

Weaverland Valley Authority

Meeting Minutes

August 13, 2018

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on August 13, 2018. Chairman Ken Witmer called the meeting to order at 6:30 p.m.

The following Board members were present: Ken Witmer, Harold Kilhefner, Scot Ash, Eugene Pierce, Randy Miller, Jason Firestine, Scott Marburger, and Thomas McDermott. Also present were Gary Martin, Becker Engineering; Jeff Sweater, ELA Group; Bruce Crabb, Operations Supervisor & Denise Bensing, Administrator.

MINUTES: A motion was made by Scot Ash, seconded by Gene Pierce, that the minutes of the July 9, 2018 meeting be approved as submitted. The motion carried unanimously.

CORRESPONDENCE:

1. M. J. Reider lab reports (Shady Maple) July
2. Cawley Environmental/Goodville Treatment Plant: June 2018. No violations and the flows were in line with the plant’s design.
3. L.A.B.S.: Sample results for July for Terre Hill, Twin Springs, and Blue Ball water systems. All results were normal.
4. Becker Engineering – Plan review #1 for EH Beiler.
5. Becker Engineering letter to New Holland Borough: notification of 2019 flow projections
6. Blakinger Thomas – Satisfaction of remaining liens for 1323 Edgewood Dr.
7. Blakinger Thomas – 30-day Intent to lien notice for 211 Main St., Terre Hill and 213 Main St., Terre Hill.
8. Lancaster County Conservation District – Approval to extend application timeline.
9. County of Lancaster – Tax Exemption approval for 34 Gentle Dr. effective beginning 2018/19 School and 2019 County/Municipal tax years.
10. Harbor Engineering – Request for additional capacity for expansion of Unruh Insurance office. Gene Pierce made a motion to have Denise correspond Unruh Insurance that capacity has been met and that water capacity is through Shady Maple, seconded by Jason Firestine. Motion carried unanimously.
11. PA DEP – Notice of violation. It was noted that the lab sent the report to DEP with the wrong location listed. The correction was made but not until after the 10th when reports are due. Bruce is verifying with DEP that the correction has been received.
12. David Zimmerman, 314 Deerfield Dr. – renting a room through Airbnb and wanted to know if the Authority requires additional capacity. Gene Pierce made a motion to table it until next month so that other authorities can be polled on how they handle it, seconded by Randy Miller. Motion carried unanimously.

ADMINISTRATIVE REPORT:

Denise reported that a complaint was received about children playing on the well house property at 34 Gentle Dr. The complaint was discussed by the Day-to-Day committee and it was decided to replace the No Trespassing signs that were removed and to send a letter to the residents on the street that they are not supposed to play on the property due to the liability concerns. Denise contacted the insurance company and they said the important part is to try to limit the Authority’s liability. They recommended that if the Authority is in favor of children playing on the property that they post some kind of sign such as Play at Your Own Risk. Frank was also consulted and gave a few options: keep it posted No Trespassing, allow the activity to continue with signs recognizing it as a recreational area or divesting ownership of the property but maintain an easement for

well purposes. Frank explained that the Authority has immunity from liability at properties identified for recreational use. After the letter was sent out, many residents called some in favor of the decision and others against the decision.

Larry Doyle, 35 Gentle Dr. – Mr. Doyle explained that he lives directly across the street and he likes seeing the kids active and not playing on electronics.

Cameron Martin, 72 Gentle Dr. – The kids are now playing in the streets and he is concerned somebody will get hit.

Daniel Albaugh, 32 Gentle Dr. – Mr. Albaugh explained that he lives directly beside the property and there is constant noise from this property since it has been made a grass area. There is the constant sound of a basketball bouncing. He is also impacted by equipment being left in his yard. He would appreciate if people would be good stewards regarding play time and cleaning up equipment.

George Gregory, 76 Gentle Dr. – From the beginning, this property was described as a common area to the residents. Maybe the solution could be to allow use of the property from sunup to sundown in the grassy area.

Allison Woodard, 113 Carriage Way – There are cars that are also loud. She is concerned about the cars and the safety of the kids. Many of the kids don't have (suitable) backyards to play in.

Joseph McCardle, 19 Gentle Dr. – The idea of an HOA won't work because he moved there because he didn't want an HOA.

Isaac Custer, 23 Gentle Dr. – Mr. Custer explained that he is a single dad raising 3 kids on his own. If the property can't be used, he will be moving because he dislikes screen time. He explained that many times, the parents are out playing with their kids.

Gene Pierce made a motion to post the property for recreational use, seconded by Jason Firestine. Ken Witmer, Harold Kilhefner, Gene Pierce, Scott Marburger, Randy Miller, Jason Firestine, and Tom McDermott in favor. Scot Ash opposed.

Frank recommended that the No Trespassing signs stay in place until the new signs are up.

FINANCIAL REPORT:

The Financial report was read with \$68,928.61 in bills for approval for the water fund and \$211,623.25 in bills for approval for sewer.

Water & Sewer Collection Fund	\$1,000.00
Business Checking Water Fund - ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$796,257.98

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

Construction Account – ETSA Upgrades	\$984.99
FDIC Insured Sweep Account - Sewer	\$3,852,745.80
Business Checking Sewer Fund - ENB	\$250,000.00
Business Checking – Fulton Bank	\$258.46
Fulton Bank Loan Balance	\$937,910.00

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

A payment request of \$25,898.58 was received from Earl Township Sewer Authority for costs involved in the WWTP upgrades. A motion was made by Harold Kilhefner to transfer \$25,898.58 from the loan account to the construction account and send a check to Earl Township, seconded by Jason Firestine. Motion carried unanimously.

ENGINEERS' REPORT:

Gary Martin

Sewer:

ETSA WWTP Upgrades: Only a few punch items remain to be completed. Restoration still needs to be completed but has been delayed due to weather.

Fire Line: the status of the project is currently in the contractor's hands.

Timberline Estates – Waiting on a response from the contractor/owner.

Twin Springs Lot 13 (Weaverland Valley Coal) – Easement changes need to be addressed.

Water:

SRBC/DEP Aquifer Test Plan: Coordinating the application submittal with SRBC and DEP and attempting to get on the December SRBC final permit. DEP may require some nitrate removal for a public water supply.

Transfer of Public Water Supply Permits (DEP) – Waiting on regulatory response. Also, working with Bruce to make sure everything is in compliance.

Twin Springs Connection to PA Route 23 – Started the required design and documentation to address required changes for a public water supply.

Blue Ball Service Area – As a result of the repaired leaks and modifications to the system operations over the past two years, the documented system capacity peaking factor has significantly lowered from 2.5 to 1.4 which increases the system capacity. As of the last full reporting year, December, 31, 2017, there were 180 available for purchase with 8 purchased in 2018 making the total available to date 172 EDU's. This change in availability would drop the tapping fee from \$12,132 (\$11,553) to \$7,357 (\$7,015). Gary explained that typically the tapping fee is reevaluated yearly unless there is a major change. It was noted that there is nothing in the Municipal Authority Act requiring reevaluation be done now. The board felt that with this knowledge it is their responsibility to reevaluate the capacity and tapping fee instead of waiting. A motion was made by Tom McDermott to adjust the tapping fee to \$7,015 effective immediately, seconded by Gene Pierce. Motion carried unanimously.

Jeff Sweater

WWTP Project – ELA is challenging the nutrient offsets within the draft WWTP NPDES permit. Julian responded and they feel that DEP won't challenge it. If DEP would stick with their requirements, it can be appealed.

Grinder Pump Stations – The Authority needs to determine how they want ELA to design grinder pump stations for commercial uses and parcels with more than one residential unit. It was determined that the Day-to-Day Committee should discuss this.

Land Development Planning – Almost complete

Utility Highway Occupancy Permitting – The traffic for SR 625 and SE 23 may need to be detoured to install the first 1,200 LF of sewer line. Due to the depth, trenching will be needed and would take up most of the roadway. If detouring is required for any of the state roads, ELA can perform this as an additional service.

Electric/Power Supply – To accommodate the WWTP 3 phase equipment, electric must be extended from Reading Rd. If utility poles are used, then a permeant road capable of accommodating PPL service trucks must be installed along the entire route. If the wires are run underground, PPL needs an access road to the utility manholes (pull boxes) which can be set a maximum 500 ft. apart.

Construction Documents – There will be three prime contracts. The Authority will need to decide if they want to bid the project earthwork classified or unclassified. Unclassified: The contractor assumes all risk and cost for rock removal. This can result in gravity sewer line project bids being 30% higher in cost. The biggest benefit to the Authority with bidding earthwork unclassified is having a better idea of the total project construction costs. Classified: The owner pays the contractor for the actual work they perform to remove the rock. This can result in large change orders. To keep rock removal prices fair and limit change order costs, ELA would typically include a rock allowance based on a best guess of the total cubic yards of rock removal needed. If greater than estimated, the Authority would be required to pay the difference. If under the allowance, the Authority would get a credit for the difference. ELA's recommendation would be to bid classified but include a bid add for contractors to go unclassified. If the bid add is low enough, the Authority can pay the additional cost to pay to reduce their risk of a change order. Gary noted that the concept of test boring would get a better defined contract. It was estimated that the cost of test borings would be \$50,000-\$100,000. Jeff will obtain a quote from Geotech for test borings.

USDA – The Environmental Report is being finalized. The report will need to be made available in the Township office for public view. ELA is still hoping to bid in the fall. Daryl Peck from Concord Public Financial Advisors suggested that the Authority still move forward with obtaining the first \$10 million of interim financing. It is possible that guarantees from the Borough and the Township may be needed, at least for the first interim loan, if USDA hasn't committed yet. Gene suggested that the possibility of the need to guarantee the loan be communicated to the Borough and Township in the next month or so. Jeff also noted that with the tariff situation, it could be better to bid in the spring.

SOLICITOR'S REPORT:

Frank distributed a new list of liens. The new list includes liens filed by Blue Ball Water Authority, East Earl Sewer Authority and Weaverland Valley Authority. Ken asked at what time the Authority should move forward with properties that have numerous liens. Frank explained that the Authority can move forward at any time. Frank also explained that the Authority liens would take priority over a mortgage. Harold felt that a policy should be in place.

OPERATIONS REPORT:

It was noted on Bruce's report that the Wide Hollow Rd. sewer/water expansion was not completed. This was discovered when the Authority was contacted about sinkholes around the sewer stack. In Bruce's absence, Scott explained that a block grant was received and the mains were installed but not all of the properties are connected. Bruce is now concerned about the lines being clogged because they haven't been used. Before the remaining properties can be connected, the lines will need to be checked as well as the equipment that was installed but never used. The sink hole will be repaired next week. Bruce's report also noted that the operations staff is currently doing an inventory list at all the Terre Hill pump stations. He will be ordering necessary spare pumps and repairing/replacing control equipment. Also to ensure compliance with DEP, hour meters will be added or verified.

In regards to the water system, Bruce noted that Well 6 has a bad check valve. They are also in the process of taking samples to regain compliance in Terre Hill Borough.

DAY-TO-DAY COMMITTEE:

Harold reported that Mike Boley has been working approximately one month. Tom hasn't started yet. Bruce will be encouraged to set a start date.

The building addition is ready to be advertised for bids. A motion was made by Harold Kilhefner to approve advertising not to exceed \$1,000.00, seconded by Scot Ash. Motion carried unanimously.

The Township is updating the cell phone policy. A motion was made by Harold Kilhefner to include that the Authority will supply an appropriate phone to necessary employees or if the employee chooses, they can use their own phone and be reimbursed \$25.00 per month, seconded by Gene Pierce. Motion carried unanimously.

Tom McDermott moved to adjourn the meeting to an executive session at 9:36 p.m., seconded by Jason Firestine. The next meeting will be held on September 10, 2018, 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
Thomas McDermott
Bradford J. Harris, Attorney
East Earl Township
Terre Hill Borough
Robert Rissler
Jeff Sweater, Consulting Engineer
Gary Martin, Becker Engineering
Frank Mincarelli, Blakinger Thomas
John Stoltzfus