

Weaverland Valley Authority

Meeting Minutes

October 14, 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 October 14, 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, Gene Pierce, Randy Miller, Tom McDermott, Scot Ash and Scott Marburger. Also present were Gary Martin, Becker Engineering; Rob Hallman, Becker Engineering; Charles Haley, 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 September 9, 2019 meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

Daryl Peck, Concord Public Finance & William McCarty, Barley Snyder – Daryl presented a summary of the bank proposals that were received. The RFP was sent to 30 banks with a term of 4 ½ years and payable at any time. Two banks responded. Ephrata National Bank was the most favorable proposal with a fixed rate of 2.7% and no conditions. Fulton also submitted proposals. Both were variable rates with a cap of 5.5%. Daryl met with the Day-to-Day committee and it was unanimous that they would recommend the Ephrata National Bank proposal. Tom asked Daryl to prepare a summary of all interim loans after the third interim financing proposals are received. William McCarty presented a resolution to authorize the approval, execution, and delivery of the note purchases proposal. Tom asked if the Authority is required to advertise if they are going to adopt a resolution. William explained that Authorities are not required to advertise. Gene Pierce made a motion to adopt the resolution for the second interim financing of \$10,000,000 with Ephrata National Bank, seconded by Harold Kilhefner. Motion carried unanimously.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) September - There will not be a surcharge for September.
2. L.A.B.S. – TTHM & Chlorine/coliform reports for September (Blue Ball). All results were normal.
3. L.A.B.S. & M.J. Reider – VOC’s and Coliform/Chlorine for Twin Springs. All results were normal.
4. L.A.B.S. – Chlorine/coliform, TTHM, & Alkalinity for Terre Hill. All results were normal.
5. WG Malden - Shady Maple quarterly meter calibration report. All ok
6. Fry Surveying – Updated plans for Lancaster Pole Buildings. The plans received were given to Bruce for review. Gary noted that Becker has not received the plans but will reach out to Roger Fry for the status of their plans.
7. PA DEP – Notification of exceeding the organic load at the Terre Hill WWTP in the 2018 Chapter 94 report. DEP is requesting clarifications in the 2019 Chapter 94 report.
8. USDA – Obligation of Funds letter – This letter noted that the funds requested have been set aside for the Authority. It also provides a list of the items needed for USDA to authorize bidding.
9. Becker Engineering Constructability Review – Chuck reported that ELA received the MEP’s updated plans on Friday and they will be working with Becker to clarify the comments. Chuck noted that the majority of the comments are not an issue but there are some comments that they need to discuss with Becker. Chuck also noted that the MEP’s updated plans may address many of the comments. Gene requested an exceptions list at the next meeting to visualize what is left to be resolved.
10. David & Christine Horst, 1075 Main St. – The Horst’s are requesting to relinquish 2 of the 4 water and sewer EDU’s. They recently purchased the property and will be using it as a single family dwelling with an apartment

above the garage. Gene Pierce made a motion approve the Horst's request to relinquish 2 water and sewer EDU's, seconded by Scot Ash. Motion carried unanimously.

11. Maher Duessle – 2019 Audit Engagement Letter The cost for Maher Duessel to do the 2019 audit is not to exceed \$12,355. Jason made a motion for the chairman to sign the 2019 Engagement Letter, seconded by Randy Miller. Motion carried unanimously.
12. Becker Engineering Construction Management Proposal – Gene asked the board if the Authority should seek any other proposals now that they have two proposals. Ken feels he personally has enough information. Gary recommended that both proposals be refined after a final schedule and plans are completed. Chuck reminded the board that a decision will need to be made so that the EJCDC can be signed for USDA and he would suggest that both firms submit a completed EJCDC along with their proposals. Chuck suggested that when completion of the plans is two months away would be an appropriate time to have this in place.
13. Becker Engineering – Lancaster Pole Buildings review letter.
14. Hudson Energy Notification of Contract Expiration – The contract with Hudson Energy will expire on Oct. 23, 2019. A new agreement was signed with AEP Energy on June 10, 2019 and will become effective on Oct. 23, 2019. Denise explained that the written notice is required within 30 days of the letter otherwise the Authority is giving consent to the contract amendment to be served by Hudson Energy on a month-to-month variable rate plan. Tom McDermott made a motion to sign the cancellation letter, seconded by Randy Miller. Motion carried unanimously.

ADMINISTRATIVE REPORT:

Denise reported that the budget committee will be meeting on Oct. 15, 2019.

FINANCIAL REPORT:

The Financial report was read with \$199,350.39 (Sewer \$159,315.58 Water \$40,034.81) in bills for approval.

Water & Sewer Collection Fund	\$2,226.53
Business Checking Water Fund - ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$707,736.59
Construction Account – ETSA Upgrades	\$984.99
FDIC Insured Sweep Account - Sewer	\$2,259,320.66
Business Checking Sewer Fund - ENB	\$250,000.00
Business Checking – Fulton Bank	\$230.46
FDIC Insured Sweep Account – Fulton	1,015,137.36
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 Jason Firestine. Motion carried unanimously.

ENGINEERS' REPORT:

Charles Haley

Regional WWTP: Now that Julian has left ELA, they are in the process of looking for another professional engineer to fill the Water Resource Director position. ELA will set up a meeting in the next couple of weeks with Becker to discuss some of the comments in the review letter.

Highway Occupancy Permit (HOP): ELA received final approval for SR0625/Reading Rd. and SR1011/Union Grove Rd. Plans for SR0023/Main St. will be resubmitted when the rerouting to the north of Cedar Creek bridge is resolved.

PA DE Project Schedule Revision: ELA contacted DEP on Sept. 26th to provide a status update.

USDA Funding: Copies of all easements must be submitted to USDA as per the Aug. 12th letter. Frank is currently working on the easement in order to reroute the sewer main around the Cedar Creek bridge. USDA also provided a letter on Sept. 13th outlining the items needed to move forward. It was noted that all permits must be submitted together with the design documentation.

Contract Addendum: Chuck presented an Addendum to ELA's contract for \$22,920. This addendum is necessary for ELA to address the rerouting requirement. It includes preparation and submission of General Permit 05, USDA Environmental Assessment Supplement, Wetlands and Bog Turtle Habitat Assessment, and modification of plan set. All of the professional services for this work are included. Tom McDermott made a motion to approve the addendum for the

additional funding outlined in the addendum, seconded by Jason Firestine. Motion carried unanimously. Chuck requested that Denise provide a copy of the addendum to USDA.

Gary Martin

Conestoga Creek Rd.: Becker has recommended the restoration of this road be defined in the plans and specs because Becker does not feel it will hold up to the construction traffic or the future access and egress to the WWTP in its current unpaved condition. Scott doesn't anticipate this road making it through the construction phase. Chuck's concern with paving the road is that this may cause a revision to the environment assessment. This will need to be discussed further at the meeting with ELA and Becker. At this point, Scott noted that all contractors will be instructed to enter from Weaverland Rd. Harold asked if Scott would be able to get an estimate to improve the road so the Authority knows how much money we are talking about. Scott will get more information.

Specifications: Gary recommended several specification detail updates:

1. Detail 14 Force Main/LPSS connection to manhole – **REVISION** – Clarification of the method of connection to clarify for WWTP/collection project to match current project.
2. Detail 41 – Saddle Connection – **RENUMBERED** – to facilitate the new Detail 54 and keep all metering details together.
3. Detail 54 – Metering Manhole (Force Main) – **NEW** – to standardize meter installations.
4. Detail 55 – Metering Manhole (Gravity) – **UPDATED** – to reflect the current WVA metering equipment standard.
5. Detail 59 – Standard Domestic Service Installation – **REVISED** – to reflect the current WVA connection standards.

Gene Pierce made a motion to adopt the five details as discussed, seconded by Scot Ash. Motion carried unanimously. Gary will provide copies of the updates for the Authority and operator binders and electronic (PDF) copies of the full update for the Authority's use and posting.

Timberline Estates: All easements have been provided. Gary will work with Frank on Notice/Agreement where there are conflicts within the easements.

Blue Ball Commons: The developer (John Stoltzfus) contacted the Authority about requesting release of the 18-month Maintenance Guarantee. It was discovered that the facilities haven't been offered for dedicated yet so the 18-month Maintenance Guarantee period has not started. Denise has communicated this with the developer. Gary noted that it is the developer's responsibility to offer the facilities for dedication.

SRBC/DEP: No response from DEP on the lead and copper feasibility study. Becker requested a meeting with SRBC to discuss the information needed to request a waiver of the aquifer testing for TH Well 6. Historical data has been submitted to SRBC for TH wells 1 and 3 to establish a permitted "grandfathered" withdrawal rate. Becker is responding to preliminary review comments to the BB well 4 aquifer test report.

SOLICITOR'S REPORT:

Frank Mincarelli (via email)

Mandatory Connection: The deadline for connection expired on Sept. 30th and the Authority can initiate billing for any property owners who received notices but have not yet connected. Gene Pierce made a motion to initiate billing for those who have not yet connected, seconded by Randy Miller. Motion carried unanimously.

Accounts Receivable: The first stage writ was issued against Chadni and Frank is waiting on the Sheriff's return of service before starting the response clock. If no response is entered, Frank will file papers to have the lien reduced to a judgment to prepare for the second stage writ. Frank is proceeding with the lien foreclosure action against Crossen and expects the Sheriff's service of writ to be returned shortly. Denise noted that the Bobbago accounts and payment plan are current.

Earl Township Sewer Authority (ETSA): Frank is waiting for a response from Bill Cassidy regarding Denise's concern with the manhole rehab invoices.

WWTP Project: Frank met with Dale Zimmerman to explain the need for the sewer easement. The Zimmerman's are willing to work with the Authority but have some questions that need to be addressed by the engineer. The Zimmerman's did indicate that they feel the offer is too low. Frank noted that the Authority may want to consider offering a reduced or free tapping fee. The board is not interested in offering a tapping fee for the easement mainly because they did not do this for anybody else but they also realize that there is a cost to take the property by eminent domain. Scott offered to talk with Mr. Zimmerman and Chuck will contact Mr. Zimmerman to address the questions he has.

Brad Harris (via email)

Frogtown Rd. Pumping Station: Settlement was postponed to investigate and resolve unrecorded options that Zimmerman had with third parties. Anticipating settlement in the next 2 weeks.

Regional WWTP and Access Drive: Settlement was completed on the main tract for the WWTP. An additional easement is still needed for the emergency access. Tom McDermott made a motion to adopt Resolution 2019-14, seconded by Harold Kilhefner. Motion carried unanimously.

Elizabeth Hahn: Settlement was completed for this property.

OPERATIONS REPORT:

Bruce reported that the treatment plant had no parameters out of compliance. There were two callouts to pump stations. The air end at the WWTP tripped several times. They will continue monitoring it but with the schedule being delayed again, there will be repairs that need to be made at the treatment plant. The operators assisted with two hook ups in the Wide Hollow extension. They have been exploring the Terre Hill system to get familiar with the I/I sources. They are currently updating the electric at the pump stations.

There have been issues at TH well 3. Kohl Bros. has been onsite to assist with troubleshooting. It appears that the well motor and pump will need to be replaced. This is a critical well and the work may need to be done in 2019. Bruce also noted that TH well 1 will also need a motor and pump in 2020. Multiple old water repair areas in Terre Hill were paved. There is still one area to be paved. Bruce also explained that Linden St, which used to be TH well 4A is now a pump station and is in need of some upgrades.

DAY-TO-DAY COMMITTEE:

The committee met with Daryl Peck and reviewed the bank proposals. Gary was also able to attend the meeting and the constructability review was discussed.

NEW BUSINESS:

H2O Programs – Gary explained that in order to qualify for these programs the project needs to be shovel ready. Although it would probably not work for the WWTP it would be a good idea to keep in mind for other projects.

Resolution 2019-13 Appropriating a ROA and Easement for 1445 Main St. – Harold made a motion to adopt Resolution 2019-13, seconded by Jason Firestine. Motion carried unanimously.

Having no further business, Tom McDermott moved to adjourn the meeting at 8:48 p.m., seconded by Jason Firestine. The next meeting will be held on November 11, 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
Charles Haley, ELA
Gary Martin, Becker Engineering
Frank Mincarelli, Blakinger Thomas
John Stoltzfus