

# WEAVERLAND VALLEY AUTHORITY

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

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## BOARD MEETING AGENDA

February 13, 2023

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### 1. OPEN MEETING

- A. **Minutes approval (January 9<sup>th</sup>)**
- B. **Public Comment** (public comment otherwise at time of each agenda item)

### 2. REPORTS OF COMMITTEES & OTHERS

#### A. Correspondence

Action Items:

- a. L.A.B.S. 2023 Price Proposal
- b. Terre Hill Mennonite High School & Shalom Mennonite School request relief from mandatory connection.

#### B. **Administrative Report**—*Denise Bensing*

Action Items:

- a. Replacement of Existing Wireless Access Point – Maintenance Building

#### C. **Financial Report**—*Denise Bensing*

Action Items:

- a. Approval of Financial Report and pay the bills
- b. Approve WWTF & System Project Payment Requisition

#### D. **Engineer's Report**—*Becker Engineering*

Action Items:

- a. Adopt Resolution 2023-04 - Accept Dedication of Wildflower Ridge water and sewer facilities
- b. Blue Ball Tapping Fee Calculation
- c. Terre Hill Tapping Fee Calculation
- d. Approve 2022 Chapter 94 Report and authorize submission to New Holland Borough
- e. Approve 2022 Chapter 94 Report and Authorize submission to Earl Township Sewer Authority

#### E. **Solicitor's Report**—*Frank Mincarelli*

Action Items:

- a. Timberline Easement – Discuss/Authorize Blakinger Thomas to notify the grantors (County of Lancaster, Weavers, and Smucker) of the Timberline easement of violation

#### F. **Operations Report**—*Bruce Crabb*

### 3. NEW BUSINESS

Action Items:

- A. ARPA Funding Agreement (County of Lancaster)
- B. Certification & Acknowledgement of American Rescue Plan Act Funds (County of Lancaster)

### 4. OLD BUSINESS

#### A. **Sunset Ave. St. - Line Replacement** (Water)

#### B. **Frogtown Rd. Pump Station Property** – Farm lease Loren Zimmerman

Action Item:

- a. Right of First Refusal contract

### 5. ADJOURN

# Weaverland Valley Authority

## Meeting Minutes

February 13, 2023

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on February 13, 2023. Chairman Kenneth Witmer called the meeting to order at 6:30 p.m.

The following Board members were present: Kenneth Witmer, Harold Kilhefner, Scot Ash, Scott Marburger, Gene Pierce, Jason Firestine, Terry Zook and Randy Miller. Also, present were Dan Becker, Becker Engineering; Rob Hallman, Becker Engineering; Bruce Crabb, Operations Supervisor; and Denise Bensing, Administrator.

**MINUTES:** A motion was made by Gene Pierce, seconded by Harold Kilhefner, that the minutes of the January 9, 2023 meeting be approved as submitted. The motion carried unanimously.

### **CORRESPONDENCE:**

1. M.J. Reider lab reports (Shady Maple) January - There will be no surcharge for January.
2. Phipps, 111 N. Hill Rd. Bankruptcy Notice – It was noted that their balance at the time of filing is \$3,048.32. Frank has said that a lien can be filed. Frank will look into the proceedings.
3. Lancaster Design Build for Sauder Hardscape – Revised plans and response to Becker’s Review Letter #1.
4. Becker Engineering – Wildflower Ridge Record Drawing Review Letter #4
5. GPI/Turkey Hill, 168 Toddy Dr. – Response to Becker Review Letter #1
6. Blakinger Thomas – 30-day Intent to Lien notices for 9 rental properties.
7. L.A.B.S 2023 prices – Gene Pierce made a motion to approve the L.A.B.S. 2023 prices and sign the form, seconded by Jason Firestine. Motion carried unanimously.
8. Terre Hill Mennonite – Request for relief from mandatory connection. The board discussed that the mandatory connection ordinance is an East Earl Township ordinance and the request for relief must be directed to them. Gene Pierce made a motion to deny the request for the Authority to grant relief, seconded by Harold Kilhefner. Motion carried unanimously. Denise will send a letter to Terre Hill Mennonite directing their request to the Township.

### **ADMINISTRATIVE REPORT:**

**Maintenance Building – Replacement of Wireless Access Point** – Denise reported that during a recent visit of the IT firm for the Township, it was discovered that the Wireless Access Point for the maintenance building isn’t as secure as it should be. They recommended replacing it as soon as possible. The total cost is \$1,374.00 with the Authority portion being \$233.58 (17%). Gene Pierce made a motion to approve the cost of \$233.58 for the Wireless Access Point for the maintenance building, seconded by Terry Zook. Motion carried unanimously.

**Collections** - Denise also reported that after receiving the bankruptcy notice, she reviewed all delinquent accounts. There were 18 shut off notices issued in addition to the Intent to Lien notices that were sent to the

delinquent rental accounts. Intent to Lien notices still need to be sent to the delinquent sewer only customer. Denise will be providing this information to Frank this week.

**FINANCIAL REPORT:**

The Financial report was read with \$128,179.72 (Sewer \$88,696.46 Water \$39,483.26) in bills for approval.

Water & Sewer Collection Fund	\$118,348.49
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$937,752.43
FDIC Insured Sweep Account - Sewer	\$3,400,542.50
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton	\$1,029,399.93
Joint WWTP Business Checking – Fulton Bank	\$2,500.00
Joint WWTP Business Checking – Ephrata National Bank	\$0.00

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

Denise presented Payment Requisition #9 for the WWTP and Conveyance System project. The amount of the requested loan advance is \$1,280,300.56. Gene Pierce made a motion to approve the WWTF & System Project Payment Requisition #9 in the amount of \$1,280,300.56, seconded by Randy Miller. Motion carried unanimously.

**ENGINEER’S REPORT:**

Rob presented current drone footage of the construction site for the wastewater treatment facility (WWTF). The new access drive is complete and the driveway at the house is not being used. The SBR, digester, and post-EQ tank walls and walkways have been installed and post-tensioning is complete. Pact has begun filling the tanks with water for leakage testing. Rob showed the board drone footage of the line construction along Rt. 625 including areas where they have encountered significant rock. HRI has a crew working north bound and a crew working south bound. Rob explained that HRI postponed the section crossing the river and an updated scheduled has not yet been received.

**Dan Becker reported:**

WWTP & Collection System: It was noted that HRI has submitted a change order request for over \$3M indicating the additional trench width is required in order to comply with PennDOT requirements. Becker has drafted a reply and will be meeting with Frank on Feb. 14<sup>th</sup> to discuss the response. Josh has continued to meet with the property owners to discuss their connections. His efforts seem to be appreciated by the property owners. Dan reported that he expects the substantial completion date to be pushed back to fall of 2023.

Wildflower Ridge: Becker has reviewed the Record Drawings and they are acceptable. All of the dedication documents have been received and signed by the developer. Gene Pierce made a motion to adopt Resolution 2023-04 to accept dedication of the Wildflower Ridge water and sewer facilities, seconded by Scott Marburger. Motion carried unanimously.

New Holland Borough Authority Flow Restriction: Becker and Bruce met with New Holland Borough Authority (NHBA) and the NHBA engineer on Jan. 20<sup>th</sup>. During the visit, NHBA stated that the WVA would be responsible for any cost for this project. Dan has requested that NHBA provide WVA with a written proposal.

Shady Maple RV Expansion: The developer’s consultant recently indicated that they would like to keep a third water and sewer lateral for the property and would like to modify the approved sanitary sewer/water connections layout. Becker informed the consultant that they need to request any modifications to the board.

Sauder Hardscapes: Revised sanitary sewer and water design drawings have been received. They are in the process of being reviewed.

Verizon: Becker reviewed updated ground layout drawings and provided comments to Verizon. Verizon will provide detailed design drawings for review.

Tapping Fee Calculations: Dan explained that the board reviews the tapping fees yearly. Dan updated the calculations and the maximum allowable water system tapping fee for the Blue Ball system is \$8,137.00 and for the Terre Hill system is \$4,539.00. Dan would recommend going with \$8,100.00 for Blue Ball and \$4,500.00 for Terre Hill. Jason Firestine made a motion to increase the water system tapping fees to \$8,100.00 for the Blue Ball system and \$4,500.00 for the Terre Hill system, seconded by Harold Kilhefner. Motion carried unanimously.

2022 Chapter 94 Report for NHBA: Becker prepared the Authority portion of the report for review by the Authority. Gene Pierce made a motion to approve the 2022 Chapter 94 Report and authorize submission to NHBA, seconded by Jason Firestine. Motion carried unanimously.

2022 Chapter 94 Report for ETSA: Becker prepared the Authority portion of the report for review by the Authority. Jason Firestine made a motion to approve the 2022 Chapter 94 Report and authorize submission to ETSA, seconded by Terry Zook. Motion carried unanimously.

Terre Hill Water System: Becker submitted the operational monitoring schedule to SRBC on Jan. 19, 2023. SRBC approved the plan conditional on installation of a weir on the Black Creek Tributary.

Blue Ball Water System: The Twin Springs project will be advertised for bids on March 7<sup>th</sup>. The tentative date for closing with PennVEST is May 30<sup>th</sup>.

Burkholder Trailer: The developer submitted Record Drawings. Becker reviewed them and there were a few minor comments.

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

Frank presented a report via email. He noted in his report that he worked on getting the final dedication documents together for Wildflower Ridge. He has been working closely with Becker regarding Contractor #2's failure to comply with the PennDOT HOP requirements. He discussed the possibility of offering a Right of First Refusal to Loren Zimmerman. He communicated this offer with Loren Zimmerman but he has not heard back from him. Frank has also reviewed the sewer easement agreements granted to David Zimmerman for the privately owned sewer main running from Sheep Hill Rd. and the Timberline Estates development. Frank learned of a provision that requires Mr. Zimmerman to dedicate the easement as well as the sewer main to the Authority upon completion. If Mr. Zimmerman would decide to not sign the easement over to the Authority, Frank would need the board's approval to notify the grantors of the violation of the easement agreement. Gene Pierce made a motion to authorize Frank to notify the easement grantors of the violation, if necessary, seconded by Jason Firestine. Motion carried unanimously.

### **OPERATIONS REPORT:**

Bruce reported that he received information from DEP regarding lead and copper service line inventory. Bruce explained that this would be a huge undertaking. Dan will work with Bruce to find out what the Authority needs to do. Bruce also reported that they have selected colors for the WWTF. Dan noted that Pact 2 will provide a mock up to make sure the look is as expected.

Bruce discussed the mini-excavator they are looking at. The cost is significantly less than Kubota but appears to be a good machine. Bruce and Scott will continue to research to make sure it will fit Bruce's needs. This purchase has been budgeted for as part of the capital budget.

### **NEW BUSINESS:**

ARPA Funding Agreement: Denise explained that in order to receive the ARPA grant from the County, the ARPA Funding Agreement needs to be executed. Frank has reviewed the agreement and his comments have been addressed. Jason Firestine made a motion to approve and execute the ARPA Funding Agreement, seconded by Scott Marburger. Motion carried unanimously.

Certification & Acknowledgement of the American Rescue Plan Act Funds: Gene Pierce made a motion to approve the Certification & Acknowledgement of the American Rescue Plan Act Funds as required, seconded by Jason Firestine. Motion carried unanimously.

**UNFINISHED BUSINESS:**

Frogtown Rd. Pump Station Property. – Recently, Loren Zimmerman contacted Denise and is concerned about the property he sold to the Authority for the Frogtown Rd. pump station now that a pump station is not needed on that property. He is concerned that the property could be sold and developed. Frank suggested the possibility of offering to enter a Right of First Refusal to Mr. Zimmerman in the event the Authority would decide it is not necessary to retain ownership of the property. Harold Kilhefner made a motion to offer a Right of First Refusal to Loren Zimmerman for the Frogtown Rd. property, seconded by Terry Zook. Motion carried unanimously.

Having no further business, Scot Ash moved to adjourn the meeting at 8:28, seconded by Jason Firestine. The next meeting will be held on March 13, 2023 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, Becker Engineering  
Frank Mincarelli, Blakinger Thomas  
Terry Kauffman