

WEAVERLAND VALLEY AUTHORITY

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

BOARD MEETING AGENDA

July 10, 2023

1. OPEN MEETING

- A. **Minutes approval (June 12th)**
- B. **Public Comment** (public comment otherwise at time of each agenda item)

2. REPORTS OF COMMITTEES & OTHERS

- A. **Correspondence**
- B. **Administrative Report**—*Denise Bensing*
- 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. Authorize Storage Tank Registration/Permitting Application
 - b. Ratify Indemnification Agreement (BSI)
 - c. Approve Shady Maple RV Sanitary Sewer & Water Design with Conditions
 - d. Sauder Hardscape Lateral Transfer and Maintenance and Repair Agreement
- E. **Solicitor's Report**—*Frank Mincarelli*
- F. **Operations Report**—*Bruce Crabb*
- G. **Day-to-Day Committee Report** – *Harold Kilhefner*

3. NEW BUSINESS

- Action Items:
- a. Lighthouse Assembly of God – Sewer Facilities Installation Agreement
 - b. Approve Closing Edge Investments Escrow Account

4. OLD BUSINESS

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

5. ADJOURN

Weaverland Valley Authority

Meeting Minutes

July 10, 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 July 10, 2023. Chairman Kenneth Witmer called the meeting to order at 6:30 p.m.

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

MINUTES: A motion was made by Harold Kilhefner, seconded by Terry Zook, that the minutes of the June 12, 2023 meeting be approved as submitted. The motion carried unanimously.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) June
2. W. G. Malden – Shady Maple quarterly calibration report – All is operating properly.
3. Scot Ash – Resignation from the Authority board because he will be moving out of the Township. His last meeting will be in July.
4. Becker Engineering – Review letter #5 to Shady Maple RV. No further plans need to be submitted.
5. Becker Engineering – Burkholder Trailers Record Plan review letter. All comments have been addressed.
6. Conestoga Wood Service Application – Becker is reviewing the application. No action is required at this time.

ADMINISTRATIVE REPORT:

Denise distributed a budget to actual for the 1st quarter of 2023. Denise explained that there are some line items slightly higher than would be expected but nothing out of the ordinary.

FINANCIAL REPORT:

The Financial report was read with \$124,682.01 (Sewer \$86,773.97 Water \$37,908.04) in bills for approval.

Water & Sewer Collection Fund	\$ 1,480.30
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$942,434.68
FDIC Insured Sweep Account - Sewer	\$3,881,411.09
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton	\$1,034,843.10
Joint WWTP Business Checking – Fulton Bank	\$0.00
Joint WWTP Business Checking – Ephrata National Ban	\$ 119,252.74

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

Denise presented Payment Requisition #14F for the WWTP and Conveyance System project. The amount of the requested loan advance is \$2,052,299.42. Randy Miller made a motion to approve the WWTF & System Project

Payment Requisition #14F in the amount of \$2,052,299.42, seconded by Terry Zook. Motion carried unanimously.

ENGINEER'S REPORT:

Rob presented current drone footage of the construction site for the wastewater treatment facility as well as the other construction areas for the project. Rob noted that most of the work at the plant is now inside. The construction crews on Union Grove Rd. have encountered minimal rock. There was a Frontier fiber optic line hit on Ironstone Dr. The fiber optic lines were not on the plans and were not to be installed because Frontier never received permits from the Township to do the work. Frontier said everything was marked and the markings washed away.

Dan Becker reported:

CA/CM: Dan reported that Becker is still shooting for a substantial completion date of Aug. 28, 2023. He noted that connection notices will not be issued on that date. The priority at this point is getting the new plant online so the Terre Hill flow can go to the new plant and the Terre Hill plant can be decommissioned.

Pact 2 (Pact) has submitted a delay claim due to concerns with HRI's completion schedule. HRI has been put on notice but this should be a non-issue. Pact has also requested additional compensation regarding cost increases due to inflation after bids. Frank spoke with Pact's attorney and feels the Authority may want to work with the contractor to avoid arbitration. Becker does not feel that Pact is entitled to this request. Not only do Pennsylvania's Competitive Bidding Laws not permit post-bid pricing adjustments, there was also a question regarding this during bidding and the bidders were advised that no post-bid price adjustments will be permitted. Dan also explained that USDA will not cover these costs if the board would choose to allow this change order.

Pact is also disputing the credit amount for the elimination of the Frogtown Rd. Pumping Station. Dan explained that the first shop drawings required from the contractor is a schedule of prices. Pact's schedule of values listed the Frogtown Rd. Pumping Station at a value of \$1,000,000+. They are now saying the credit for that pumping station should be around \$500,000. Frank feels it might be best to negotiate this credit instead of going to arbitration. Becker recommends the Authority continue to push back on the amount of the credit.

Dan explained that PADEP requires the above grade chemical feed storage tanks to be permitted. Becker recommends authorizing execution of the application form. Gene Pierce made a motion to authorize execution of the PADEP Storage Tank Registration/Permitting Application Form for submission to PADEP, seconded by Randy Miller. Motion carried unanimously.

HRI has completed the installation of the gravity sewer lines and laterals on SR0625 and has issued a change order for the trench excavation and rock removal on SR0625, Union Grove Rd. and Route 23. Becker is currently reviewing the submission.

Frank prepared an indemnification agreement for the cable trays across the SBR tanks which the Authority executed. Gene Pierce made a motion to ratify the execution of the Indemnification Agreement, seconded by Harold Kilhefner. Motion carried unanimously.

PA Auction Center: Dan explained that the building's fire suppression is connected to the Authority system without backflow prevention. Becker has and continues to recommend that the Authority's valve along the street be closed to avoid backflow and cross contamination to the system. The board discussed that if the Rules and Regulations require backflow prevention then the valve should be closed until they are in place. When the valve is closed, they would need to contact the Authority when they need to top off their water tank and be charged for that service. Dan will work with Bruce to close the valve.

Shady Maple RV: Scot Ash recused himself from any discussion or voting on this subject. The developer modified the sanitary sewer and water facility design drawings that were previously approved by Becker. Becker has reviewed and approved the revised sanitary sewer and water facility design drawings which will now eliminate the connection on Ewell Rd. but retain the connection on Division Highway. Gene Pierce made a motion to approve the sanitary sewer and water facility design conditioned upon the items noted in Becker's June 30, 2023 review letter being adequately addressed, seconded by Randy Miller. Motion carried with Scot Ash recusing himself.

Sauder Hardscapes: Dan noted that in May, the board agreed to have Frank draft an agreement for the property owner to continue to use the existing laterals as well as maintain them. The agreement has been drafted and with the board's approval, the agreement can be forwarded to the property owner to sign. Harold Kilhefner

made a motion to authorize execution of the Lateral Transfer and Maintenance and Repair Agreement with Sauder Hardscape (Triple Acres, LLC), seconded by Terry Zook. Motion carried unanimously.

Terre Hill Water System: Becker provided a written response to SRBC regarding aquifer test waiver for Terre Hill Well 6 on June 13, 2023.

Blue Ball Water System: Bidding for the Twin Springs connection project was advertised on June 14, 2023. There is a site visit scheduled for this week. Bids will be received on June 26, 2023.

Burkholder Trailer: Becker received revised Record Drawings and the drawings are acceptable.

SOLICITOR’S REPORT:

Frank presented a report via email. Frank reviewed correspondence for WWTP Contracts #1, #2, & #3. There were also 25 Sewer Easement Agreements recorded for the project

OPERATIONS REPORT:

Bruce distributed his report via email. It was noted that the Linden Street Pumping Station was upgraded. The operations staff removed a tree that was growing from the side of the tank. They also excavated the force main and found that the line had settled and has been leaking. A shut off valve was installed and the leak was repaired. It was also noted that the property owner at 661 Ranck Rd. is doing a major renovation at his house. While the house is being renovated, the property owner will be living in a house trailer on the property which will be temporarily connected to the public sanitary sewer system. Bruce will be in touch with the property owner and contractor to verify the temporary connection is acceptable.

NEW BUSINESS:

Lighthouse Assembly of God – The church has signed the Sewer Facilities Installation Agreement. Gene Pierce made a motion to execute the Sewer Facilities Installation Agreement, seconded by Scott Marburger. Motion carried unanimously.

Edge Investments Escrow Account – Denise explained that this project has been completed since approximately 2021 but the escrow account has not been closed. Gene Pierce made a motion to approve closing the escrow account for Edge Investments, seconded by Scot Ash. Motion carried unanimously.

Having no further business, Randy Miller moved to adjourn the meeting at 8:00, seconded by Harold Kilhefner. The next meeting will be held on August 14, 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