

Weaverland Valley Authority

Meeting Minutes

December 14, 2020

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on December 14, 2020. Chairman Ken Witmer called the meeting to order at 6:30 p.m. *Due to the rise in COVID-19 cases, most of the participants attended via Zoom.*

The following Board members were present: Ken Witmer, Harold Kilhefner, Gene Pierce, Tom McDermott, Scot Ash, Scott Marburger, Randy Miller, and Jason Firestine. Also present were Gary Martin, Becker Engineering; Charles Haley, ELA; Bruce Crabb, Operations Supervisor; and Denise Bensing, Administrator.

MINUTES: A motion was made by Gene Pierce, seconded by Scot Ash, that the minutes of the November 9, 2020 meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

Jordan Sensenig, 53 Gentle Dr. – Mr. Sensenig explained that he had a builder add a deck addition on the side of his house. The builder told him it was ok to build it. Mr. Sensenig then built an additional 8 foot section without a building permit. It was noted that although this deck addition was proposed when the builder constructed the garage, it was not included on the building permit. Mr. Sensenig explained that the deck addition is 11’ away from the Authority line. Bruce explained that the 30’ wide easement starts at the house and a large portion of the deck is in the easement and is a definite impediment. Scott expressed that he is concerned with the fact that it was known by Mr. Sensenig that there was an easement in that area and this is the second time there have been issues with regards to this easement. Harold asked when the deck was constructed. Mr. Sensenig reported that it was constructed prior to Thanksgiving but after the meeting about the garage. Scott emphasized that easements are in place for a reason and especially this easement which is a main artery for the water and sewer system. Tom McDermott made a motion that this property is in violation and a deck was built without being proper permitting and needs to be removed, seconded by Scott Marburger. By way of a poll vote, the motion carried unanimously.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) November.
2. Churchtown Woodcraft – Becker Engineering review letters 2 & 3. Fry Surveying response to review letter 2.
3. Edge Metal Works – Becker Engineering review letters 2 & 3. Diehm & Sons response to review letter 2. Per review letter 3 all comments have been addressed.
4. 322 Properties – Becker Engineering review letter 4.
5. Horst Farm Market – Becker Engineering review letter 2. Impact Engineering revised plans in response to review letter 2.
6. 10-day Intent to Lien notice to 111 Center Ave, Terre Hill.
7. East Earl Township letter to Jordan Sensenig, 53 Gentle Dr. in regard to a deck addition.
8. PA State Police – response to Right to Know request for information in regards to the tree fire at the College Ave. pump station.
9. PA DEP Water Supply Inspection Report (Twin Springs, Blue Ball, & Terre Hill) – Bruce reported that this was for possible violations but all has been cleared. He noted that there were some issues with how the lab was reporting information and he has contacted the lab.
10. Becker Engineering 2021 rates. The rates are the same as 2020. Gene Pierce made a motion to accept the 2021 Becker Engineering rates, seconded by Scot Ash. Motion carried unanimously.

11. Benuel Stoltzfus, 1302 Cedar Ave. – Request to waive penalty because he didn’t receive his bill. Tom McDermott made a motion to waive the penalty due to issues with the USPS, seconded by Gene Pierce. Motion carried unanimously.
12. Katherine Horner, 135 Sutherland Dr., - Request to waive penalty because the check she mailed on Oct. 8, 2020 was not received. Gene Pierce made a motion to waive the penalty due to issues with the USPS, seconded by Scot Ash. Motion carried unanimously.

FINANCIAL REPORT:

The Financial report was read with \$252,353.50 (Sewer \$174,358.49 Water \$77,995.01) in bills for approval.

Water & Sewer Collection Fund	\$1,906.33
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$756,577.15
Construction Account – ETSA Upgrades	\$984.99
FDIC Insured Sweep Account - Sewer	\$1,599,171.19
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton	\$1,025,996.51
Joint WWTP Business Checking – Fulton Bank	\$2,500.00
Joint WWTP Business Checking – Ephrata National Bank	\$2,500.00

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

ENGINEERS’ REPORT:

Gary Martin reported that they have been doing a lot of developer work and have received a lot of new submissions. Gary also noted that Horst Farm Market is proposing a small grease trap that is not up to Authority standards. He also reported that there is a sinkhole in Timberline Estates adjacent to the sewer line and Becker will be on site when they start working on it tomorrow.

Chuck Haley reported there is one remaining design question to be addressed. Becker and the operators have requested to put electric gate operators at the Terre Hill pump station. This would be a costly addition. ELA is suggesting the use of solar powered gate operators. He explained that solar power has come a long way and they would expect the batteries to last quite a while based on the expected use of the gate. Gene asked for Bruce’s opinion. Bruce said it makes sense to have an electric gate but it is not a necessity. Bruce noted that most of the conversation was more centered around where to put the gate. Gene feels that if a solar powered gate can be added for a reasonable cost then we should move ahead with it. Gary recommended at least running the conduit during construction. Scott noted that with a gate that size it would be worth investigating options other than manual. Gene Pierce made a motion to add a motorized gate with a solar panel at the Terre Hill pump station, seconded by Scot Ash. Motion carried unanimously.

ELA is still waiting on a review from Judith Tutino. USDA is working on getting responses from the Tribes and now there is a new Tribe that USDA must get clearance from.

USDA is requiring the WVA provide an email or letter of concurrence as to the method of dispute resolution the Authority would like. The choice for dispute resolution (Article SGC 17.02) appears to be arbitration. The other most common type of resolution is litigation.

A breakdown or calculation to determine the amount of Liquidated Damages needs to be completed. Justification is required and needs to be kept on file by the Authority should they be challenged by the Contractor. Becker is working on this and would like to have it complete for approval at the January meeting. Gene recommended contacting Frank for his recommendation. Chuck will contact Frank. Chuck will also get a recommendation from Frank on arbitration.

SOLICITOR’S REPORT:

Frank Mincarelli distributed his report via email. The board didn’t have any questions regarding his report.

OPERATIONS REPORT:

Bruce reported that septage receiving stopped Dec. 1st and so far everything looks good and there were no compliance issues.

NEW BUSINESS:

2020 Christmas Bonuses – Gene Pierce made a motion to approve \$100.00 Christmas bonuses for all WVA staff, seconded by Scot Ash. Motion carried unanimously.

2021 Employee Raises – Denise noted that as Township employees leased to the Authority, the Township proposed 3% raises for all Township employees. Gene Pierce made a motion to approve the employee raises as proposed by the Township, seconded by Jason Firestine. Motion carried unanimously.

2021 Rates – Water & Sewer – The budget committee is proposing the following rates effective Jan. 1, 2021.

Water: Service Charge \$62.14 + \$2.74/1,000 gallons

Sewer: Service Charge \$157.54 + \$7.10/1,000 gallons or for customer with unmetered water \$270.61/quarter

Gene Pierce made a motion to approve the 2021 water and sewer rates based on the Rate Study, seconded by Scot Ash.

2021 Budgets – Gene Pierce made a motion to approve the 2021 budgets for water and sewer, seconded by Scot Ash. Motion carried unanimously.

2021 Meeting Dates - Denise proposed meeting dates for 2021. The dates proposed are the second Monday of each month. Scot Ash made a motion to approve the proposed 2021 meeting dates, seconded by Jason Firestine. Motion carried unanimously.

Having no further business, Jason Firestine moved to adjourn the meeting at 7:55 p.m., seconded by Scot Ash. The next meeting will be held on January 11, 2021 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
- East Earl Township
- Terre Hill Borough
- Robert Rissler
- Charles Haley, ELA
- Gary Martin, Becker Engineering
- Frank Mincarelli, Blakinger Thomas