

WEAVERLAND VALLEY AUTHORITY

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

BOARD MEETING AGENDA

October 9, 2023

1. OPEN MEETING

- A. **Minutes approval (September 11th)**
- B. **Public Comment** (public comment otherwise at time of each agenda item)
 - a. 365 Farm View Dr. – Requesting waiver of additional tapping fee for In-Law Quarters

2. REPORTS OF COMMITTEES & OTHERS

A. Correspondence

Action Items:

- a. 210 Musser Rd. – Easement Encroachment Request

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. WWTF NPDES Permitting – Authorize Execution of NPDES Permit Renewal & Submission to DEP
- b. Sauder Hardscape – Authorize Execution of PADEP Planning Module Mailer with conditions
- c. SRBC/DEP – Approve and Authorize Execution of PennVEST Engineering Services Agreement & Resolution to Borrow

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

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

3. NEW BUSINESS

4. OLD BUSINESS

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

5. ADJOURN

Weaverland Valley Authority

Meeting Minutes

October 9, 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 October 9, 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, Scott Marburger, Randy Miller and Craig Tomlinson. 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 Harold Kilhefner, seconded by Randy Miller, that the minutes of the September 11, 2023 meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

365 Farm View Dr. In-law quarters – Nate Oropollo and Mike Mixell of 365 Farm View Dr. were in attendance to discuss the in-law quarters they plan to add to the garage. They have been granted a special exception and a variance by the East Earl Zoning Hearing Board. The property owner is Mr. Oropollo. His father-in-law, Mr. Mixell explained that his primary residence will be in South Carolina. They will occupy the in-law quarters when they are in the area. He also explained that the zoning hearing board granted the addition with the conditions that this space only be occupied by family and that family be restricted to Mr. and Mrs. Mixell. With these restrictions, Mr. Mixell noted that it will not be able to be a rented space. For this reason, he requested the waiver of the additional tapping fee. At the recommendation of Dan Becker, the board requested a request of the waiver be made in writing. The board would like to get Frank’s input on what can be done to make sure future property owners are aware of any restrictions.

Andrew Martin, 210 Musser Rd. – Mr. Martin would like to build a fence along his property line. The fence would encroach on the easement for his and his neighbor’s sewer lines. Mr. Martin is proposing the sections be easily removable. The board asked Bruce if he would still be able to access the grinder pumps to work on them. Bruce noted that they would be able to access them. His biggest concern is the depth of the lines and the depth Mr. Martin is proposing to install the posts. It was noted that if the line is hit during the installation of the fence, the property owner will be responsible for making any necessary repairs. Harold Kilhefner made a motion for Frank to draft an Easement Encroachment Agreement and for the property owner to be responsible for the cost of the agreement and any other incidental costs, seconded by Terry Zook. Motion carried unanimously.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) September – There is no surcharge for September.
2. Becker Engineering – Sauder Hardscape Review Letter #4.
3. Becker Engineering – 2024 Flow Projections to New Holland Borough.
4. Blakinger Thomas – Letter to the County Commissioners regarding the easements in Timberline Estates & Zimmerman’s contractual breach.

ADMINISTRATIVE REPORT:

Denise reported that she and Judy attended a lunch and learn with Stratix regarding cyber security. They will be meeting with them again to discuss it in more detail and get a quote. Randy suggested also meeting with

other companies. He explained that his employer got quotes for this work and found that the quotes vary significantly. Randy will provide Denise with another company to also meet with.

FINANCIAL REPORT:

The Financial report was read with \$201,000.29 (Sewer \$166,061.09 Water \$34,939.20) in bills for approval.

Water & Sewer Collection Fund	\$2,215.70
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$982,646.77
ENB Checking – Twin Springs Project	\$466,682.00
FDIC Insured Sweep Account - Sewer	\$4,104,429.31
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton	\$1,038,666.46
Joint WWTP Business Checking – Fulton Bank	\$0.00
Joint WWTP Business Checking – Ephrata National Bank	\$0.00

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

Denise presented Payment Requisition #17 for the WWTP and Conveyance System project. The amount of the requested loan advance is \$669,711.15. Randy Miller made a motion to approve the WWTF & System Project Payment Requisition #17 in the amount of \$669,711.15, seconded by Craig Tomlinson. Motion carried unanimously.

ENGINEER’S REPORT:

Rob presented current drone footage of the construction site for the wastewater treatment facility. Rob noted that Pact has started to form up the paving and parking areas but there is still a lot of earthmoving to be done. Some of the job trailers have also been removed. Rob is now located in the control building. Rob also presented drone footage of the Fairview St. pumping station and the Terre Hill pumping station.

Dan Becker reported:

CA/CM: Dan reported that there has been correspondence with Pact regarding substantial completion and their attorney has been in communication with Frank. As the board requested at the September meeting, Becker informed Pact that the Authority discussed their concerns and indicated that Pact should focus on working toward substantial completion. November 13, 2023 is the new substantial completion date. All contractors have been put on notice that they did not meet the original substantial completion date. HRI is moving along. They have not started construction on Rt. 23 yet. Becker continues to meet with property owners.

The NPDES permit will expire on April 30, 2024. The application is due by Nov. 2, 2023 but there is no application fee. Randy Miller made a motion to authorize execution of the application and submission to PADEP, seconded by Scott Marburger. Motion carried unanimously.

New Holland Flow Restrictions: Dan spoke with Tina Myers at New Holland. She said the capacity analysis will be completed in a few weeks.

Sauder Hardscape: Becker received a plan resubmission and issued a review letter on Sept. 12, 2023. Scott Marburger made a motion to authorize execution of the PADEP Facilities Planning Mailer conditioned upon Becker’s review and concurrence, seconded by Terry Zook. Motion carried unanimously.

New Holland Borough 2024 Flow Projections: Becker issued correspondence to Hew Holland Borough on Sept. 28, 2023 detailing anticipated 2024 wastewater flows.

Twin Springs Water System: Becker and the Authority participated in a virtual meeting with PennVEST on Oct. 5, 2023 to review/finalize the remaining outstanding documents. PennVEST settlement is scheduled to take place virtually on Oct. 11, 2023. Becker recommends the Authority approve and authorize execution of the

remaining documents. Harold Kilhefner made a motion to approve and authorize execution of the Engineering Service Agreement and the Resolution to Borrow, seconded by Scott Marburger. Motion carried unanimously.

SOLICITOR’S REPORT:

Frank distributed his report via email. Frank reported that since the meeting, claims and counterclaims have been exchanged between parties, with the main issue being whether or not the contractor has substantially completed its contract by the appointed date of August 28th. Much of the discussion is focused on the definition of “substantial completion”. The contractor claims the plant was process mechanically-ready to accept flow and that satisfied the definition of substantial completion. The Authority claims that it had to be ready to treat, as well as accept, flow and the plant was not ready to do so. The issue remains unresolved.

Frank prepared several resolutions and other documents required by PennVEST. Frank also reviewed and responded to a series of questions from the engineer regarding the revisions made to the payment bond by the contractor’s surety company and after review, he provided the engineer with an analysis of the revisions.

OPERATIONS REPORT:

Bruce reported that a sewer main valve on Main St. in East Earl was corroded shut. This resulted in a sanitary sewer blockage for 25 properties. There was also a water main break on Sunset Ave. in East Earl. The leak was initially banded to stop the leak then later a 7’ section of pipe was cut out and replaced. This leak and repair resulted in a boil water advisory from Oct. 2- Oct. 4. There was also a water main repair at Well #3 in Terre Hill.

Bruce also explained that they are having internet issues at the new treatment plant. They have been using Netlinx/Hydrosoft but since moving inside and not having the job trailer to mount the antenna to there have been issues. They have been trying to reach them but had not received a return call. They finally received a call back and the staff they talked to do not know what the future of the company is since the owner moved out of the area. Bruce is checking into Upward Broadband, Comcast and Blue Ridge.

Having no further business, Harold Kilhefner moved to adjourn the meeting at 8:00, seconded by Randy Miller. The next meeting will be held on November 13, 2023 beginning at 6:30 p.m.

Respectfully submitted,

Denise A. Bensing

Cc: Harold Kilhefner
Scott Marburger
Randy Miller
L. Eugene Pierce
Kenneth Witmer
Jason Firestine
Terry Zook
Craig Tomlinson
East Earl Township
Terre Hill Borough
Robert Rissler
Dan Becker, Becker Engineering
Frank Mincarelli, Blakinger Thomas
Terry Kauffman