

Weaverland Valley Authority

Meeting Minutes

November 12, 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 November 12, 2018. Vice-Chairman Harold Kilhefner called the meeting to order at 6:30 p.m.

The following Board members were present: Harold Kilhefner, Scot Ash, Jason Firestine, Scott Marburger, Gene Pierce, Randy Miller (left early) and Thomas McDermott. Also present were Gary Martin, Becker Engineering; and Denise Bensing, Administrator.

MINUTES: A motion was made by Tom McDermott, seconded by Scot Ash, that the minutes of the October 8, 2018 meeting be approved as submitted. The motion carried unanimously.

CONCORD PUBLIC FINANCIAL (Daryl Peck):

Mr. Peck explained that proposals were sent to thirty (30) banks. Three (3) proposals were received from two (2) banks. Mr. Peck noted that he met with the Day to Day Committee to discuss the proposals received. All three (3) proposals are drawdown loans which are pre-payable at any time. All proposals are for a period of 4 years or until permanent financing is in place. Mr. Peck stated the best proposal was received from Fulton Bank at a rate of 3.480%. This proposal requires a \$1 million depository relationship. The depository is not required for security but instead to establish a relationship. Mr. Peck also explained that the next interim loan will dovetail with when the bids are awarded. At that time we will know how much is needed for the second borrowing. Mr. Peck also explained that the interim financing does not require municipal backing. William McCarty with Barley Snyder LLP was also present and explained that he drafted a resolution to authorize the approval, execution, and delivery of the note purchases proposal. Gene Pierce made a motion to adopt the resolution for the interim financing with Fulton Bank, seconded by Scot Ash. Motion carried unanimously.

CORRESPONDENCE:

1. M. J. Reider lab reports (Shady Maple) October. Gary noted that there will be a no surcharge for October.
2. Cawley Environmental/Goodville Treatment Plant: September 2018. The plant operated normally and there were no noted permit violations and no noted PA-DEP inspections.
3. The Meter Guy – Semi-Annual calibration reports for the Authority owned pump stations and meter station at Ranck Rd. All functioning properly.
4. David & Maryanne Wenger (1015 East Main St.) – Request to waive penalty charge because the bill was not delivered to them because it didn’t state East Main St. Denise noted that they were only late one other time and she thought it may have been for the same reason but they paid the penalty. Scott Marburger made a motion to waive the penalty charge, seconded by Randy Miller. Motion carried unanimously.
5. New Holland Borough – 2019 estimated sewer treatment costs.
6. DEP Draft Consent Order – Gary noted that there are many inaccuracies in the draft consent order. Frank has been in communications with the DEP attorney regarding the inaccuracies. It was explained that Terre Hill failed to monitor and report some required permit monitoring parameters prior to this Authority taking over operations. Gene asked if any sampling has been missed since the Authority took over. Bruce explained that the first quarter nitrates were missed. Gary suggested waiting to see what the outcome is with Frank’s communications with the DEP attorney before any action is taken by the Board.

7. DEP – Transfer of Public Water Supply Permit from Blue Ball Water Authority and Terre Hill Borough to the Authority.
8. SRBC – Notification of Approval of Ownership Transfer from Blue Ball Water Authority and Terre Hill Borough.
9. DEP – Review letter for Water Obstruction and Encroachment General Permits – Jeff noted that ELA is addressing the comments. He explained that because of issues with the pipeline drilling, horizontal drilling is no longer allowed without a drilling plan.
10. DEP – Review letter for Storm Water Management – Jeff noted that ELA is addressing the comments.
11. DEP – General update and Fees Rules for drinking water regulations.
12. DEP – Notification that the Earl Township Sewer Authority consent order conditions have been met.
13. Blakinger Thomas – Liens satisfied for 4913 Division Hwy.
14. Blakinger Thomas – Liens filed for 322 Broad St., Terre Hill; 696 Overlys Grove Rd., New Holland; 708 Rancks’s Church Rd., New Holland; 1440 Martin St., East Earl; 1414 Earl Ave., East Earl.

ADMINISTRATIVE REPORT:

Denise reported that the Community meeting on Oct. 30th was a success. Many residents attended and found it to be very informational. The Township is looking to have it become a yearly meeting.

FINANCIAL REPORT:

The Financial report was read with \$76,929.07 in bills for approval for the water fund and \$126,697.03 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	\$782,545.89

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

Construction Account – ETSA Upgrades	\$984.99
FDIC Insured Sweep Account - Sewer	\$3,683,355.11
Business Checking Sewer Fund - ENB	\$250,000.00
Business Checking – Fulton Bank	\$252.46
Fulton Bank Loan Balance	\$987,910.00

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

A payment request of \$13,575.67 was received from Earl Township Sewer Authority for costs involved in the WWTP upgrades. A motion was made by Gene Pierce to transfer \$13,575.67 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: The project is complete and the final payment to the General Contractor was approved at the ETSA November meeting.

Keystone Custom Decks: Final installation and activation is being coordinated with the operators.

Cheltenham Dedication Status: The ownership of the lines in the streets is still being discussed by Frank and the home owner association council.

Churchtown Woodcraft: All work on the engineer's end is complete.

WWTP Storage Tank Permit Transfer: We are still waiting on the final permit.

Water:

SRBC/DEP Permitting: The Geological Report is completed and will be submitted electronically. Based on the current information, it appears that the water from the Twin Springs well will not be required to be filtered. Public Notices will need to be prepared for the proposed withdrawal of the Twin Springs well and 198 property owners will need to be notified. The staff at Becker have also been working with the operators to collect additional water system chemistry data to complete a lead and copper feasibility study for the Terre Hill water system.

Combined Specs/Policy and Procedures: The updated Specifications are ready for adoption. The updated specifications will be incorporated into the updated Rules and Regulations as an appendix. Gene Pierce made a motion to adopt the November 2018 revision of the Specifications as an addendum to the Rules and Regulations, seconded by Scot Ash. Motion carried unanimously. Gary explained that backflow prevention is not included in the updated specifications because it is not usually in the Rules and Regulations or Specifications because it typically falls back to building codes. Jason recommended that there should be requirements for commercial properties. Gary proposed that the Specifications state that commercial properties comply with NFPA.

Jeff Sweater

Regional WWTP: Jeff reported that DEP will be addressing the comment-response letter for the Water Quality Management Permit and NPDES Permit within the coming weeks.

Electric/Power Supply: ELA will be meeting with Conestoga Wood and PPL on Nov. 14th to finalize a power supply layout from Reading Rd. to the WWTP that works for all parties involved. PPL is currently requiring installation of an additional access drive in order to keep electrical manholes/pull boxes out of the 500-year floodplain. If a new access drive is required, it would require additional erosion control and storm water management facilities to be designed, permitted, and installed.

Construction Documents/Bidding: 95% construction drawings and specifications are projected to be provided to Becker by Dec. 3rd. ELA would recommend that Becker's review be discussed with the Day-to-Day Committee and then reviewed at a meeting.

USDA Funding: The USDA SEC assumes any building being demolished has asbestos unless proven otherwise. The cost to provide asbestos and lead paint presence/absence testing and reporting to the USDA is \$2,500. Gene Pierce made a motion to do the environmental testing prior to bidding, seconded by Scott Marburger. Motion carried unanimously. Jeff reported that following USDA approval of the Environmental Assessment, the Authority must place a public notice in a local paper and allow a public comment period. The USDA has specific requirements and format for the public notification. Gary noted it is part of the ELA contract to do this and they can proceed with placing the ad. The Environmental Assessment will be made available in the Authority office for public review.

SOLICITOR'S REPORT:

Frank provided his report via email. Frank reported that he reviewed the draft DEP consent order and wrote to DEP counsel on Oct. 19th. He explained to DEP counsel that the draft is fraught with errors and factual inaccuracies. He is waiting to hear back from DEP's counsel. Frank also worked with Denise to draft a lease agreement with the Township for the building addition. Frank also worked with Denise on the contracts for the building addition. Frank has been in contact with the attorney for the Cheltenham HOA regarding the dedication of the facilities. The attorney is researching if the facilities were turned over to the HOA when the streets were. Frank provided an updated lien list for the board.

Brad distributed his Special Counsel Report to the board via email. The title search revealed the grantor names for 1515 Main St. were incorrect. Brad presented a new resolution for consideration. Gene Pierce made a motion to adopt the revised resolution to authorize signers and authorize the acquisition and acceptance of real property for Yury Zerebilov, Zinayda Zerebilov, and Yelena Zerebilov, seconded by Jason Firestine. Motion carried unanimously.

OPERATIONS REPORT:

Bruce reported that the alum lines at the Terre Hill WWTP were replaced. They installed new floats at the Terre Hill pump stations and the pumps at the Lancaster Ave. and Fairview St. pump stations. Two control panels still need to be replaced. A repair had to be made at the Twin Springs well. The cost for the repair will be passed on to the developer because the maintenance guarantee is in place until May 2019. Bruce also reported that some lights and windows were broken at the reservoir property. Bruce is pretty certain that nobody entered the building but the well was shut down as a precaution. Bars will be installed on the windows.

DAY-TO-DAY COMMITTEE:

Harold reported the committee met and discussed the bank proposals and the building addition.

NEW BUSINESS:

Revised Contract with Eldon Stoltzfus for Construction Phase – The original contract with Eldon Stoltzfus did not include the construction phase (construction management). Eldon provided a revised contract which includes the construction phase. The cost is \$4,000.00. Scot Ash made a motion to accept and sign the revised contract, seconded by Scott Marburger. Motion carried unanimously.

Lease Agreement with the Township for the Building Addition – Denise presented a draft agreement to the board for the leasing of the building addition space. The terms would be basically the same as for the current office. The initial term would be for 29 years then renewing every 10 years. Tom McDermott made a motion to approve and sign the lease agreement, seconded by Scott Marburger. Motion carried unanimously.

Balance Sheets for USDA application – Scot Ash made a motion to sign the balance sheet to be submitted with the USDA application, seconded by Tom McDermott. Motion carried unanimously.

NEW BUSINESS:

Wide Hollow Rd. connections – The letters to the property owners were mailed on Oct. 30, 2018.

Having no further business, Tom McDermott moved to adjourn the meeting at 9:17 p.m., seconded by Scott Marburger. The next meeting will be held on December 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