

Weaverland Valley Authority

Meeting Minutes

January 14, 2019

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on January 14, 2019. 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, Jason Firestine, Scott Marburger, Gene Pierce, Randy Miller and Thomas McDermott. Also present were Gary Martin, Becker Engineering; Jeff Sweater, ELA; Bruce Crabb, Operations Supervisor; and Denise Bensing, Administrator.

Reorganization for the year of 2019 for the Authority was as follows with Denise Bensing serving as temporary chairman. Gene Pierce made a motion to nominate the same officers in 2019 as 2018, seconded by Scott Marburger. Motion carried unanimously.

Ken Witmer then presided over the meeting:

Gene Pierce made a motion to keep the same appointments (professional services) in 2019 as in 2018, seconded by Tom McDermott. Motion carried unanimously.

MINUTES: A motion was made by Randy Miller, seconded by Jason Firestine, that the minutes of the December 10, 2018 meeting be approved as submitted. The motion carried unanimously.

CORRESPONDENCE:

1. M. J. Reider lab reports (Shady Maple) December.
2. Cawley Environmental/Goodville Treatment Plant: November 2018
3. W. G. Malden – Shady Maple quarterly meter calibration report. All ok.
4. East Earl Township – The Township administrative fee will increase from \$100.00 to \$125.00 per month beginning Jan. 2019. This increase is due to the addition of two Authority employees.
5. Becker Engineering – Notification that the Twins Springs maintenance guarantee is scheduled to expire Jan. 14, 2019. When the site was inspected in December, there were issues to be addressed. Gary recommended the maintenance guarantee remain in effect until the work is completed. Denise will verify that the financial guarantee is still in place.
6. Blakinger Thomas Law Firm – Notification of increase in general billing rate.
7. Jose Sevilla, 1319 Black Sheep Circle – Mr. Sevilla would like to add landscaping boulders in his front yard which will be over the sewer easement on his property. He is requesting an easement encroachment agreement that would state he would be responsible for repairing the landscaping if it would have to be moved to repair the sewer line. Scott and Bruce were onsite to discuss the landscaping with the property owner. Scott reported that the boulders would be able to be moved with a backhoe and would most likely not create additional expense to excavate. Bruce would like the agreement to also state that the Authority would not be responsible for any damage caused by moving the boulders. He also stressed that there must still be access to the valve and cleanout. It was noted that the grinder pump is located in the back so the agreement should also include that there must still be access to the backyard/grinder tank. Harold Kilhefner made a motion to proceed with the easement encroachment agreement with access to the cleanout and valve, and the property owner to bear the cost for the preparation and recording of the agreement, seconded by Jason Firestine. Motion carried. Ken Witmer abstained.

ADMINISTRATIVE REPORT:

Denise received an Independent Contractor Agreement from Mary Coble (QuickBooks Consultant). Denise explained that although, at this time, she does not plan on having to use her services, it would be good to have a signed agreement in case something would come up and the services would be needed. Gene Pierce made a motion to sign the Independent Contractors Agreement, seconded by Scot Ash. Motion carried unanimously.

Denise also reported that she received a membership renewal invoice from PMAA. The membership fee is based on revenue and the membership fee for 2019 would be \$1,320.00. Denise explained that she doesn't feel the services of PMAA are used enough to make this cost worthwhile. Gene Peirce made a motion to discontinue the Authority PMAA membership, seconded by Scott Marburger. Motion carried unanimously.

FINANCIAL REPORT:

Denise explained that the auditor recommended instead of having a water fund and a sewer fund for all invoices to be paid out of one fund and use "classes" in QuickBooks to keep income and expenses separate for water and sewer. For this reason, there will now be one list of bills for approval and funds will be transferred from water to reimburse sewer.

The Financial report was read with \$204,546.15 (Sewer \$148,058.84 Water \$56,487.31) in bills for approval.

Water & Sewer Collection Fund	\$1,000.00
Business Checking Water Fund - ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$725,318.85
Construction Account – ETSA Upgrades	\$984.99
FDIC Insured Sweep Account - Sewer	\$2,668,274.58
Business Checking Sewer Fund - ENB	\$250,000.00
Business Checking – Fulton Bank	\$250.46
FDIC Insured Sweep Account – Fulton	1,000,949.70
Fulton Bank Loan Balance	\$987,910.00

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

ENGINEERS' REPORT:

Jeff Sweater

Regional WWTP: The NPDES permit will be redrafted.

Land Development Planning: DEP misplaced the Water Obstruction and Encroachment Permits and PAG-2 NPDES Stormwater Management (SWM) Permit package that were submitted at the end of November 2018. After ELA provided the FedEx confirmation to DEP, the package was found the next day. Comments are expected to be coming soon.

Construction Documents/Bidding: USDA will review the documents. Final documents will be provided to Becker Engineering for review 6 weeks prior to bidding. Estimates for asbestos abatement at the WWTP in Terre Hill were received. It is estimated to be \$4,400.00 without prevailing wage rates and \$6,860.00 with prevailing wage rates. This work could be done now unless the solicitor would consider this part of the bigger project.

Minor comments were received for the Highway Occupancy Permit for the proposed borings. Revisions were made and it was resubmitted the same day the comments were received.

USDA Funding: The public notice ran in the LNP on December 17, 18, and 19. The review period ended on December 30. No comments were received by the WVA. It is unknown if comments were received by USDA. Jeff noted that the government shutdown will create review backlog once they are finally permitted to go back to work. Jeff is still trying to acquire the Terre Hill Borough/Authority audits for 2016 & 2017 as well as a balance sheet for 2018 just prior to the assets being transferred to the WVA. Jason will try to assist Jeff in getting these documents.

Gary Martin

Sewer:

Twin Springs Sewer Maintenance Guarantee: Gary explained that the sewer maintenance guarantee will expire on January 14th. The sewer system has been inspected and a letter was issued to the developer Leon Horning. Mr. Horning said the repairs are scheduled. Gary suggested the Maintenance Guarantee not be released until the items are addressed.

WWTP Storage Tank Permit Transfer: The permit has been received and this item is now complete.

Timberline Estates: Becker is still working with the consultant to address the pre-dedication issues.

Cedar Grove Estates Extender's Agreement: This agreement is set to expire on April 28, 2019. In April, Gary will be recommending the board notify the developer that his reimbursement agreement period has expired.

Chapter 94 Reports: Gary will begin working on the Chapter 94 reports this month.

Tapping Fee Update: Gary suggested that, at this time, the tapping fee remain the same. The current sewer tapping fee is the same for connections to Terre Hill or East Earl but the water tapping fee is different. Gary has requested back up information for the tapping fee calculations numerous times but has not yet received it. The water tapping fees are very different. Without the backup

information, it would be hard to defend a tapping fee if it were to be challenged. Jeff said he may have the information Gary is looking for and will send it to him.

Keystone Custom Decks: This property was activated on Jan. 2, 2019.

Revelations of Freedom Ministries (ROFM) – The record plans for the old bank building were received today.

Water:

Well #4 SRBC Groundwater Withdrawal Application:

SRBC/DEP Permitting and Compliance Matters: The application has been finalized and the formal application has been made to SRBC for docket approval of Well 4. The SRBC system inventory requirements have been completed. The groundwater elevation and discharge monitoring plan has been drafted per SRBC requirements. This is required as a result of the formation of the WVA making the Blue Ball Water wells subject to SRBC requirements and/or the addition of Well 4. \$7,092.00 will need to be paid to SRBC for the application review. Jeff Bologa recommends proceeding with the public notice of the Well 4 project. This public notice involves notifying 197 property owners within ½ mile radius of the well site as well as Local, County and State officials. Jeff will work with Denise on the public notices.

Lead and Copper Feasibility Study: This study has been drafted with the help of the WVA staff.

Sauder Hardscape

Bruce met with the property owner to discuss the options. Bruce reported that Mr. Sauder hasn't decided how he would like to handle it.

Twin Springs Connection to Rt. 23

Becker continues to work toward the required design and documentation to address required changes to attempt to be ready for submittal when the Public Water Supply permitting process is complete. Scott reported that UGI has verified that they have the required vertical separation from the water and sewer lines.

Twin Springs Water Maintenance Guarantee

This guarantee will expire on May 20, 2019. The facilities should be inspected prior to this date.

Unruh Insurance/Shady Maple Plaza

The insurance company currently has a simplex grinder pump set up that pumps into the Shady Maple system. Bruce recommended a duplex system in case the system would ever be turned over to the Authority. They decided they would like to continue with a simplex system.

SOLICITOR'S REPORT:

Frank provided his report via email. Frank reported that he sent an email to DEP counsel before the Christmas holiday informing her that he did not believe the Authority should be made subject to a consent order for failing to submit a single monitoring report. Frank explained to her that he felt a lesser form of punishment, such as a fine for a first-time offender, if it deserves a punishment at all. She replied stating that she would take another look at the matter and get back to him. He has not heard anything since.

Letters were sent to the 9 property owners along Red Run and Wide Hollow roads informing them of the grinder pump inspections. Frank also prepared a Water/Sewer Connection Notice to be served by registered mail once the application/permit form is complete. Frank also addressed the situation of the Wide Hollow School and connection to the public water and sewer systems. The Township ordinance does not provide for any exemption and the statutory exemption from connection to public water does not apply unless there is an existing water source to the building. The Day-to-Day committee will discuss this further at their next meeting.

Frank prepared 3 resolutions for consideration which will amend the water and sewer regulations by increasing the rates for water and sewer service and to formally adopt the 2019 budget. Scot Ash made a motion to adopt Resolution 2019-1 to adopt the 2019 budget, seconded by Gene Pierce. Motion carried unanimously. Gene Pierce made a motion to adopt Resolution 2019-2 to increase the sewer rates, seconded by Harold Kilhefner. Motion carried unanimously. Scott Marburger made a motion to adopt Resolution 2019-3 to increase the water rates, seconded by Randy Miller. Motion carried unanimously.

Special Counsel Report – Brad reported via email that agreements were signed for Frogtown Rd., the Terre Hill pump station force main and Valley View Dr. The sales agreement for Dependable Realty has been updated and Brad recommended meeting in executive session to discuss the changes. The agreement with the Hahn's has not changed but is being held to sign concurrently with the sales agreement with Dependable Realty.

OPERATIONS REPORT:

Bruce reported that he received a quote from Doug DeClerk to inspect the water tanks. The cost of \$7,500.00 would be for inspection only. It would include inspecting the Terre Hill tank with a camera. It is unknown if there were other inspections done at the Terre Hill tank. The board felt the quote was high and would like Bruce to get a couple other quotes. Jason will provide some other companies to Bruce.

Bruce also reported that he received the results from the latest lead and copper samples. They are better than previous results. Only 3 properties were high for copper and zero were high for lead.

Bruce received a request from S & L Mechanical to do a flow test at the Twin Springs system. They are requesting to hook up to some hydrants. The entire test will take about 20 minutes. Bruce asked if they should be required to pay for the water they use.

The board recommended not charging if they use 5,000 or less. Gene Pierce made a motion to not charge for water for a flow test if they are using 5,000 or less. If they will use more than 5,000 gallons, it will need to be metered and they will be billed, seconded by Jason Firestine. Motion carried unanimously.

NEW BUSINESS:

Jason reported that Terre Hill Borough will be doing a road project on Maple St. Jason asked if any of the lines need to be upgraded. The board agreed that the lines in this area do not need replaced at this time.

UNFINISHED BUSINESS:

Hydrosoft/Netlinx – Denise reported she met with Chris Sisler on Wednesday, December 12th. He explained that the contract with Terre Hill allowed for internet service and \$100 a month credit toward computer equipment. He did notify Denise that Terre Hill last used the credit in 2016 and he thinks they went over the amount of credit they had so there is probably not much credit available. East Earl's contract allowed for a payment from Hydrosoft of \$100 per month plus 10% of the monthly fees of the Hydrosoft users on that antenna. The Authority has been receiving a check for \$500 each month even though 10% of the user fees currently would only be \$330 (\$100 + \$330= \$430). The Authority would also receive free service but has never used this service since they are connected through the Township internet with Comcast.

Denise asked Mr. Sisler to update the leases before the next D2D meeting on January 22nd.

The board adjourned into an executive session at 9:22 p.m. to discuss real estate acquisitions/transfers. The board reconvened at 9:26 p.m.

The board discussed the changes to the agreement for Dependable Realty. Gene Pierce made a motion to allow for the proposed language in the sales agreement, seconded by Scot Ash. Motion carried unanimously.

Having no further business, Scott Marburger moved to adjourn the meeting at 9:28 p.m., seconded by Harold Kilhefner. The next meeting will be held on February 11, 2019 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