

WEAVERLAND VALLEY AUTHORITY

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

BOARD MEETING AGENDA

January 8, 2024

1. OPEN MEETING

A. Reorganization of the Board

Chairperson (Currently Ken Witmer)
Vice-chairperson (Currently Harold Kilhefner)
Secretary (Currently Terry Zook)
Treasurer (Currently Gene Pierce)
Asst. Secretary (Currently Randy Miller)
Asst. Treasurer (Currently Scott Marburger)

Appointments

Authority Solicitor (Currently Open)
Operational Engineer – (Currently Dan Becker – Becker Engineering)
Auditor (Currently – Maher Duessel)

B. Minutes approval (December 11th)

C. Public Comment (public comment otherwise at time of each agenda item)

a. J.R. Bard, 286 Conestoga Creek Rd. – WWTF Excessive Noise

2. REPORTS OF COMMITTEES & OTHERS

A. Correspondence

Action Items:

B. Administrative Report—Denise Bensing

Action Items:

a. Public Notification System – Currently under contract with Rave Alert until 3/31/24
b. Procurement Policy- Update bidding thresholds.

C. Financial Report—Denise Bensing

Action Items:

a. Approval of Financial Report and pay the bills
b. Approve WWTF & System Project Payment Requisition
c. Approve Twin Springs Connection Payment Requisition

D. Engineer's Report—Becker Engineering

Action Items:

a. Consider correspondence for Contracts 1, 2, & 3 regarding liquidated damages.
b. Execute Partial Certificate of Completion for Contract 2.
c. Consider/Discuss issuing connection notice recommendation to the Township.
d. Approve USDA E-500 Amendment conditioned upon USDA's approval.
e. 329 Broad St/10 Vine St. – Approve release of financial security and any escrow after confirming all professional services fees have been paid.

E. Solicitor's Report

F. Operation's Report—Bruce Crabb

3. NEW BUSINESS

Action Items:

4. OLD BUSINESS

A. Sunset Ave. St. - Line Replacement (Water)

5. ADJOURN

Weaverland Valley Authority

Meeting Minutes

January 8, 2024

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 8, 2024. Denise Bensing served as temporary chairperson and called the meeting to order at 6:30 p.m.

The following board members were present: Kenneth Witmer, Harold Kilhefner, Terry Zook, Craig Tomlinson, Gene Pierce, Jason Firestine, Scott Marburger, & Randy Miller. Also, present were Dan Becker, Becker Engineering; Bruce Crabb, Operations Supervisor; and Denise Bensing, Administrator.

REORGANIZATION:

- A motion was made by Gene Pierce to nominate Harold Kilhefner for Chairman, seconded by Randy Miller. A motion was made by Harold Kilhefner to nominate Gene Pierce for Chairman, seconded by Randy Miller. With no further nominations, board members voted by paper ballot. The results of the paper ballot were Harold Kilhefner – 5 and Gene Pierce – 3.

Harold Kilhefner presided over the remainder of the meeting.

- Gene Pierce made a motion to nominate Craig Tomlinson for Vice-Chairman, seconded by Scott Marburger. Motion carried unanimously.
- Gene Pierce made a motion to nominate the remaining same officers as 2023 for 2024, seconded by Jason Firestine. Motion carried unanimously.
2024 officers:
Secretary – Terry Zook
Treasurer – Gene Pierce
Asst. Secretary – Randy Miller
Asst. Treasurer – Scott Marburger
- Jason Firestine made a motion to appoint Dan Becker, Becker Engineering as the Authority Engineer for 2024, seconded by Terry Zook. Motion carried unanimously.
- Gene Pierce made a motion to appoint Susan Peipher, Blakinger Thomas Law Firm as the Authority solicitor for 2024, seconded by Randy Miller. Motion carried.
- Randy Miller made a motion to appoint Maher Duessel as the Authority auditor for 2024, seconded by Scott Marburger. Motion carried.

MINUTES: A motion was made by Jason Firestine, seconded by Craig Tomlinson, that the minutes of the December 11, 2023 meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

J.R. Bard, 286 Conestoga Creek Rd. – Mr. Bard was present to discuss the high-pitched turbine sound followed by a hum. This noise can be heard both inside and outside his house and is disturbing their sleep as well their daily life. He is asking for immediate action be taken even if it is with a temporary solution. Mr. Bard recorded and played the sound for the board. Using his cellphone, Mr. Bard believes the sound is approximately 75-80 decibels.

Dan explained that the blowers that were installed are the quietest in the industry. They believe the sound is coming from the air intake. Becker is looking into what options are available. Dan did note that wastewater treatment facilities are not noise free but he has never experienced these sounds. Gene suggested contracting with somebody with experience in this field to address the issue. Gene Pierce made a motion to add to the agenda action for the excessive noise, seconded by Craig Tomlinson. Motion carried unanimously. Gene Pierce made a motion for Becker Engineering to take immediate action to mitigate the noise at 286 Conestoga Creek Rd., seconded by Terre Zook. Motion carried unanimously.

Tom McNamara, 103 Frogtown Rd. – Mr. McNamara first noted that he is in favor of the sewer. He is concerned that if the power would go out what would prevent the sewer to getting into his house. He explained that his house is a low

point. Dan explained that there are two check valves and two shut off valves. Dan also explained that the check valves are rated for 150 PSI and 200 PSI and the pressure at Mr. McNamara’s property is 35 PSI. Mr. McNamara requested the flow data that Becker Engineering gathered. The board authorized Dan to send the pressure data to Mr. McNamara.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) December weekly lab results. There will be no surcharge for December.
2. Conestoga Wood Specialties – Proposing to use water meters instead of effluent meter. Submitted to Becker for review.
3. K. Esh, 1011 Sunset Ave. – Lien satisfied.
4. 329 Broad St./10 Vine St. – Record Plans were submitted and reviewed. Financial security can be released.

ADMINISTRATIVE REPORT:

Denise reported that the contract with Rave Alert will expire on March 31, 2024. She and Bruce will look into other options or possibly renew with Rave Alert. She also reported that she updated the Procurement Policy to include the new bidding thresholds. Gene Pierce made a motion to adopt the updated Procurement Policy, seconded by Jason Firestine. Motion carried unanimously.

Denise notified the board that new notary commission expires July 31, 2024. She will be renewing her notary commission through Pennsylvania Association of Notaries (PAN). She noted the cost is approximately \$500.00.

FINANCIAL REPORT:

The Financial report was read with \$172,759.64 (Sewer \$152,143.24 Water \$20,616.40) in bills for approval.

Water & Sewer Collection Fund	\$1,684.00
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$1,005,804.56
ENB Checking – Twin Springs Project	\$566,682.00
FDIC Insured Sweep Account - Sewer	\$4,440,343.27
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton- 12/31/23 Stmt. not recd.	\$1,041,360.38
Joint WWTP Business Checking – Fulton Bank	\$0.00
Joint WWTP Business Checking – ENB – 12/31/23 Stmt. not recd.	\$39,459.17

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

Denise presented Payment Requisition #20 for the WWTP and Conveyance System project. The amount of the requested loan advance is \$948,418.00. Gene Pierce made a motion to approve the WWTF & System Project Payment Requisition #20 in the amount of \$948,418.00, seconded by Jason Firestine. Motion carried unanimously.

Denise presented Payment Requisition #1 for the Twin Springs Well Connection project. The amount of the requested loan advance is \$91,800.00. Gene Pierce made a motion to approve the Twin Springs Well Connection Payment Requisition #1 in the amount of \$91,800.00, seconded by Scott Marburger. Motion carried unanimously.

ENGINEER’S REPORT:

Dan Becker reported:

CA/CM: Startup of the new WWTF took place Dec. 4, 2023. Pact has been addressing startup issues, addressing punch list items and site grading. Pact and Becker have been troubleshooting the loud noises which appears to be coming from the blowers and impacting the Bards. Gene, Harold, Frank and Rob met with Pact and their attorney on Nov. 20th to review the status of substantial completion.

Due to paving restrictions, HRI will not be working on SR023 until the asphalt plants reopen. HRI will continue to install LPSS laterals and grinder tanks for properties along SR625, Union Grove Rd., and Spring Grove Rd. HRI has not provided a new substantial completion date. They feel they have been substantially complete since August 28th.

All contractors failed to meet the original substantial completion date of Aug. 28, 2023. Becker considers Dec. 4, 2023 for Contracts 1, 3, 4, and 5 since that is the day the new treatment plant could receive and treat flow. At the December

meeting, the board requested Becker to calculate the liquidated damages amount for contracts 1 & 3. Liquidated damages for those contracts equate to \$188,552.00. Liquidated damages for Contract 2 continue to accrue at a rate of \$1,924.00/day. Gene Pierce made a motion to authorize Becker Engineering to issue correspondence to Contracts 1, 2, and 3 detailing the Authority's ability to impose liquidated damages, seconded by Craig Tomlinson. Motion carried unanimously.

Becker received correspondence from HRI requesting partial Substantial Completion. Gene Pierce made a motion to execute the Partial Certificate of Substantial Completion for Contract 2, seconded by Terry Zook. Motion carried unanimously.

To date, there are approximately 63 properties that are ready to connect. The Township ordinance requires the property owner to connect within 60 days of the Connection Notice. Dan would recommend either a 120- or 180-day time frame to the Township. Randy Miller made a motion to recommend the Township issue connection notices to the 63 properties ready for connection and recommend property owners be given 180 days to connect, seconded by Scott Marburger. Motion carried unanimously.

Dan reported that unfortunately due to continued delays in construction, the budget for Construction Phase and RPR Services has been all but exhausted. Becker is requesting additional compensation for construction and RPR services. The amount being requested is \$56,420.00 for Construction Phase and \$307,680.00 for RPR Services for a total of \$360,000.00. Gene Pierce made a motion to approve the USDA E-500 Amendment conditioned upon USDA's approval, seconded by Terry Zook. Motion carried unanimously.

Lighthouse Assembly of God: Dan reported that the original approved design drawings did not show kitchen facilities. Kitchen facilities are now being proposed. The contractor was notified that plumbing plans and grease interceptor sizing calculations need to be submitted for review.

10 Vine St. (329 Broad St.): The Record Drawings were received from the developer's consultant. Becker recommends the remaining financial security and any escrow be released after confirming all professional service fees have been paid. Jason Firestine made a motion to release the financial security and escrow for 10 Vine St., seconded by Craig Tomlinson. Motion carried unanimously.

Blue Ridge Communications: A check for the \$10,000 escrow has been received.

SRBC/DEP Permitting and Compliance:

Terre Hill System: The Authority needs to decide which SRBC option would be best for the Authority.

OPERATION'S REPORT:

Bruce reported that they are working on a punch list with Becker. There have been some issues and they are working with the manufacturers to address them. The overall the new plant is running well. In preparation for the demolition of the Terre Hill plant, they have been removing sludge from the tanks, removing the reed beds, and will be moving the generator.

Scott Marburger moved to adjourn the meeting to an executive session at 8:43 p.m. to discuss a personnel issue. Motion carried unanimously. The next meeting will be held on February 12, 2024, beginning at 6:30 p.m.

Respectfully submitted,

Denise A. Bensing

Cc: Harold Kilhefner
Scott Marburger
Randy Miller
L. Eugene Pierce
Kenneth Witmer
Jason Firestine
Terry Zook
Craig Tomlinson
East Earl Township
Terre Hill Borough
Robert Rissler
Dan Becker, Becker Engineering
Frank Mincarelli, Blakinger Thomas
Terry Kauffman