

Weaverland Valley Authority

Meeting Minutes

October 2, 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 October 2, 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, Harold Kilhefner, Randy Miller, Scott Marburger, Scot Ash, Gene Pierce & Thomas McDermott. Also present were Bradford J. Harris, Good & Harris LLP; Jeff Sweater, ELA; & Denise Bensing, Administrator.

MINUTES: A motion was made by Gene Pierce, seconded by Scot Ash, that the minutes of the September 7, 2017 meeting 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.

Dave Horst, 1186 East Earl Rd. – Mr. Horst asked how much acreage there is within the Borough lines that could be developed. Gene responded that there is one plot that is approximately 2 ½ - 3 acres that could be subdivided but there are no current plans to subdivide any land in the Borough. Mr. Horst wanted to refresh the board that previous supervisors started the current 537 Plan. He also noted that Goodville was supposed to be connected to the public sewer 15 years ago and in the meantime, East Earl Sewer Authority purchased enough capacity with New Holland Borough and Earl Township Sewer Authority for the next 30 years. He emphasized that it is because of previous supervisors that East Earl is going to have to build a treatment plant but it is his understanding that Terre Hill would have needed to build a new treatment plant in 5 years. Gene explained that it is probable that a new treatment plant may be needed. Mr. Horst said East Earl Township residents will pay for a treatment plant that Terre Hill needs but East Earl does not. So he asked when deciding when to pay for things or not pay for things that the board should be considerate of the East Earl Township residents. Gene responded that this is categorically false. Jeff explained that the 537 Plan shows that the East Earl Sewer Authority purchased capacity is not enough for 20 years. Mr. Horst said the plan shows an increase of 1,200 people over the next 20 years. Jeff also explained that one of the benefits of doing this project with Terre Hill is being able to share the costs. Gene said he appreciates the concern in saving costs but he explained that Terre Hill was never under a consent order and agreement. Terre Hill recognized the opportunity to look to the future and not only handle the needs for now but also the needs for the future. They felt that the best for the region was to have a regional treatment plant. Gene also noted that Terre Hill did not need to build a wastewater treatment plant now. Although the Terre Hill plant is old, DEP is satisfied with how it is being operated. The decision to be part of the 537 Plan was because Terre Hill saw an opportunity to better the need of the region. Gene also explained that Terre Hill could have built a small package plant that would have been 1/3 of the cost of the regional plant. Mr. Horst said that what the citizens find hardest is that the previous supervisors let the residents down and because of that, they would like the burden shared as equally as possible. Gene explained that the Authority had the rate study done so that the costs are shared fairly.

ADMINISTRATIVE REPORT:

Denise reported the billing clerk to be leased to the Blue Ball Water and East Earl Sewer Authorities started 9/26. Denise also reported that they will be meeting with the architect tomorrow to discuss the addition to the Township office. The website domain name was purchased today and will be www.weaverlandvalleyauthority.org. The domain for .com was also purchased as well as the privacy protection which protects against identity theft, prevents domain related spam and deters domain hacking. The cost for 2 years was \$87.64. Denise also reported that the budget committee met on 9/13 and will meet again after reviewing some issues. One of the issues to review is how the rate structure that was adopted handles meters larger than ¾ of 5/8.

FINANCIAL REPORT:

The Financial report was read with \$69,186.41 in bills for approval.

Business Checking – Fulton Bank

\$57,829.98

A motion was made by Harold Kilhefner to transfer \$100,000 from the LOC to the checking account, seconded by Scot Ash. A motion was made by Randy Miller to approve the financial report and pay the bills, seconded by Scott Marburger. Motion carried unanimously.

ENGINEER'S REPORT:

Rules and Regulations: The committee will be meeting with Julian on Thursday.

Project Design and Permitting: ELA is working on fine tuning some of the equipment. They are hoping to get a draft design of the control building and WWTP offices by next week. They will then meet with Bruce and Bob. They would then either meet with the Day-to-Day committee or if preferred, they would present it to the entire board. The board agreed for them to meet with the Day-to-Day committee then present to the board.

Land Development Planning: The kickoff meeting is set for Oct. 3rd. Hayfield Drive surveying will begin soon. Additional surveying will also be needed for the alternate force main route for the Terre Hill pump station and for the Fairview St. pump station to Main St. The cost for this additional surveying is approximately \$12,500 for the Terre Hill pump station and \$2,500 for the Fairview Ave. pump station. Gene Pierce made a motion to approve spending the additional \$15,000 for the surveying needed, seconded by Scott Marburger. Motion carried unanimously.

Geotechnical Assessment: Geotechnical testing for storm water infiltration rates has been completed. Additional costs for damage should be minimal. To date, Loren Zimmerman has not requested any money for crop damage.

USDA Funding: ELA continues to prepare the USDA Preliminary Engineer's Report and the Environmental Report. USDA would like the application wrapped up by Dec. 8, 2017. Ken asked if Jeff sees any issue getting all the information by Dec. 8th. Jeff explained that their original estimate of \$25,000 was for the Engineer's report and the Environmental Report. They will need an additional \$10,000 to complete the application. Jeff also said it can cost up to \$50,000 for an engineer to complete the application. Jeff confirmed that the \$10,000 would include any legal services needed. Gene Pierce made a motion to approve up to \$10,000 to complete the USDA application, seconded by Scot Ash. Motion carried unanimously.

Terre Hill WWTP Pump Station: Scott will work on getting quotes for demolishing the facilities. The board asked if there is any advantage to including this as part of the project. Jeff said as long as there is a plan to get the work done, it doesn't have to be done immediately. Jeff explained that the land development plans are good for five years and the work would need to be completed in that timeframe.

SOLICITOR'S REPORT:

Brad reported that Conestoga Wood has completed the estate planning and the property was conveyed to Conestoga Wood Specialties. The agreement will be finalized when it is determined how much additional property will be needed for storm water.

Frank is still working with the bank to assign the EESA loan to the Authority. The bank is asking for additional documents that would need to be prepared by the former auditors. The rate study information has been provided in hopes that the additional information can be eliminated. If the bank still requires the information from the auditor, it will be at an additional cost but they were not able to provide an estimate of the costs. Brad suggested approving a cost up to \$3,000. Gene Pierce made a motion to spending up to \$3,000 for the additional information required and signing the engagement letters, seconded by Harold Kilhefner. Motion carried unanimously.

Brad is working on the mandatory connection ordinances for the Township and the Borough. He explained that the Township current ordinance does not include abuts or adjoining. Terre Hill is not opposed to taking this out of their ordinance so Brad suggested mandatory connection ordinances that require connection if the residence is within 150' of the main. Tom explained that he thought the rules and regulations require connection if the septic system is within 150' of the main. Jeff said he would need to check. Harold said he doesn't see the advantage of having it that way in the rules and regulations. In fact, he thinks there may be as many disadvantages as there are advantages and he asked Jeff what he would recommend. Jeff said if the Authority is going to install the line then he would not want it included. It was decided to have the ordinance require connection if a dwelling is within 150' feet of the main.

DAY-TO-DAY COMMITTEE:

Cost to Install Grinder Pumps – The committee reviewed this topic and they recommend installing the grinder pumps. The committee discussed the additional cost of \$700,000 divided by all of the customers would be increase customer rates by \$5/month using a period of 5 years. They committee did not feel this was high enough to change their recommendation. They

also discussed how this enhances property value and the committee feels that connection to the system increases property value not having a grinder pump. The committee also feels that by paying for the installation, they have more control over the process. The committee also recommends that all grinder pumps be required to connect to a constant power supply. Gene asked for a clarification on the \$700,000 used and asked Jeff if this is a realistic number. Jeff explained that paying for this and including Goodville, Spring Grove, and Union Grove would increase the cost \$1.9 million. The change from gravity to low pressure was a savings of \$1.2 million. Gene also asked if this would set precedence. Tom said it was talked about previously that this would only apply to the implementation of the 537 Plan. Gene asked why 5 years was used. Harold said it was just the time period that was picked. Gene expressed his displeasure with a vote that was taken without the whole board present and board members voting who may have a tangible benefit from the outcome. Tom noted that all board members are going to vote on something that will affect them because all the board members are, or will be, ratepayers.

Dave Horst, 1186 East Earl Rd. – Mr. Horst explained that this is one of the decisions he was talking about earlier. Even if the cost to install the grinder pumps raises the total project cost it is still saving individual property owners. If the board wants the individual property owners to pay this cost it would only affect East Earl property owners. *Gene said he understands to a point what Mr. Horst is saying but it would also affect Terre Hill property owners because it would affect the rates.*

Scot emphasized that the installation of the grinder pumps is part of the overall cost to the system and changing from gravity to low pressure lowers the overall cost to the project. Harold noted that in the beginning he wanted to get out of the grinder pump business but after talking to other authorities and plumbers he feels these costs need to be paid by the Authority because this is part of the system because the Authority chose to go with a low pressure system.

Jeff asked about customers on gravity who would want a grinder pump so they can avoid some cost. Scot said it would not be up to the individual if a grinder pump is needed or the property owner would need to prove they need a grinder pump. Gene asked for Jeff's recommendation. Jeff said from the beginning he did not recommend taking on the cost to own and maintain the grinder pumps. Jeff sees no issue with requiring a property owner to hire somebody to maintain their grinder pump. Scott explained that if a property owner is not maintaining their grinder pump properly and there is sewage running down the street then it becomes an Authority problem. Harold said the Rules and Regulations need to be clear that the purchase and installation of the grinder pumps is for current dwelling within the 537 Plan. Gene asked at the previous meeting for an opinion from the solicitor and he would like to hear Brad's opinion. Brad explained that he did not have a chance to look into it but it would be his opinion that it is legal. Harold Kilhefner made a motion for the Authority to install the grinder pump, panel, and piping from the main to the tank and the homeowner to be responsible for the permanent power supply to the pump and the lateral to the tank, seconded by Tom McDermott. A roll call vote was taken. In favor – Randy Miller, Harold Kilhefner, Scot Ash, Scott Marburger, Ken Witmer, Tom McDermott. Against – Gene Pierce.

Scott Marburger moved to adjourn the meeting at 8:38 p.m., seconded by Scot Ash. The next meeting will be held on November 6, 2017, 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