

Weaverland Valley Authority

Meeting Minutes

June 5th, 2017

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on June 5, 2017. Chairman Ken Witmer called the meeting to order at 6:30 p.m. and informed all present that the meeting was being recorded by a resident.

The following Board members were present: Ken Witmer, Jerrene Zimmerman, Harold Kilhefner, Jason Firestone, Scott Marburger, Randy Miller and Scot Ash. Also present were Bradford J. Harris, Good & Harris LLP; Jeff Sweater, ELA; Jeff Bologna, Becker Engineering, and Denise Bensing, Administrative Assistant.

MINUTES: A motion was made by Scott Marburger, seconded by Harold Kilhefner, that the minutes of the May 1, 2017 and May 16, 2017 meetings be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

Ken announced that the public comments period will be limited to 30 minutes and each person will be given 3 minutes.

Joanne Gillis, Goodville – If there are citizens that can’t afford to connect will the Authority float a bond or do they need to find their own financing? *Ken explained that Jeff would be reporting on the meeting with USDA. At that meeting, the USDA rep explained that they have a program for homeowners. Jeff provided pamphlets at the back of the room regarding the program. This program also offers \$7,500 grants to property owners who are 62 years and older dependent on income. As of today, there are programs available through USDA and Pennvest.*

Barbara Buzzard, 188 Reading Rd. – Mrs. Buzzard has a small beauty shop in her house. Her customers are all elderly and she hasn’t taken on any new customers in years and only works 2 days a week. She understands that she would be required to pay 2 tapping fees and 2 user fees. In order for her to keep her license, she needs to have a shop and needs to have a sign. Her shop was put in before zoning so she doesn’t even think she can sell the property with the shop. Jeff explained that the EESA current Rules and Regulation require separate fees. Denise noted that the draft WVA regulations do also. Brad noted that she probably has a legal non-conforming use and may be able to sell with the existing business. Brad does not know if the Rules and Regulations have provisions for waivers. Jeff will do some research on waivers and provide information to the board. Ken discussed the possibility of metering her private well, if she is willing, to prove she doesn’t use more than 1 EDU. Jerrene suggested rather than allowing waivers that the Regulations define the determination of an EDU.

Ed McDevitt, 415 Spring Grove Rd. – How was this all started and how can he get the information? *Jeff said all the information is in the 537 Plan which is available on the East Earl Township and Terre Hill borough website. The (informational) letter mentions well water but DEP said well water doesn’t matter to them. Well water is tested to determine if a septic system is failing.*

Tom Steffy – Mr. Steffy said he understands there is a lot going on but there are a lot of people that will have a difficult time making ends meet. He understands there is a 20 year loan option but some people are in their 70’s. But the board is still moving ahead. He feels there is always an opportunity for change.

John Cox, 1425 Hayfield Dr. – Mr. Cox informed the board that his next door neighbor is 83 years old and he never had a problem with his system. When this goes through, he will lose his home. *Scot clarified that nobody will lose their home. If a person cannot afford to connect, a lien can be placed on the property and when the house is sold the lien would be satisfied.*

William Blackwell, 396 Reading Rd. – Mr. Blackwell said he is concerned what is going to happen. How long before the sewer is installed before the groundwater is clean? How long before people have safe drinking water? What about the farmers fertilizing their fields? *Ken explained that the elected officials were charged with*

addressing the problems in Goodville. They submitted a 537 Plan that called for a joint authority and treatment plant for Terre Hill and East Earl. After the Plan was approved, the Authority was asked to implement it. Why couldn't Terre Hill go to Fivepointville. Ken explained that it was looked in to but it was not cost effective.

Laura Sabasino, 1322 Sheep Hill Rd. – Mrs. Sabasino asked how long ago their sewer was installed? 1999. Has their water been tested since then? As far as she knows, her water still has nitrates in it. She tested her water 3 or 4 years ago and it was still high in nitrates. *Jeff explained that no well is the same. It depends how deep the well is and what kind of casing it has.* She said there is no guarantee that this will improve their water. *Jeff said it may not completely clear it up but it will show some improvement. Jeff also explained that with the Clean Water Act there is a push to get everybody on public sewer.*

Aaron Newswanger, 1069 Main St. – Shady Maple spent over \$280,000 for nitrate treatment and their well is now ok. Public sewer does correct things.

CORRESPONDENCE:

Becker Engineering – 2017 Rates

Blakinger Thomas Representation letter – Harold Kilhefner made a motion to accept and sign the representation letter, seconded by Scot Ash. Motion carried unanimously.

Jeff Bologna, Becker Engineering – Memo regarding a meeting with Terre Hill Borough and SRBC. Jeff was also present to discuss the meeting. Jeff explained that he is a licensed geologist for Becker Engineering. Jeff also explained that public water systems are regulated by DEP (quality) and SRBC (quantity). If the public water supply is using more than 100,000 gallons per day they are regulated by SRBC. Terre Hill Borough has SRBC approval for Well #6 and has had this approval since 1994. In 1994, it was fairly easy to get docket approval from SRBC but renewing the docket approval will require an aquifer test and could cost \$100,000 and up or a waiver could be applied for. Jeff Bologna explained that, by November, Terre Hill must make application for Well #6. Their options are: 1. Apply for a waiver which would probably allow them to withdrawal 30,000-40,000 GPD, 2. Do an aquifer test which could yield a higher withdrawal amount or it could be the same, 3. Let the permit lapse. Since they don't withdrawal more than 100,000 GPD they don't need SBRC approval. Jeff did note that when the assets are transferred Terre Hill will need SRBC docket approval. The only way to not need docket approval is for Terre Hill to continue to own the well. After the assets are transferred, SRBC will give a timeline to get all the wells permitted. Jeff Bologna also said that Terre Hill is looking into purchasing another well. Blue Ball Water Authority has made some decisions in preparation for the assets transferring and Terre Hill needs to make some of those decisions as well.

Tom McDermott, 1442 Hayfield Dr. – If the permit lapses would all the wells need to have an aquifer test done? *Jeff Bologna explained that when all the assets transfer, all the wells will need to be permitted. Blue Ball Water Authority has already started the process. He is not familiar with the Terre Hill Borough system and cannot give a definite cost for getting them permitted. Jeff Sweater noted that Terre Hill has funds set aside to pay for this.*

Harold said one option would be to get a permit for 30,000 – 40,000 gpd and would be the easy way. Jeff Bologna explained that it is not necessarily the easy way. It will also take time and money. Scot asked why they are looking at acquiring another well. Jeff Bologna said any public water system would want to look at other wells that are separate from existing wells in case one would get contaminated. Ken stated that one of his concerns is running out of water. If the lower withdrawal amount is accepted would it cause a problem? Jeff Bologna understands that in an emergency they could probably operate over permitted capacity but they could be fined for doing it.

Jeff Bologna informed the board that decisions are being made now and he strongly encourages the Authority board to be involved with the decisions. He noted that Spotts, Stevens and McCoy is planning on moving ahead and will spend a significant number of resources and may not end up with what the Authority wants. Jeff Bologna would recommend some kind of partnering agreement. He would also recommend a water budget be done.

Harold asked what Jeff Bologna would recommend the Authority do. Jeff Bologna would recommend he meet with Spotts, Stevens and McCoy. Harold Kilhefner made a motion to authorize Becker Engineering (Jeff) to meet with Spotts, Steven and McCoy and do the necessary research to permit the well, seconded by Randy Miller. Motion carried unanimously.

Jerrene Zimmerman – Letter of Resignation effective June 13, 2017. Ken thanked Jerrene for serving on the board.

ADMINISTRATIVE REPORT:

Denise reported that the auditors were at the office on May 22nd to begin the yearly audit. It has not been completed yet but is required to be completed by June 28th or an extension will need to be filed.

FINANCIAL REPORT:

The Financial report was read with \$38,944.67 in bills for approval.

Business Checking – Fulton Bank	\$123,573.56
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A motion was made by Scot Ash to approve the financial report and pay the bills, seconded by Jason Firestine. Motion carried unanimously.

ENGINEER’S REPORT:

Property Acquisition: Bob Rissler has approached one of the property owners regarding easements from the Terre Hill wastewater treatment plant to Union Grove Rd. They said they will think about it and get back to him. ELA is still looking into the most cost effective location for the Frogtown Rd. pump station.

Project Design and Permitting: ELA is in the process of finalizing quotes and acquiring equipment dimensions. There will be some additional surveying needed on Hayfield Dr. and for the Terre Hill WWTP site. The plans are at a point when geotechnical testing can be started. ELA is currently working with a farm owner to allow access to the site to do testing and how crop damage will be handled.

DEP has stated that the properties on Valley View Dr. are required to be connected to the public sewer as part of the 537 Project. The Authority will need to look in to getting an easement from Mr. Dise, the farm to the North or take land via eminent domain.

ELA updated the cost analysis comparison for Spring Grove Rd. Options A3 and A4 were added (low pressure options). Both options added were less than gravity sewer in the area. Jason asked if we are still not sure if we can get grants if we chose gravity since it is a more expensive option. Jeff explained that by choosing gravity we may jeopardize financing. He is not sure if they would still finance if the Authority would pay the difference.

Tom McDermott, 1442 Hayfield Dr. – The Authority might not get loans or grants if the plan is not cost effective but we aren’t sure? *Jeff explained that if the cost between two options are close, then they may only want to fund the most cost effective option. They will look through the entire design and make sure it is being done the most cost effective way.*

Joanne Gillis, Goodville – If homeowners are responsible for the grinder pumps, how would the Authority know they are being maintained properly? *Jeff explained that the operations staff would determine the cause for the failure. Currently, if the homeowner causes the failure they are not charged for the first occurrence but if it happens again they are charged.*

USDA Funding: At the meeting with USDA, they provided a checklist of the items needed to apply for funding. One of the items listed is the engineering contract which, Jeff noted, needs to be in their format.

SOLICITOR’S REPORT:

Executive Session: Brad announced that the executive session noted on the agenda will not be necessary.

Time Schedule: Brad is working on a time schedule to transfer the assets. He is hoping to have it finalize next month. He was looking at either Sept. 1st or November 1st. Denise has mentioned that 2 months’ notice is necessary to merge the customer bases. The bank may have some constraints. Assuming all the other issues are

ironed out, we are looking at Nov. 1st. Frank is finalizing the list for Blue Ball Water and East Earl Sewer Authorities.

DAY-TO-DAY COMMITTEE:

Ownership of Grinder Pumps – Harold explained that in order to take this vote, they would have liked the entire board to be present. Ken felt it should be postponed because Gene wasn't present and he was not expecting a vote to be taken if the entire board was not present. Scot doesn't feel a vote should not be taken just because a member isn't present. Harold reported that the recommendation of the committee is to retain ownership of the grinder pumps, to take ownership of the grinder pumps on the Terre Hill system and to own any new grinder pumps. Jerrene asked if David Busch was asked to provide rate information if they were owned and if they were not owned. Ken said David estimated a cost of \$17/year for each customer if they are owned. Jason expressed his opinion that the vote should wait. Scott said out of respect for Gene, the vote should wait. Scot said what about other times when not all members are present. Nelson Groff said he agrees about respect for the board members but the board can't hold up every decision because somebody isn't present. Harold Kilhefner made a motion to own the grinder pumps under the same standard as East Earl Sewer Authority, seconded by Scot Ash. A roll call vote was taken and the votes were as follows: Jason Firestine - Nay, Jerrene Zimmerman – Abstain, Scot Ash – Yay, Ken Witmer – Yay, Scott Marburger – Yay, Harold Kilhefner – Yay, Randy Groff – Yay. Motion carried.

Letter to Terre Hill Borough (Leasing of Personnel) – The committee drafted a letter to be sent to Terre Hill Borough requesting documentation for the water and sewer properties to be turned over to the Authority. Brad suggested requesting the same information from Blue Ball Water Authority and East Earl Sewer Authority. He feels what is to be turned over from Terre Hill is pretty clean. It was noted that the purpose of the letter is to clear up the ambiguities. The Blue Ball Water and East Earl Sewer Authorities are turning over all of their assets and there are not shared properties. The board approved the letter which Denise will send to Terre Hill Borough.

NEW BUSINESS:

Part-time Clerical Help – The board discussed the retirement of Jean Jackson from Terre Hill. Since Jean was supposed to be the part-time help for the Authority, an employee should be hired. It was recommended to have East Earl Township hire this person and lease them to the Authority. Denise was asked to send a letter to the Township requesting permission to hire a part-time person to be leased to the Authority.

OLD BUSINESS:

Rate Study –

1. EESA Loan – Ken explained that East Earl Sewer Authority has the funds available to pay for the Earl Township plant upgrades but would like the WVA's input on whether to borrow funds for the project or pay it with the available funds. This input is requested because if money is borrowed, it will affect the rates. Scot also mentioned that there are other projects that should be addressed with the available funds. Jeff also pointed out that the Authority would probably not be able to get the same rates now or in the near future. After some discussion, the board thought the loan money should be used after the funds held at Earl Township are expended.
2. Rate Scenarios – The board did not see an advantage in one rate scenario over another. Now that decisions regarding ownership of grinder pumps and borrowing for the Earl Township upgrades have been decided, the board would like Mr. Busch to update the rate study and make a recommendation to the board. Denise informed the board that since the next meeting is scheduled for Thursday, July 6th, Mr. Busch may be able to attend. The board asked Denise to inform Mr. Busch of the changes to the rate study and request that he attend the July 6th meeting.

Dave Horst, East Earl Rd. – Is the rate study is being done based on projected growth? *Ken explained that his understanding is that the study includes all current and new customers. If there is not much development, the rates would have to be adjusted up. If there is more growth, the rates may be able to be adjusted down.*

Joanne Gillis, Goodville – The people of East Earl already paid for the upgrades at Earl Township and she feels like they are being charged twice. *The rates are being unified and all Authority customers will pay the same rate structure.*

Ken reminded everybody that the next meeting will not be held on the first Monday of the month but is scheduled for Thursday, July 6, 2017 beginning at 6:30 p.m. Harold Kilhefner moved to adjourn the meeting at 9:07 p.m., seconded by Randy Miller.

Respectfully submitted,

Denise A. Bensing

Cc: Scot Ash
Harold Kilhefner
Scott Marburger
Randy Miller
L. Eugene Pierce
Kenneth Witmer
Jason Firestine
Bradford J. Harris, Attorney
East Earl Township
Terre Hill Borough
Robert Rissler
Jeff Sweater, Consulting Engineer
Gary Martin, Becker Engineering
Frank Mincarelli, Blakinger Thomas