

WEAVERLAND VALLEY AUTHORITY

4610 Division Highway
East Earl, PA 17519
(717) 354-5593

BOARD MEETING AGENDA

November 8, 2021

REVISED

1. OPEN MEETING

- A. **Minutes approval (October 11th)**
- B. **Daryl Peck, Concord Pike Financial Advisors** - Update on the RFPs for Interim Loan #3.
- C. **William McCarty, Barley Snyder (Bond Counsel)**
Action Items:
 - a. Amend & Restated Legal Services Agreement with USDA
 - b. Resolution for Modification of 2018 Sewer Revenue Note with Fulton Bank
- D. **Public Comment** (public comment otherwise at time of each agenda item)

2. REPORTS OF COMMITTEES & OTHERS

- A. **Correspondence**
Action Items:
 - a. Low Income Household Water Assistance Program (LIHWAP) Vendor Agreement
- B. **Administrative Report—Denise Bensing**
 - a. USDA Accessibility Self-Evaluation
 - b. Christmas Bonuses
- C. **Financial Report—Denise Bensing**
- D. **Engineer's Report—Becker Engineering**
Action Items:
 - a. Reject all bids for Contracts 3,4 and 5.
 - b. Accept Garden Spot Mechanical's request to withdraw their bid
 - c. Authorize execution of the Licensing Agreement and payment of the licensing fee conditioned upon the Authority Solicitor review and concurrence with the agreement language.
 - d. Rebid Contracts 3, 4 & 5.
 - e. Approve USDA E-500 Amendment
 - f. Authorize execution of right-of-way agreements with PPL (Frogtown Rd./Reading Rd./Terre Hill)
 - g. Authorize execution/notarization of the application for submission to PADEP.
 - h. Authorize payment of \$50.00 to PADEP for the application fee
 - i. Authorize payment of \$3,909.00 to SRBC for the Terre Hill Well 6 Aquifer test Waiver Application.

- E. **Solicitor's Report**—*Frank Mincarelli*
- F. **Operations Report**—*Bruce Crabb*
Action Items: M. Boley wage increase
- G. **Day-to-Day Committee Report** – *Harold Kilhefner*

- H. **Budget Committee Report** – *Denise Bensing*
Action Item:
 - a. 2022 Water and Sewer Rates
 - b. 2022 Budgets

3. **NEW BUSINESS**

4. **OLD BUSINESS**

- A. **Sensenig, 53 Gentle Dr.** – Easement Encroachment
- B. **Sunset Ave. Line Replacement** (Water)
- C. **196 Broad St. meter for water tower** (former Flower and Home Marketplace)

5. **ADJOURN**

Weaverland Valley Authority

Meeting Minutes

November 8, 2021

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on November 8, 2021. Chairman Kenneth Witmer called the meeting to order at 6:30 p.m.

The following Board members were present: Kenneth Witmer, Harold Kilhefner, Gene Pierce, Scott Marburger, Scot Ash, and Terry Zook. Also, present were Dan Becker, Becker Engineering; Frank Mincarelli, Blakinger Thomas Law Firm; William McCarty, Barley Snyder, Bruce Crabb, Operations Supervisor and Denise Bensing, Administrator.

MINUTES: A motion was made by Harold Kilhefner, seconded by Scot Ash, that the minutes of the October 11, 2021 meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

Daryl Peck, Concord Public Financial Advisors – Daryl explained that the due date for the RFP’s was postponed until the final bids are due. The plan would be to have the proposals for the January 2022 meeting.

William McCarty, Barley Snyder – Interim loan #1 is set to mature on Dec. 15, 2022. Fulton Bank has agreed to extend the due date to Dec. 15, 2025 at an interest rate of 2.30% compared to 3.48%. Bill presented a resolution approving the modification of the terms of the 2018 Sewer Revenue Note. By adopting the resolution, the board is accepting the proposal from Fulton Bank. Closing would occur Dec. 1, 2021. Gene Pierce made a motion to adopt the resolution for the modification of the 2018 Sewer Revenue Note with Fulton Bank, seconded by Harold Kilhefner. Motion carried unanimously.

Bill also explained that an Amended and Restated Legal Service Agreement is needed for USDA in order to consider the legal fees for the 2016 Note project costs. Gene Pierce made a motion to execute the Amended and Restated Legal Services Agreement, seconded by Harold Kilhefner. Motion carried unanimously.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) October.
2. Mack Engineering – Revised drawings for Millstream (Twin Springs Lot 8).
3. Becker Engineering – Timberline Estates Sanitary Sewer Dedication Review #1.
4. New Holland Borough – 2022 Estimated Treatment Costs.
5. Pennsylvania Dept. of Human Services - Low-Income Household Water Assistance Program. Dan explained that all municipalities received the information. Some of the municipalities had concerns that it may prohibit them from following their own Rules & Regulations. Frank noted that some of his concerns are it says that if the customer pays, they have to remain active status for 90 days. It also notes that the customers must be kept confidential. The concern with this is when the Authority files liens for unpaid charges, the liens are a public record. Gene Pierce made a motion to take no action, seconded by Harold Kilhefner. Motion carried unanimously.

ADMINISTRATIVE REPORT:

USDA Accessibility Self-Certification - Denise distributed the self-certification checklist prepared by Jason Stevens of Code Administrators. Quotes were received for the bathroom(s) renovations and the handicap parking. The quotes were \$5,160 for the bathrooms and \$10,990 for the parking. Denise explained that there will also be numerous signs that will be needed. Denise spoke with Sean (USDA) and he understands that the building

requiring the work is not owned by the Authority and that the Authority does not have its own employees. He explained that the Authority is required to make reasonable accommodations. For instance, some have moved their meetings to a location that meets the handicap accessibility requirements or having the meetings available via zoom. Denise questioned Sean if installing a drive-up payment box would be a reasonable accommodation for customer payments. Sean's concern is that it would still not address the accessibility issue for employees. He is going to ask the questions to his administrative office and see what they say.

2021 Christmas Bonuses – Gene Pierce made a motion to continue the policy of giving \$100.00 Christmas bonuses for all WVA staff, seconded by Scott Marburger. Motion carried unanimously.

Camp Meeting Rd. Connections – Denise has heard from both of the property owners on Camp Meeting Rd. who were notified that they are required to connect. She explained that the one property just changed owners but the owner that received the notification contacted her and would be letting the new owner know they needed to connect. The other property owner contacted Denise asking if it would be a possibility to extend the 60-day deadline to 6 months from the date of the letter. The property owner is requesting this because it is so close to the winter season and contractors are busy. The board can take formal action on this in December.

FINANCIAL REPORT:

The Financial report was read with \$160,652.91 (Sewer \$121,397.11 Water \$39,265.80) in bills for approval.

Water & Sewer Collection Fund	\$40,014.89
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$815,762.13
FDIC Insured Sweep Account - Sewer	\$2,372,543.00
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton	\$1,026,436.55
Joint WWTP Business Checking – Fulton Bank	\$2,500.00
Joint WWTP Business Checking – Ephrata National Bank	\$2,500.00

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:

Dan Becker reported:

CA/CM: Bid results were received Oct. 28, 2021 and Becker is reviewing bid results. Garden Spot Mechanical was the apparent low bidder for Contract 5 (Plumbing) but they withdrew their bid due to a mathematical error. Since Garden Spot Mechanical withdrew their bid, according to the Bidding Documents, the Authority needs to accept their withdrawal. Gene Pierce made a motion to amend the agenda to add an action item to accept Garden Spot Mechanical's request to withdrawal their bid, seconded by Terry Zook. Motion carried unanimously. Gene Pierce made a motion to authorize approval of Garden Spot Mechanical's bid withdrawal, seconded by Harold Kilhefner. Motion carried unanimously.

Dan explained that on Oct. 22nd, Becker received correspondence from Paragon Engineering's attorney indicating the design drawings were not complete and that they were terminated by ELA. Paragon's attorney requested all design drawings and specifications for the project be returned to them and the Authority is forbidden to use the documents prepared by Paragon. The Authority and Becker must notify Paragon that all design drawings and specifications prepared by Paragon are returned/deleted. Paragon provided a Licensing Agreement to the Authority and Becker but it has not been finalized. This licensing agreement will allow Becker to utilize the base information to prepare the new design documents. Paragon is requesting payment of \$7,500 as part of the Licensing Agreement. Once the Licensing Agreement is executed, Contracts 3, 4, & 5 will need to be rebid. The cost for MEP redesign, is \$25,000, rebidding \$12,000, and the license fee of \$7,500. Dan believes there are opportunities for cost savings during construction. Gene Pierce made a motion to reject all bids for Contracts 3, 4 & ,5 seconded by Scot Ash. Motion carried unanimously. Gene Pierce made a motion to authorize execution of the Licensing Agreement and payment of the licensing fee conditioned upon the Authority Solicitor's review and

concurrence with the Agreement language, seconded by Harold Kilhefner. Motion carried unanimously. Gene Pierce made a motion to rebid contracts 3, 4, & 5, seconded by Harold Kilhefner. Motion carried unanimously.

Dan reported that as a result of the issues with the drawings/specifications, a significant amount of additional time was spent on the bidding process. Becker would like approval to amend the USDA E-500 to transfer \$45,000 from the Construction Phase to the Bidding and Negotiation Phase. Gene Pierce made a motion to amend the agenda to approve the USDA E-500 Amendment (Exhibit K), seconded by Harold Kilhefner. Motion carried unanimously. Gene Pierce made a motion to approve the USDA E-500 Amendment (Exhibit K), conditioned upon USDA's approval of the draft document which was submitted to USDA for review in advance of the meeting, seconded by Harold Kilhefner. Motion carried unanimously. Dan presented a revised schedule which was prepared with Daryl Peck's input.

PPL has provided three right-of-way agreements to the Authority for execution. Becker and Frank have reviewed the documents and recommend the Authority authorize execution of the agreements. Gene Pierce made a motion to authorize execution of the PPL right-of-way agreements for Reading Rd., Frogtown Rd., and Terre Hill, seconded by Scot Ash. Motion carried unanimously.

Wildflower Ridge: Updated cost opinions were received but cannot be reviewed until the Record Drawing are updated to reflect what was actually installed.

Timberline: Becker completed a site review on the sanitary sewer facilities and issued a summary letter to the developer on Oct. 29, 2021.

322 Properties (Pyle Tract): All Phase 1 sanitary sewer and water facility construction and testing has been completed. The developer needs to provide the PennDOT HOP Supplement for the new casing pipe boring. The developer must also provide the grinder pumping station start up report and record drawings.

Terre Hill Water System: Becker submitted the aquifer test waiver request to SRBC on Oct. 26, 2021 and requested to maintain the current instantaneous yield of .0216 MGD from Well 6. Gene Pierce made a motion to authorize payment of the \$3,909 to SRBC for the waiver request fee, seconded by Terry Zook. Motion carried unanimously.

Becker prepared the PADEP Public Water Supply Permit Application for modification of the chlorine analyzer instrumentation at Wells 1,3, and 6. Harold Kilhefner made a motion to authorize payment of the \$50.00 to PADEP for the application fee and authorize execution of the application for submission to PADEP, seconded by Gene Pierce. Motion carried unanimously.

SOLICITOR'S REPORT:

Frank Mincarelli reported that 10-day Intent to Lien notices will be sent to customers who did not accept the 30-day notices.

OPERATIONS REPORT:

Bruce reported that there were no compliance issues. There were multiple callouts to pump stations and three water main break repairs.

Bruce also requested a merit increase for Mike Boley. Terry Zook made a motion to give Mike a \$1.00/hour raise, seconded by Scott Marburger. Motion carried unanimously.

DAY-TO-DAY COMMITTEE:

Operations Pay Rate Schedule – Bruce is still working on a schedule. He will be looking at creating different job levels and salary ranges.

ADA Accessibility for USDA – The committee discussed the ADA compliance issues.

Cybersecurity- The committee feels a start would be changes passwords every 90 days and when there is a change in staff. The committee also would like to look into having a 2-step login.

BUDGET COMMITTEE:

Denise distributed the capital and operational budgets and proposed rates for 2022. She explained that the small rate increase for sewer is necessary due to the WWTP project being higher than expected. The committee is suggesting small increases over the next 3 years to support the proposed debt service.

Gene Pierce made a motion to set the 2022 water rates at \$64.00 per EDU per quarter and \$2.85/1,000 gallons and the sewer rates at \$163.00 per EDU per quarter and \$7.35/1,000 gallons and a sewer flat rate of \$280.00 for non-metered customers, seconded by Harold Kilhefner. Motion carried unanimously.

Gene Pierce made a motion to approve the water and sewer budget for 2022, seconded by Scott Marburger. Motion carried unanimously.

Having no further business, Harold Kilhefner moved to adjourn the meeting at 8:45, seconded by Scott Marburger. The next meeting will be held on December 13, 2021 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
Terry Zook
East Earl Township
Terre Hill Borough
Robert Rissler
Dan Becker & Gary Martin Becker Engineering
Frank Mincarelli, Blakinger Thomas