

WEAVERLAND VALLEY AUTHORITY

4610 Division Highway
East Earl, PA 17519
(717) 354-5593

BOARD MEETING AGENDA

December 13, 2021

1. OPEN MEETING

- A. **Minutes approval (November 8th)**
- B. **Public Comment** (public comment otherwise at time of each agenda item)
 - a. Carkoski, 574 Red Run Rd. – Request Easement Encroachment for a fence

2. REPORTS OF COMMITTEES & OTHERS

A. Correspondence

Action Items:

- a. Becker Engineering 2022 Rates
- b. LABS 2022 Rates
- c. PPL Contract – 5-year Line Extension Agreement for Frogtown Rd.
- d. Weaver, 981 Sunset Ave. – Penalty Waiver Request
- e. Pongonis, 1314 Springville Rd. – Penalty Waiver Request
- f. Styer, 318 Linden St. – Request to suspend billing. Property condemned due to flood damage
Sept. 1, 2021. Water shut off Nov. 24, 2021
- g. Siegrist, 815 Camp Meeting Rd. – Request extension of required connection.

B. **Administrative Report**—*Denise Bensing*

C. **Financial Report**—*Denise Bensing*

D. **Engineer's Report**—*Becker Engineering*

Action Items:

- a. Wildflower Ridge – Request to allow contractor to address remaining outstanding issues under the supervision of the Authority.
- b. Millstream Landscapes (Mt. Rock Contractors) –
 - 1. Sewer Capacity 1 EDU
 - 2. Lateral Installation Agreement
 - 3. Approve Sanitary Sewer & Water Design as outlined in the Nov. 15, 2021 review letter

E. **Solicitor's Report**—*Frank Mincarelli*

Action Items:

- a. Ratify the Execution of Indemnification Agreement with Becker Engineering
- b. Right of Entry and Access Agreement with Conestoga Wood Specialties for Temporary Electric
- c. Resolution 2021-10 – 2022 Budget
- d. Resolution 2021-11 – 2022 Sewer Rates
- e. Resolution 2021-12 – 2022 Water Rates
- f. Resolution 2021-13 – Appreciation & Commendation – Gary Martin

F. **Operations Report**—*Bruce Crabb*

G. **Day-to-Day Committee Report** – *Harold Kilhefner*

3. **NEW BUSINESS**

a. 2022 Meeting Dates

4. **OLD BUSINESS**

A. **Sensenig, 53 Gentle Dr.** – Easement Encroachment

B. **Sunset Ave. Line Replacement** (Water)

C. **196 Broad St. (PA Auction Center) meter for water tower** - Water storage tank repairs and metering.

5. **ADJOURN**

Weaverland Valley Authority

Meeting Minutes

December 13, 2021

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 13, 2021. Chairman Kenneth Witmer called the meeting to order at 6:30 p.m.

The following Board members were present: Kenneth Witmer, Harold Kilhefner, Gene Pierce, Scott Marburger, Scot Ash, Terry Zook, Jason Firestine, and Randy Miller. Also, present were Gary Martin, Becker Engineering; Frank Mincarelli, Blakinger Thomas Law Firm; Bruce Crabb, Operations Supervisor and Denise Bensing, Administrator.

MINUTES: A motion was made by Gene Pierce, seconded by Harold Kilhefner, that the minutes of the November 8, 2021 meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

Susan Carkoski, 574 Red Run Rd. – Ms. Carkoski requested the board allow an easement encroachment so she can put a fence on her property beginning at the front corner of her garage. The fence will encroach on the utility easement on the south side of her property. In her request, she noted that she will take full responsibility for the fence if the Authority needs to access the easement. Bruce noted that this part of the system is not a crucial area. Gene Pierce made a motion to have Frank prepare an Easement Encroachment Agreement for the purpose of installing a fence, seconded by Scott Marburger. Motion carried unanimously.

Leon Stoltzfus, PA Auction Center – Mr. Stoltzfus was in attendance to discuss the refurbishing in the water tank on his property and the Authority requirements for metering it. The tank which is currently fed by a 4” water line and does not have a meter. Gary noted that the Authority requires any water service line over 100’ from the Right-of-Way have a meter pit within 5’ of the Right-of-Way. Gary also noted that the line that feeds the tank is required to have an air gap. Pittsburg Tank has been contracted to refurbish the tank. It was suggested to have the fill line extended to fill the tank from the top with an air gap. There was discussion regarding an agreement with the fire company to use the tank as a fire protection source. It was suggested that the property owner contact the fire company to find out if they are interested in using the tank for a possible fire fighting source. Since a meter pit is required, there was discussion about making the feed line smaller so that a meter for a smaller line can be installed at a lesser cost.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) November.
2. WG Malden – Shady Maple 3rd Quarter Calibration report.
3. Becker Engineering – Blue Ball Commons Lot #63 Maintenance Period Review.
4. Becker Engineering – Millstream Landscaping (TS Lot #8) – Review Letter #4
5. Blakinger Thomas Law Firm – Lien satisfied for 111 Center Ave.
6. Blakinger Thomas Law Firm – 53 Gentle Dr. letter regarding easement encroachment. Now that the easement has been secured, Mr. Sensenig was notified that the Authority will not repair or replace the

deck should it become necessary to remove it. To force Mr. Sensenig to remove the deck would require surveying the property. Frank will send Mr. Sensenig an Easement Encroachment Agreement.

7. Blakinger Thomas Law Firm – Letter to Congressman Lloyd Smucker requesting assistance in securing funds for the WWTP project.
8. Becker Engineering – 2022 Hourly Rates.
9. L.A.B.S. 2022 Cost for Analytical Services – The test for TTHM/HAA5 increased from \$110 to \$190. Bruce noted that this test is done annually each year. Gene Pierce made a motion to accept the 2022 Cost for Analytical Services, seconded by Jason Firestine. Motion carried unanimously.
10. PPL 5-Year Line Extension Agreement (Frogtown Rd.) – Total cost is \$30,802.00 (\$6,160/year) If net yearly billing is less than the guaranteed amount, the difference becomes due and payable. Harold Kilhefner made a motion to sign the agreement, seconded by Randy Miller. Motion carried unanimously.
11. Penalty Waiver requests – M. Weaver, 981 Sunset Ave & D. Pongonis, 1314 Springville Rd. – Both requested their penalties be waived because they didn't receive the original bill. Denise noted that there were many customer calls about this or for checks that were mailed but not received. Scot Ash made a motion to waive the penalty for both, seconded by Harold Kilhefner. Motion carried unanimously.
12. Billing Suspension Request – S. Styer, 318 Linden St. – Ms. Styer is requesting her billing be suspended because her basement wall collapsed due to flooding and the property is currently condemned. Gene Pierce made a motion to suspend the billing until a new Occupancy Permit is received, seconded by Terry Zook. Motion carried unanimously.
13. C. Siegrist, 815 Camp Meeting Rd. request to extend connection deadline– Mr. Siegrist is requesting an extension to the 60-day requirement for connection due to winter weather and contractor's busy schedule. He is requesting 6 months or until April 18, 2022. Scott Marburger made a motion to extend the deadline to April 18, 2022, seconded by Jason Firestine. Motion carried unanimously.

ADMINISTRATIVE REPORT:

Denise reported that the modification of the 2018 Sewer Revenue Note is complete and the RFP for the 3rd interim financing is out. She also received a call from Terre Hill Borough and was told that the Authority's request for ARP funds is on their Dec. 14, 2021 agenda.

FINANCIAL REPORT:

The Financial report was read with \$206,427.34 (Sewer \$185,551.71 Water \$20,875.63) in bills for approval.

Water & Sewer Collection Fund	\$19,642.44
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$877,293.55
FDIC Insured Sweep Account - Sewer	\$2,404,263.63
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton	\$1,026,444.98
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 and for Denise to send a letter Mike Geng about the additional charges and to also send a letter to Concord Public Financial requesting an explanation of the charges, seconded by Gene Pierce. Motion carried unanimously.

ENGINEERS' REPORT:

Gary Martin reported:

CA/CM: Bids for Contracts 3, 4, & 5 will be received Dec. 16th. There were only 10 questions submitted by contractors. An amendment for the E-500 has been submitted and approved by USDA for the additional costs associated with the bidding. The schedule distributed in November 2021 is still the valid schedule.

The property is tentatively scheduled to have the proposed PPL utility poles and associated easements staked out Jan. 3, 2022.

Wildflower Ridge: The developers, through Terry Kauffman, are requesting the Authority allow the developer's contractor to address the remaining issues in the field under the supervision of the Authority. Becker recommends the Authority agree to the request due to the complexities of this project. Harold Kilhefner made a motion to agree to allow the developer's contractors to address the remaining outstanding issues in the field under the supervision of the Authority, seconded by Randy Miller. Motion carried unanimously.

Horst (Cedar Creek) Farm Market: The record plans are still outstanding.

Millstream Landscaping (Twin Springs Lot #8): Becker received revised drawings on Nov. 11th. Jason Firestine made a motion to grant one EDU of sewer capacity, seconded by Scott Marburger. Motion carried unanimously. Gene Pierce made a motion to approve and executed the Lateral Installation Agreement, seconded by Scot Ash. Motion carried unanimously. Jason Firestine made a motion to approve the sanitary sewer and water design as outlined in Becker's Nov. 15, 2021 review letter, seconded by Terry Zook. Motion carried unanimously. It was noted that the financial security in the amount of \$38,226.00 has been posted.

Blue Ball Commons Lot #63: The Maintenance Guarantee for this property will expire on Jan. 13, 2022. Becker completed a site review and issued a letter outlining a few items that need to be addressed by the developer prior to Jan. 13, 2022.

ETSA Septage Receiving Station: Construction was completed on Nov. 1, 2021. The income it has generated is quadruple what was anticipated. Gary noted that a letter will be coming from ETSA requesting permission to get a chopper pump to replace the original 4-inch solids handling pump that was clogging multiple times a day.

New Holland Borough Authority Flow Restriction: The Borough responded to Becker's request of a higher instantaneous flow rate on Dec. 10, 2021. The Borough responded that they would need to have their engineer complete an evaluation and that WVA would be responsible for the cost. Gary responded that no funds should be expended on an evaluation until the cost is provided to and authorized by WVA.

Blue Ball Water System

Burkholder Trailer: The developer is now proposing to complete construction of Spartan Dr. in Earl Twp. Because of this, Becker has notified them that a water lateral needs to be installed to the public right-of-way for the property on the north side of the road (Lot #3) prior to roadway paving.

Weaver Woodworking: Earl Twp. is investigating if Mark Weaver is being required to connect the Northern most lot to the WVA water system.

SOLICITOR'S REPORT:

Frank presented the Indemnify & Hold Harmless Agreement with Becker Engineering which was signed between meetings as part of obtaining the licensing from Paragon. Gene Pierce made a motion to ratify the Indemnify and Hold Harmless Agreement with Becker Engineering, seconded by Terry Zook. Motion carried unanimously.

Frank explained that in order for the Authority to access an electric supply line, a Right of Entry and Access Agreement with Dependable Realty (Conestoga Wood) needs to be executed. Gene Pierce made a motion to execute the Right of Entry and Access Agreement with Dependable Realty for temporary electric, seconded by Jason Firestine. Motion carried unanimously.

Frank presented the follow resolutions for execution:

Resolution 2021-10 2022 Budget – Gene Pierce made a motion to execute Resolution 2021-10, seconded by Harold Kilhefner. Motion carried unanimously.

Resolution 2021-11 2022 Sewer Rates and Resolution 2021-12 2022 Water Rates – Gene Pierce made a motion to execute Resolution 2021-11 and 2021-12, seconded by Harold Kilhefner. Motion carried unanimously.

Resolution 2021-13 Resolution of Appreciation and Commendation for Gary Martin. – Gene Pierce made a motion to execute Resolution 2021-16, seconded By Harold Kilhefner. Motion carried unanimously.

NEW BUSINESS:

2022 Meeting Dates: Denise distributed the meeting dates for 2022. Jason Firestine made a motion to approve the 2022 Meeting Dates, seconded by Terry Zook. Motion carried unanimously.

Having no further business, Harold Kilhefner moved to adjourn the meeting at 8:51, seconded by Scot Ash. The next meeting will be held on January 10, 2022 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
Terry Zook
East Earl Township
Terre Hill Borough
Robert Rissler
Dan Becker & Gary Martin Becker Engineering
Frank Mincarelli, Blakinger Thomas