would like to meet this week to discuss the letter. Gene Pierce made a motion approving the signing of the LOC after meeting with Sean, Frank and bond counsel, seconded by Scot Ash. Motion carried unanimously. Julian was also instructed to ask Sean if the grant % is based on the demographics of the area. Gene, Ken and Harold would like to attend the meeting.

UNFINISHED BUSINESS:

Hydrosoft/Netlinx – Denise email Chris Sisler but she has not heard back from him. She explained that the contract for the antenna on the Blue Ball water tower would be fine because the terms have not changed but the terms for the antenna on the Terre Hill water tower have changed.

Having no further business, Jason Firestine moved to adjourn the meeting at 8:47 p.m., seconded by Scot Ash. The next meeting will be held on September 9, 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
Julian Mazer, ELA
Gary Martin, Becker Engineering
Frank Mincarelli, Blakinger Thomas
John Stoltzfus