

Weaverland Valley Authority

Meeting Minutes

November 6, 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 November 6, 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 & Jason Firestone. Also present were Bradford J. Harris, Good & Harris LLP; Jeff Sweater, ELA; & Denise Bensing, Administrator.

MINUTES: A motion was made by Tom McDermott, seconded by Scott Marburger, that the minutes of the October 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. – Since the last meeting, there was a memo sent from East Earl Township to Terre Hill which states that the consent order only says that Goodville must be taken care of. Also, at the last meeting, Gene stated that Terre Hill would have saved a third of the cost (of the joint treatment plant) if Terre Hill would build their own plant. Since Gene is also concerned about the added cost to Terre Hill rate payers because the Authority will be paying for the grinder pumps why wouldn't Terre Hill allow East Earl to take care of Goodville and Terre Hill take care of Terre Hill? *Gene explained that the Borough received a letter from the Township two days after their Borough Council meeting. They have not replied to the letter because Council has not met yet to discuss it.*

Eileen Henry, 1490 Ironstone Dr. – Ms. Henry asked when the study was done if the depth of the rock was looked at. If rock is encountered, will there be blasting done and, if so, who would be responsible for any damage caused by the blasting. *Jeff explained that the force mains will only be installed at an approximate 4 foot depth and generally blasting wouldn't be necessary. Although, blasting may be needed in the area of the treatment plant. It was also explained that the blaster and contractor would have insurance to cover any damage. Scott also noted that typically at a depth of 4 feet a hydraulic hammer would be used instead of blasting. Ken also explained that directional boring could be used instead of blasting. Ken noted that in order for an insurance company to pay they will need evidence that the damage didn't already exist and recommended that property owners take pictures of their properties.*

Ed McDevitt, 415 Spring Grove Rd. – Mr. McDevitt would like to know how each board member feels about this project. *Ken stated this is a mandated project and the state approved the 537 Plan and how he feels about it is somewhat immaterial. He thinks the board would agree that it is their responsibility to make the project happen. Mr. McDevitt asked how the state mandated the project. The project was mandated by the consent order. How did the state mandate all the other areas brought into this project. Jeff explained that the consent order states that the Township and Borough must follow the conditions of the 537 Plan which is party to the 537 Plan. Specifically, in section 3(f) of the consent order, it states that the conditions of the 537 Plan must be followed.*

Lisa Garrett, 1607 Main St. – Ms. Garrett stated that she has been talking for years about how this project has become a huge mess. She believes this is mostly because previous boards have allowed properties to be turned into multi-unit rental properties with on-lot systems suitable for single family dwellings and for sitting on this project for so long. She explained that she has been told costs to connect ranging from \$10,000-\$47,000. She feels this project needs to be backed up to only involve Goodville and a smaller treatment plant. If the regional plant goes through, then she will move. This regional plant will open up East Earl Township to development and nobody wants that. She believes the 537 Plan is based on fictional EDUs based on development that won't even happen. *Tom explained that he is in the same situation and he will also be required to connect. He also explained that the only parties that will be able to make any changes are the Township and the Borough. She firmly believes that the reason the agreement between East Earl Township and Terre Hill Borough was made was for someone's personal gain. Jeff noted that the final draft of the 537 Plan is solely based on the properties required to connect. The proposed and favored plan was not the cheapest. It had been doctored to look like the cheapest. Brad cautioned Ms. Garret to watch what she says in public because if it is not true it can subject her to be open to liability.*

CORRESPONDENCE:

Chad Newswanger Mowing Proposal – Ken explained that Chad currently mows the water and sewer properties and the proposal is for Chad to continue mowing the properties in 2018. It was noted that the rates for 2018 are the same as the rates for 2017. Scot also noted that in 2017 the prices were compared to others and his rates were comparable to the other quotes. It was discussed that Terre Hill employee, Norm Carpenter, mows the water and sewer properties in Terre Hill as well as other Borough owned properties. Scot Ash made a motion to accept the proposal, seconded by Randy Miller. Motion carried unanimously.

ADMINISTRATIVE REPORT:

Denise reported that the website is scheduled to go live tomorrow. The website address is www.weaverlandvalleyauthority.org. Denise will meet with Shannon to set up new emails. Denise also reported that the next budget meeting is scheduled for Nov. 14th. The RFP's for audit services were sent out approximately two weeks ago. One of the firms contacted Denise and would like to meet with her to discuss the authorities. She requested that the proposals be back by Nov. 20th. Once Denise receives them back, she will send them out to the board to review for the December meeting.

FINANCIAL REPORT:

The Financial report was read with \$62,683.64 in bills for approval.

Business Checking – Fulton Bank	\$88,639.57
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Scot noted the charge from Becker Engineering to communicate with ARRO. Scot does not feel the Authority should pay this charge. Nelson Groff explained that Gary Martin said he was authorized to speak with ARRO but if the Authority feels the Township should pay this charge, he is okay with that. A motion was made by Harold Kilhefner to approve the financial report and pay the bills with the exception of the charge from Becker Engineering to communicate with AARO in the amount of \$31.25, seconded by Scot Ash. Motion carried unanimously.

ENGINEER'S REPORT:

Rules and Regulations: The committee has begun meeting again to finalize the Rules and Regulations. Comments have been received from Gary Martin. The goal is to have the Rules and Regulations completed before the December meeting.

Project Design and Permitting: The plan is to submit the Water Quality Permit the week of December 6th because a check will be needed in the amount of \$500.00. The architect finalized the preliminary design of the control building and the plan offices. ELA met with Bruce and Bob to review the design and they liked the layout. ELA will meet with the Day-to-Day Committee on Nov. 21st.

Land Development Planning: The kickoff meeting was held Oct. 3rd. ELA is looking at a box culvert for the access drive. ARRO will determine the width of the access drive. Tom asked who will approve the plan. Jeff explained that the Authority will approve the plan. Tom asked if the board wants to take into account any of the cost savings that the Township is exploring. Ken explained that it was his understanding that if ARRO was reviewing the plan and found something that they thought would save money they would then contact ELA to discuss it. Ken noted that once a project gets farther along it's too late to go back and make changes. Matt Warfel noted that a 2-page memo was provided to the Township with possible cost savings and considering them now would be the best time. Nelson also noted that to-date; they have not heard anything back regarding the memo from ARRO. Jeff said he does have draft responses to the memo which he believes he will share with the board. Jeff also explained that the original memo he found a lot of falsehoods. Mr. Warfel explained that their intent is not to present anything false which is why they are looking for as much information as possible. Gene noted that the recommendations may just be speculative and from ARRO's point of view and may not be consistent with the overall project. Mr. Warfel noted that ARRO would be interested in any justifications. Jeff noted that he is trying to be cost effective by not charging for his draft responses and also noted that it is not typical to review a preliminary plan at this point. They are looking to have as much information as possible so they can make the best recommendations possible. Gene noted that recommendations without justifications are just annoyances. Mr. Warfel explained that they would love to have more information so they could provide more helpful recommendations. Gene asked the board if this is something the Day-to-Day committee should look at. The board agreed that the memo from ARRO should be reviewed by the Day-to-Day committee at their next meeting. Ken said he will personally get back to either them.

Scot said he would like in the future that questions that are asked of this board only be questions that this board can take action on. This board does not have the ability to change the plan.

Geotechnical Assessment: All borings have been completed. A fair amount of rock was found along the proposed route so ELA is looking to bring the pipe up as much as possible.

Terre Hill WWTP Pump Station: ELA is looking into the possibility of keeping the septage receiving station instead of building a new one at the WWTP.

SOLICITOR'S REPORT:

Brad reported Ephrata National Bank has decided to not require the accountant prepared pro-forma statements. What was provided will go to the loan committee and hopefully a decision will be received by the end of November and assets will be able to be transferred by mid-December.

DAY-TO-DAY COMMITTEE:

Harold reported the committee discussed if a house (primary structure) on a property is within 150 feet of the road right-of-way then they would be required to connect. The committee would also recommend that if a property requires a grinder pump then the Authority would decide where the grinder pump is installed. Tom asked what the distance would be. Harold explained that it may be more than 150 feet but the Authority would determine the location. It was noted that the Authority would be willing to work with the property owner but the ultimate decision would be the Authority's.

Gene Pierce moved to adjourn the meeting at 8:06 p.m., seconded by Scott Marburger. The next meeting will be held on December 4, 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