

# WEAVERLAND VALLEY AUTHORITY

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

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## BOARD MEETING AGENDA

November 13, 2023

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### 1. OPEN MEETING

- A. **Minutes approval (October 9th)**
- B. **Public Comment** (public comment otherwise at time of each agenda item)

### 2. REPORTS OF COMMITTEES & OTHERS

#### A. Correspondence

Action Items:

- a. Loaded Iron, 970 East Earl Rd. – Request additional Sewer EDU
- b. Maher Duessel 2023 Audit Engagement Letter

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

3<sup>rd</sup> Quarter Budget to Actual

#### 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. Approve Contract 4, Change Order 1 revising the Substantial Completion date to 11/13/23 and increasing the contract price from \$499,400.00 to \$577,942.24
- b. Approved Contact 5, Change Order 3 revising the Substantial Completion date to 11/13/23
- c. Sauder Hardscapes - Approve the sanitary sewer and water facility design conditioned upon the items noted in Becker's 10/10/23 review letter being adequately addressed
- c. Adopt the LSA Grant Application Resolution associated with the water storage tank rehabilitation project

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

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

#### G. **Budget Committee** – *Denise Bensing*

Action Items:

- a. 2024 Water and Sewer Rates
- b. Distribute 2024 Draft Budgets

### 3. NEW BUSINESS

### 4. OLD BUSINESS

- A. 365 Farmview Dr – In-Law Quarters – Waiver of additional tapping fee request
- B. 210 Musser Rd. – Execute Easement Encroachment Agreement
- C. Sunset Ave. St. - Line Replacement (Water)

### 5. ADJOURN

# Weaverland Valley Authority

## Meeting Minutes

November 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 November 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, Terry Zook, Craig Tomlinson, Gene Pierce, and Jason Firestine. Also, present were Dan Becker, Becker Engineering; Frank Mincarelli, Blakinger Thomas; Rob Hallman, Becker Engineering; Bruce Crabb, Operations Supervisor and Denise Bensing, Administrator.

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

Ken notified the board that he will be stepping aside as chairman at the end of 2023. In order to have a smooth transition, he will remain on the board for 2024 or until the Township finds a replacement for his position.

### **CORRESPONDENCE:**

1. M.J. Reider lab reports (Shady Maple) October weekly lab results.
2. Lancaster Conservation District – Inspection Reports (10/4/23 & 11/3/23) The inspection reports notified Pact Two of several violations.
3. Becker Engineering – Sauder Hardscape Review Letter #5.
4. New Holland Borough 2024 Estimated Treatment Costs – The quarterly cost will be \$24,399.16
5. Earl R. Martin, Inc. (Loaded Iron) – Request for an additional EDU of capacity – Denise explained that the property has a holding tank and only discharges up to 500 gallons a day. If the board approves the additional capacity with an effective date prior to Jan. 1, 2014 the proportionate amount can be manually calculated with their 4<sup>th</sup> quarter billing. Gene Pierce made a motion approving the additional EDU effective Nov. 14, 2023, seconded by Jason Firestine. Motion carried unanimously.
6. Maher Duessel - 2023 Audit Engagement Letter – Audit fees for 2023 Audit will be \$15,900 and a single audit fee of \$6,000. Gene Pierce made a motion to approve the 2023 Audit Engagement Letter, seconded by Jason Firestine. Motion carried unanimously

### **ADMINISTRATIVE REPORT:**

Denise distributed the 3<sup>rd</sup> Quarter Budget to Actual. She also reported that she and Justin and Judy will be meeting with Appalacia Technologies to discuss cybersecurity on Wednesday.

### **FINANCIAL REPORT:**

The Financial report was read with \$122,816.48 (Sewer \$63,065.98 Water \$59,750.50) in bills for approval.

Water & Sewer Collection Fund	\$24,820.72
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$951,617.83
ENB Checking – Twin Springs Project	\$466,682.00
FDIC Insured Sweep Account - Sewer	\$3,955,912.32
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton	\$1,040,034.62
Joint WWTP Business Checking – Fulton Bank	\$0.00
Joint WWTP Business Checking – Ephrata National Bank	\$0.00

A motion was made by Jason Firestine to approve the financial report and pay the bills, seconded by Craig Tomlinson. Motion carried unanimously.

Denise presented Payment Requisition #18 for the WWTP and Conveyance System project. The amount of the requested loan advance is \$502,645.50. Gene Pierce made a motion to approve the WWTF & System Project Payment Requisition #18 in the amount of \$502,645.50, seconded by Terry Zook. Motion carried unanimously.

### **ENGINEER'S REPORT:**

Rob presented current drone footage of the construction site for the wastewater treatment facility. Rob noted that the drive is getting stoned and compacted. There is only one storage container in place. Pact was notified that all extra top soil should stay on site and not be hauled away. Pact will try to get all the base paving done at the treatment plant this week. One of the items that Becker said needs done for substantial completion is the security fence. This has not been done yet because there is a lot of earth moving that still needs to be completed. Another item that needs to be completed prior to the permanent fencing being installed is the Conestoga Wood connection. Conestoga Wood will also need access to demo their plant. Rob noted that there is a bid line item for temporary fencing and gates in the contract. Rob also noted that there is still no lab in place. At the Terre Hill pump station property, the final grading, stone, and paving still needs to be completed.

Rob reported that a new start up date of Dec. 4<sup>th</sup> has been proposed. He explained that a letter was previously sent to all contractors, except HRI, with the new date of Nov. 13<sup>th</sup>. Pact and BSI have been silent but Shannon A. Smith and Rogers Mechanical responded yes. The board asked what the options are at this point. Frank responded that arbitration would be the next step. Frank also reported that Pact's attorney has contacted him and Pact would still like to meet with a couple of board members. He noted that Pact still maintains that they were substantially complete on Aug. 28<sup>th</sup> (original substantial completion date). Gene expressed that since they already met with them once, unless they have something new to present, he has no desire to meet with them again. Dan said the only advantage to meeting with them is for the board to say just get the job done because they are clearly not listening to Becker. Other than Pact, BSI still needs some equipment and to install some lines. Rogers Mechanical and Shannon A. Smith are ready for startup. BSI is still waiting on the service control panel which is an item holding up Pact. The panel was in customs 2 weeks ago. Rob thinks a startup date of Dec. 4<sup>th</sup> is achievable.

Gene and Harold said they would be willing to meet with Pact if the board is in favor of it. The board agreed to another meeting with Pact.

### **Dan Becker reported:**

CA/CM: Dan reported once HRI is solely on SR023, Becker will be able to cut back their presence. Starting Nov. 13<sup>th</sup> HRI has two crews on SR023 with one paving. Dan noted that there are two change orders this month. The first is for Contract 4 (SAS) to revise the substantial completion date to Nov. 13 and increase the contract price for field changes in the amount of \$78,542.24. Gene Pierce made a motion to approve Contract 4 Change Order 1 revising the Substantial Completion date to November 13, 2023 and increasing the contract price from \$499,400.00 to 577,942.24, seconded by Harold Kilhefner. Motion carried unanimously.

The second change order is for Contract 5 (Rogers Mechanical) to revise the Substantial Completion date. Gene Pierce made a motion to approve Contract 5 Change Order 3 revising the Substantial Completion date to November 13, 2023, seconded by Harold Kilhefner. Motion carried unanimously.

Dan reported that the lateral agreements are coming along. For those refusing to sign the agreement, one way to handle it is to have the contractor install the service stub but not the lateral and grinder tank. The grinder tank would then be removed from the contract and the property owner would be responsible for their installation. Frank provided a list of agreements that he shows as outstanding.

Dan noted that the renewal application for the NPDES Permit was uploaded to the PADEP website on Nov. 16, 2023

New Holland Flow Restrictions: Dan noted that the report was received Nov. 1<sup>st</sup>. Dan will review.

Sauder Hardscape: Becker reviewed the plan resubmission and recommends approval. Jason Firestine made a motion to approve the sanitary sewer and water facility design conditioned upon the items noted in Becker's Oct. 10, 2023 review letter being adequately addressed, seconded by Craig Tomlinson. Motion carried unanimously.

New Holland Borough Cost Sharing: Becker reviewed the 2024 cost sharing projections and agrees with the proposed projections. NHBA is anticipating an increase of approximately \$2,442 per quarterly billing over 2023.

Water Storage Tank Rehabilitation: Becker prepared and submitted a grant application to the Lancaster County Commissioners for ARPA funds for the rehabilitation of the elevated water storage facility on Aug. 31, 2023. Becker will also be applying for an LSA Grant. This grant application requires the authority to adopt an LSA Grant Resolution.

Gene Pierce made a motion to adopt the LSA Grant Resolution associated with the water storage tank rehabilitation project, seconded by Jason Firestine. Motion carried unanimously.

**OPERATIONS REPORT:**

Bruce reported that there was a water leak at Division Hwy. and Musser Rd. He estimated it leaking approximately 70 GPM. The leak was banded and backfilled. Bruce also reported that he attended training for P-Phos. The authority will need to test for this in early 2024 and the cost will be approximately \$800.00 per sample.

**BUDGET COMMITTEE:**

Denise distributed the proposed 2024 water and sewer rates. Denise explained that in response to the customers who have contacted the Authority regarding the current rate structure with the high service charges, the committee is proposing to shift the rate structure to more of a consumption-based rate. The committee is proposing to do this over a 5-year period. The proposed quarterly rates are as follows:

Water: Service Charge \$51.00 per EDU plus \$4.55 per thousand gallons

Sewer: Service Charge \$130.00 per EDU plus \$12.40 per 1,000 gallons

Non-metered customers: \$300.00 per EDU

Gene Pierce made a motion to set the 2024 water rates at \$51.00 per EDU per quarter and \$4.55/1,000 gallons, seconded by Terry Zook. Motion carried unanimously. Gene Pierce made a motion to set the sewer rates at \$130.00 per EDU per quarter and \$12.40/1,000 gallons and a sewer flat rate of \$300.00 for non-metered customers, seconded by Harold Kilhefner. Motion carried unanimously.

Denise also distributed 2024 draft budgets for water and sewer. The board should review the draft budgets and contact Denise with any questions. The board will plan to vote on the budgets at the December meeting.

**OLD BUSINESS:**

365 Farm View Dr. In-law Quarters: A request to waive the additional tapping fee was made in writing and Frank reviewed the request. Frank noted that in order to protect the authority against future use of the apartment by a third-party, rent-paying tenant, a memo on the approval could be recorded or including the restriction in a corrective deed. Gene Pierce made a motion to approve waiving the additional tapping fee, seconded by Craig Tomlinson. Motion carried unanimously.

210 Musser Rd. Easement Encroachment Agreement: The board reviewed the request at the October meeting and agreed to have Frank prepare an Easement Encroachment Agreement. Jason Firestine made a motion to approve the signing of the agreement, seconded by Terry Zook. Motion carried unanimously.

Having no further business, Jason Firestine moved to adjourn the meeting at 8:35, seconded by Harold Kilhefner. 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