

WEAVERLAND VALLEY AUTHORITY

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

BOARD MEETING AGENDA

May 13, 2024

1. OPEN MEETING

A. Minutes approval (April 8th)

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

- a. Eaby Estate - Requesting explanation of # of EDU's required, cost per unit, and rates.

2. REPORTS OF COMMITTEES & OTHERS

A. Correspondence

Action Items:

- a. Patricia Francis, 331 Shepherd Dr. – Request waiver of additional tapping fee.
- b. Sharon Zimmerman, 406 E. Main St. – Request waiver of penalty (\$32.21)

B. Administrative Report—*Denise Bensing*

- a. Update on computer/IT needs

Action Items:

- b. USDA Closing – Fund Debt Service Reserve Account to required amount.
- c. Discuss moving Debt Service Reserve Account to a higher interest-bearing account.
- d. Establish a Short-Lived Asset Account as required by USDA.

C. Financial Report—*Denise Bensing*

Action Items:

- a. Approval of Financial Report and pay the bills.
- b. Approve WWTF & System Project Payment Requisition

D. Engineer's Report—*Becker Engineering*

Action Items:

- a. Approve and Execute Contract 3 Certificate of Substantial Completion
- b. Address how to handle property owners who do not provide access easement agreements.
- c. Lighthouse Assembly of God - Authorize Execution of the Developer's Agreement
- d. Sauder Hardscape – Approve relief request and Maintenance and Repair Agreement.
- e. Approve Payment Application for Twin Springs Project – Contract 1 Pmt. 4 \$508,584.60
- f. Approve Payment Application for Twin Springs Project – Contract 2 Pmt. 1 \$24,277.50

E. Solicitor's Report – *Susan Peipher*

F. Operation's Report—*Bruce Crabb*

Action Items:

- a. Authorize purchase of Mini excavator.

3. NEW BUSINESS

4. OLD BUSINESS

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

Action Items:

B. Martin Flooring Warehouse billing – Request to pay over 6 months.

C. LM Auto Body - Requesting a waiver from purchasing an additional EDU for the body shop.

5. ADJOURN

Weaverland Valley Authority

Meeting Minutes

May 13, 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 May 13, 2024. Chairman Harold Kilhefner called the meeting to order at 6:30 p.m.

The following board members were present: Harold Kilhefner, Terry Zook, Craig Tomlinson, Scott Marburger, and Randy Miller. Also, present were Susan Peifer, Appel, Yost & Zee Law Firm; Dan Becker, Becker Engineering; Rob Hallman, Becker Engineering; and Denise Bensing, Administrator.

MINUTES: A motion was made by Randy Miller, seconded by Terry Zook, that the minutes of the April 8, 2024, meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

Beverly Eaby & Mary Alice Leaman (Eaby Estate) – Concern was expressed regarding the Authority rates. They asked why the tapping fees are so high. It was explained that the tapping fees are determined based on the Authority’s assets and debt. They also asked why the quarterly fees are higher than many local municipalities. It was also explained that a rate study was completed when the Authority was created which projected the rates that would be needed based on projected costs. When asked why the Authority rates are higher than others, Dan noted that newer systems typically have higher rates than areas with older systems. It was also asked why they need to pay more than one tapping fee if they will only have one connection with a duplex grinder tank. Dan explained that the number of required tapping fees has nothing to do with the number of connections or grinder tanks. The Authority’s Rules and Regulations require one EDU or tapping fee for each dwelling/use. In this situation since there are seven apartments, the property owner is required to purchase seven EDUs. The last question they had was when they will be required to connect. Dan explained that construction in the Goodville area is wrapping up. When construction in that area is complete, connection notices will be issued by East Earl Township.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) April weekly lab results. There will be no surcharge for April.
2. Robert & Mindy Plank, 1574 Main St. – The Planks would like the simplex grinder tank replaced with a duplex grinder tank as noted on the system plans. They note that until the replacement is complete, no payment will be made. Becker Engineering and HRI are working on having the tank replaced.
3. DEP Chapter 102 – The Conservation District completed an inspection due to a complaint regarding the soil disturbance in the Frogtown Rd. area. HRI has stabilized some of the areas but not all.
4. DEP Chapter 102 – The Conservation District completed a site inspection at the WWTP. Numerous areas were found not stabilized. Pact Two will stabilize the areas.
5. PA DEP – NPDES Permit Renewal for WWTP & Conveyance Project for stormwater & environmental was received.
6. Terre Hill Borough – The Borough is recommending the Authority consider leasing the former sewer plant property for \$1.00 per year to the neighboring landowner, Peter Martin. Mr. Martin would like to use the property for a cow pasture. This request was tabled until the June 10, 2024 meeting because it was received after the May agenda was prepared.
7. P. Francis, 331 Shepherd Dr. – Ms. Francis requested a waiver of the additional tapping fee that would be required for an accessory apartment on her property. She explained that her mother currently lives across the street from her. Her mother, who is in the late stages of Alzheimer’s, is the caretaker for her disabled sister. Ms. Francis is preparing to be the caretaker for her sister while still giving her some independence by converting their current sunroom into an accessory apartment. Scott Marburger made a motion to waive the additional tapping fee, seconded by Craig Tomlinson. Motion carried unanimously.
8. S. Zimmerman, 406 E. Main St. – Requested a waiver of the penalty \$32.20 assessed in February 2024. Ms. Zimmerman said she did not receive the bill that went out in January. Randy Miller made a motion to waive the penalty, seconded by Terry Zook. Motion carried unanimously.

ADMINISTRATIVE REPORT:

Denise provided an update on the computer and IT needs she discussed at the last meeting. All Authority computers were upgraded to Microsoft 365. The computers at the new WWTP now have the necessary security that they need. With the upgrade to Microsoft 365, the emails were migrated to a new platform. QuickBooks has been upgraded on the office computers. While John was working on the upgrades, he noticed that the server was struggling. The server was going to be replaced in 2025 but John

recommended doing it this fall. The Township and Authority met with John to discuss the possibility of SL Technologies managing the IT services instead of Stratix/Lynx. The discussion was to have a monthly rate which would cover regular services and would be shared with the Township. John will provide a proposal. In addition to the IT work, a new phone system was also installed by SL Technologies. The administrative offices lease considers the phones as common equipment. The Authority will not be charged for the office phones. The Township will bill the Authority for the phone(s) at the new WWTP.

Denise noted that pre-closing with USDA is scheduled for May 16, 2024 and closing is on May 23, 2024. One requirement of USDA is that the Authority must have a balance in the amount of one year's debt payment in a Debt Service Reserve Account. The Authority did open an account with Fulton Bank when the interim financing was started. Denise recommends funding the balance needed in this account. After closing with USDA, Denise recommends moving these funds into an account with a higher interest rate. Scott Marburger made a motion to transfer funds to this account to the balance needed then moving it to a higher interest rate account after closing, seconded by Craig Tomlinson. Motion carried unanimously. Denise also noted that USDA requires the Authority to deposit money into an account in the amount of \$69,882 yearly for short-lived assets. Unlike the Debt Service Reserve account, this money can be withdrawn without USDA approval. Denise recommends opening a new account to make these deposits. Terry Zook made a motion to open a new account for the short-lived asset reserves and deposit the necessary funds into that account, seconded by Randy Miller. Motion carried unanimously.

FINANCIAL REPORT:

The Financial report was read with \$231,891.37 (Sewer \$178,732.26 Water \$53,159.11) in bills for approval.

Water & Sewer Collection Fund	\$122,974.29
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$1,037,174.07
ENB Checking – Twin Springs Project	\$432,115.66
FDIC Insured Sweep Account - Sewer	\$5,068,586.22
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton	\$1,048,103.61
Joint WWTP Business Checking – Fulton Bank	\$0.00
Joint WWTP Business Checking – ENB	\$0.00

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

Denise presented Payment Requisition #24 for the WWTP and Conveyance System project. The amount of the requested loan advance is \$513,609.00. Terry Zook made a motion to approve the WWTF & System Project Payment Requisition #24 in the amount of \$513,609.00, seconded by Craig Tomlinson. Motion carried unanimously.

ENGINEER'S REPORT:

Dan Becker reported:

CA/CM: A meeting is scheduled with Pact Two on May 29th. Pact continues to work on the punch list items. HRI completed the installation of the LPSS laterals and grinder pumping units along Route 23 and Spring Grove Rd. HRI also completed the installations LPSS main on Frogtown Rd., Spring Grove Rd., and Route 23 except for the Cedar Creek Crossing. HRI plans to begin the work on the Cedar Creek crossing on May 20th. HRI is not substantially complete and liquidated damages continue to accrue.

Becker received the executed Contract 3 Certificate of Substantial Completion on May 2nd and recommends its approval and execution. Terry Zook made a motion to approve and execute the Contract 3 Certificate of Substantial Completion, seconded by Craig Tomlinson. Motion carried unanimously.

Dan reported that 153 of 158 Sewer Easement Agreements have been received. Becker recommends the Authority determine how to address non-compliance for the remaining non-compliant property owners. Craig Tomlinson made a motion to authorize the solicitor to send a letter to the non-compliant property owners giving them 30 days to comply or their property will be removed from the project, seconded by Randy Miller. Motion carried unanimously.

Dan provided a list of resident issues including both resolved and unresolved issues. The final land restoration is not complete. Curt Reese was present, and he explained that the landscaping contractor was on sight but left to complete other work. They will be back.

Lighthouse Assembly of God: The church has provided the Developer's Agreement. Randy Miller made a motion to authorize the execution of the Developer's Agreement for Lighthouse Assembly of God, seconded by Craig Tomlinson. Motion carried unanimously.

Sauder Hardscape: The developer's consultant submitted a request for relief from the Authority's requirement of 5-foot of horizontal separation between sanitary sewer laterals and all other utilities. Becker recommends approval since the sewer and water facilities will remain privately owned and maintained by the property owner. Randy Miller made a motion to approve the request for relief from the Authority's requirement of 5-foot separation between utilities, seconded by Terry Zook. Motion carried unanimously. Developer's Agreement will be signed and recorded after financial security is posted.

808 E. Main St/108 Short St.: Becker will work with Susan to draft an agreement detailing the property owner's obligations and timing.

Twin Springs Project: The pipe installation and testing of the water line within Ranck Church Rd. & SR023 was completed. Paving is scheduled for May 20th and 21st. Becker received the following payment applications:

Contract 1 - Pact Two Payment Application #4 \$508,584.60. Craig Tomlinson made a motion to approve Payment Application # 4 in the amount of \$508584.60, seconded by Scott Marburger.

Contract 2 – A. N. Lynch Application #1 \$24,277.50. Scott Marburger made a motion to approve Payment Application #1 in the amount of \$24,277.50, seconded by Craig Tomlinson. Motion carried unanimously.

SOLICITOR'S REPORT: Susan reported that a meeting is scheduled with Pact Two on May 29, 2024. She also met with Becker and HRI. In the meeting, they were able to narrow down the list of issues. They will meet again.

OPERATION'S REPORT:

Bruce distributed his monthly Operator's Report via email. The report noted that the Sensaphone Sentinel alarm system has been installed at the Terre Hill pump station and the Fairview St. pump station. Installation at the WWTP is scheduled for the week of May 13th.

Bruce is looking for approval to purchase a mini-excavator and tamper attachment from Power Pro at a price not to exceed \$60,000. Scott Marburger made a motion to purchase XE35U mini-excavator and tamper attachment not to exceed \$60,000, seconded by Terry Zook. Motion carried unanimously.

OLD BUSINESS:

Martin's Flooring Warehouse billing: Martin's Flooring is requesting to pay the water and sewer charges that were not billed to them over a 6-month period. Scott Marburger made a motion to approve payment over a 6-month period, seconded by Terry Zook. Motin carried unanimously.

Luke Martin (LM Auto Body), 1375 Union Grove Rd.: As requested by the board at the April meeting, Bruce visited the property. He reported, via email, that that the shop is a single bay garage with a utility sink and a single bathroom. Mr. Martin told Bruce that he has no employees and there are no plans to expand the building. Scott Marburger made a motion to grant the waiver from purchasing an additional tapping fee, as long as the property and business are under the current owner, and for the following reasons, there are no outside employees, the sewage flow is low, and it is an in-home occupation with minimal impact, seconded by Randy Miller. Motion carried unanimously.

Having no further business, Scott Marburger moved to adjourn the meeting at 8:23, seconded by Randy Miller. The next meeting will be held on June 10, 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
Susan Peipher, Appel, Yost & Zee
Terry Kauffman