

# Weaverland Valley Authority

## Meeting Minutes

September 14, 2020

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on September 14, 2020. Chairman Ken Witmer called the meeting to order at 6:30 p.m.

The following Board members were present: Ken Witmer, Harold Kilhefner, Gene Pierce, Tom McDermott (via phone), Scot Ash, and Scott Marburger. Also present were Gary Martin, Becker Engineering (via phone); Charles Haley, ELA; Bruce Crabb, Operations Supervisor; and Denise Bensing, Administrator.

**MINUTES:** A motion was made by Gene Pierce, seconded by Scot Ash, that the minutes of the August 10, 2020 meeting be approved as submitted. The motion carried unanimously.

### **PUBLIC COMMENT:**

Jordan Sensenig, 53 Gentle Dr. – Mr. Sensenig explained that he let the builder handle this project and the original plan was to connect the garage water and sewer facilities to the residence. Mr. Sensenig would still like to connect to the residence facilities but is proposing to have a curb stop on each side of the easement. He would prefer to not have a separate connection because it would be an additional \$1,000 + per year in water and sewer fees plus tapping fees. Gene reported to the board that he talked with Bob Rissler about this. He feels the lines are deep enough to run a line across and allow an easement encroachment. Bruce explained that his concern with crossing this easement is if something would happen because this is a main artery. Bruce did say that if the board is interested in allowing the encroachment then the valving proposed doesn’t really matter. Harold noted that the concern is if a leak would develop that leak could undermine our lines. Scott also explained that having to worry about other lines in the easement is another obstacle to slow down the digging to get to the issue. Tom questioned what if the lines aren’t actually 5 feet deep and they get damaged when he is installing his lines. Gary recommended not allowing the lines to be installed at only 2 feet deep because that would not be enough ground cover to prevent freezing. He noted that the Authority standards are a minimum of 42” cover. He also explained that if there would be a break that it would probably not surface but would instead follow the stone bedding for the lines and the break may only be discovered when the homeowner receives a high water bill.

Harold reported that the Day-to-Day Committee discussed this topic and were planning on proposing to waive the tapping fees but it would still generate a quarterly bill. Bruce discussed that he is not in favor of crossing the easement because we don’t know the actual depth of the lines. Ken said we have to be concerned about the service for all customers. Scot feels the cleanest solution is to connect off the main and not cross the easement. Harold Kilhefner made a motion to waive the cost of the necessary tapping fees based on the unique situation of not being able to physically connect the garage to the existing water and sewer service lines due to the existing utility easement. This waiver of the tapping fees does not alleviate the property owner from paying the quarterly bill. Should this garage building ever be used for business or rental purposes then the waiver of tapping fees does not apply, seconded by Scott Marburger. Motion carried unanimously.

### **CORRESPONDENCE:**

1. M.J. Reider lab reports (Shady Maple) August – Gary noted that the flow has increased and there is no surcharge for August.
2. Betty Arrowood, 1315 Black Sheep Circle. – Ms. Arrowood requested her penalty be waived because the bill fell and went under a piece of furniture. Denise noted that Ms. Arrowood was never late before. Gene Pierce made a motion to waive the penalty this one time, seconded by Scott Marburger. Motion carried unanimously.
3. Richard Stauffer requested the release of his Letter of Credit #4218 for Blue Ball Commons Lots 66 & 67. Becker Engineering made a recommendation to reduce the letter of credit from \$18,447.00 to \$5,577.00. Becker recommends holding \$5,577.00 because the water facilities for Lot 67 are not complete and record drawings have not been submitted. Gene Pierce made a motion to reduce the Letter of Credit to \$5,577.00, seconded by Scott Marburger. Motion carried unanimously.
4. Impact Engineering (Horst Farm Market Store) – Capacity request for 2 sewer EDU’s for a farm market store to be constructed at 5066 Division Hwy. Scott Marburger made a motion to approve 2 sewer EDU’s for Horst Farm Market and Store, seconded by Gene Pierce. Motion carried unanimously.

- Laura Sabasino/Sheep Hill Bed & Breakfast – Mrs. Sabasino explained that the bed & breakfast has been closed since February 2020 due to CDC and other governmental requirements and she has finally decided to permanently close the bed and breakfast. Mrs. Sabasino is requesting to relinquish the sewer EDU for the bed and breakfast and elimination of the 3<sup>rd</sup> quarter bill. Gene Pierce made a motion to accept the return of one sewer EDU, approve relief of the 3<sup>rd</sup> quarter billing and notify the property owner of airbnb regulations should she choose to explore that option, seconded by Scot Ash. Motion carried unanimously.

**ADMINISTRATIVE REPORT:**

Denise reported that she received notification from the bank that the escrow account with Chester County Solid Waste Authority (CCSWA) is dormant. She asked the board if they think CCSWA is going to continue with this and if not, can the account be closed. The board directed Denise to contact CCSWA and see what their plans are.

Denise also noted that the checking account associated with the 2016 Fulton loan is still open with a balance of \$208.46. This account is charged a service fee of \$2.00 every month. Now that the loan has been paid off, can the account be closed? Scot made a motion to close this Fulton checking account, seconded by Harold Kilhefner.

Denise also reported she was just notified that the new auto gun that was ordered will not work with the old software. Because of this, Mark from L/B Water gave the Authority a used auto gun at no charge and saving the Authority \$1,275.00.

**FINANCIAL REPORT:**

The Financial report was read with \$115,284.02 (Sewer \$75,658.99 Water \$39,625.03) in bills for approval.

Water & Sewer Collection Fund	\$3,007.74
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$775,921.62
Construction Account – ETSA Upgrades	\$984.99
FDIC Insured Sweep Account - Sewer	\$1,741,919.74
Business Checking Sewer Fund - ENB	\$250,000.00
Business Checking – Fulton Bank	\$208.46
FDIC Insured Sweep Account – Fulton	\$1,025,740.80
Joint WWTP Business Checking – Fulton Bank	\$2,500.00
Joint WWTP Business Checking – Ephrata National Bank	\$2,500.00
Fulton Bank Loan Balance	Paid off 8/18/2020

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

**ENGINEERS’ REPORT:**

**Chuck Haley** reported that there was a meeting with the construction committee last week. The committee discussed additional lighting fixtures. Based upon the committee meeting, ELA is proceeding to add additional lighting to the Terre Hill and WWTP sites and has provided a Contract Amendment for the electrical engineering work. The HOP has been extended at no cost and the well location has been moved as well as generic purification being added.

Judith’s comments on the Specifications have been received. The comments are generally minor and deal with front-end specifications. Many of the comments will need direction from the Construction Committee prior to making the updates.

General Comment 4 – Suggests having separate project manuals one for the WWTP/Pump Station and one for the gravity sewer/force main work. It is ELA’s opinion that one manual is sufficient and Gary agreed.

This comment also requires unit costs be used for Contract 2 (Collection System work). It must be determined if rock removal is to be classified and needs to utilize unit costs. Gary noted that unclassified may be a little more per linear foot but the cost would still be competitive. Chuck and Gary both agreed that the rock should be bid unclassified.

Project Manual Comment 3 – A mandatory pre-bid in not allowed. Attendance by bidders can only be encouraged.

Project Manual Comment 12 – Liquidated damage amounts must be based on actual damages and there must be calculations and justifications to back them up.

Technical Specs Comment 7 – USDA is recommending cast in place tanks for the WWTP also be included.

Tim Strayer with Conestoga Wood confirmed they are willing to provide temporary construction easements within 30 feet of the WVA's property at no cost. The board needs to determine who should develop the agreement. The board agreed to have Frank prepare the agreement.

Judith would like an updated cost estimate prior to bidding. ELA will provide Becker with the documents to allow them to update the costs based on their construction management contract and the requested changes.

ELA is still trying to get a response from one more Tribe. The Delaware Tribe responded with recommendations for construction monitoring for all pipe work within road rights-of-way and the Terre Hill site. ELA is trying to get an official response from USDA if this recommendation will be required for a condition of their funding. If a consultant needs to be hired, this could cost approximately \$315,000. ELA and Becker are working on becoming certified monitors, which could result in significant cost savings.

Chuck provided a contract amendment for the board's consideration for the additional services related to the additional lighting. ELA would like to wrap up all additional services into one Exhibit K. Denise noted that Sean has already advised the Authority that they should not be signing agreements related to the project without approval from USDA and if they do those costs may not be covered. Chuck would at least like a commitment from the board for these costs. Gene noted that the lighting is necessary so he feels the board is willing to pay these costs. The board directed Denise to contact Sean about approving additional charges and doing a single Exhibit K at the end.

**Gary Martin** reported that record plans have still not been received from Edge Metalworks, Keystone Custom Decks, Revelation of Freedom Ministries, Churchtown Woodcraft and Fire Line. The board agreed that Gary should work with Frank to send them a letter requiring the submittal of their Record Plans.

Becker is working on the Public Water Supply Permit application to convert Well #4 in Twin Springs from a non-community water source to a community water source. The application will include all necessary upgrades to meet the requirements of a Public Community water system based on PADEP requirements. The submission is scheduled for mid-October with the application ready for signatures at the October 12<sup>th</sup> meeting.

The WVA staff and Becker worked with SRBC to establish grandfathering criteria and quantities for the three existing wells that supply the Blue Ball system. The SRBC letter was issued on September 10, 2020 and is under review by Becker and staff.

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

Frank Mincarelli distributed his report via email. Frank reported that he assisted Brad Harris in preparing an amendment to his Legal Service Agreement and the amendment is before the board for consideration. Gene Pierce made a motion to approve the amendment to the Legal Service Agreement for Good & Harris, seconded by Scott Marburger. Motion carried unanimously. Frank also worked with Jeff Sweater on revising the easement map which will constitute an exhibit to the Authority's Certification that all rights-of-way and fee interests in real estate have been acquired for the project. Tom McDermott made a motion to approve the Rights-of-Way Certificate, seconded by Harold Killefner. Motion carried unanimously.

Frank drafted the King's Easement Encroachment Agreement according to the terms and conditions set forth by the board. Gene Pierce made a motion to approve the King's Easement Encroachment Agreement, seconded by Scot Ash. Motion carried unanimously.

Frank worked with Denise regarding the fire set at the Terre Hill pump station and how the Authority can obtain sufficient information from the police in order to pursue a claim for damages. Bruce asked if he can go ahead and plant new trees. Harold noted that there is a requirement for screening in a residential area. Harold made a motion to replace the damaged trees at the College Ave. pump station, seconded by Scott Marburger. Motion carried unanimously.

### **OPERATIONS REPORT:**

Bruce reported that one of the pumps from the EQ Station was sent out for repair and the estimated repair costs are \$6,400. Bruce would recommend replacing the pump for \$17,000 because it has already been repaired numerous times. In addition, there is enough money set aside in the capital budget for the purchase. The board agreed that Bruce should replace the pump.

There was a clogged main at the Fairview Ave. pump station on Sept. 12<sup>th</sup>. The line was pumped out and it unclogged on its own. Bruce will be visually inspecting the line with a camera shortly and also jet the line.

The operations staff repaired a water main leak at Crestview Ave. Since it was leaking on the bell of the pipe, it required cutting a section of the main out. It also required issuing a Boil Water Advisory. The operations staff also assisted in repairing two service lines on Main Street, Blue Ball and Center Avenue, Terre Hill.

**DAY-TO-DAY COMMITTEE:**

Harold reported that the committee met and discussed the delinquent accounts. The past due accounts were found to be in the normal range. The committee also discussed the garage on Gentle Drive which was discussed earlier.

**CONSTRUCTION COMMITTEE:**

Gene reported that the committee met and discussed additional lighting and a new potable water source.

**NEW BUSINESS:**

Gene reported that he talked with some residents who still think it will cost them \$20,000 to connect. Gene recommended communicating to the residents a more accurate cost to connect, property owner financing options, and the information that the Authority will own and maintain the grinder pumps.

**OLD BUSINESS:**

196 Broad St. meter for the water tower: Denise sent a letter to the new owner.

Having no further business, Harold Kilhefner moved to adjourn the meeting at 8:59 p.m., seconded by Scott Marburger. The next meeting will be held on October 12, 2020 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  
East Earl Township  
Terre Hill Borough  
Robert Rissler  
Charles Haley, ELA  
Gary Martin, Becker Engineering  
Frank Mincarelli, Blakinger Thomas