

Weaverland Valley Authority

Meeting Minutes

March 6, 2017

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on March 6, 2017. Chairman Ken Witmer called the meeting to order at 6:30 p.m. and informed all present that the meeting was being recorded by a resident.

The following Board members were present: Ken Witmer, Harold Kilhefner, Gene Pierce, Scott Marburger, Jerrene Zimmerman, Jason Firestine and Scot Ash. Also present were Bradford J. Harris, Good & Harris LLP; Jeff Sweater, ELA; and Denise Bensing, Administrative Assistant.

MINUTES: A motion was made by Gene Pierce, seconded by Randy Miller, that the minutes of the February 6, 2017 and February 16, 2017 meetings be approved as submitted and amended. The motion carried unanimously.

PUBLIC COMMENT:

Ron Byrne, 427 Spring Grove Rd. – Mr. Byrne asked if the bank has been picked for the \$3,000,000 loan that was discussed at a previous meeting. *Ken explained that an RFP was sent out for proposals. What were the terms and how was the lender picked? The rate was an important factor but the loan also needed to be transferrable. The terms can be provided at the next meeting. Will bids be put out for construction? Jeff explained that the project will require sealed bids.*

FINANCIAL REPORT:

The Financial report was read with \$59,387.82 in bills for approval.

Business Checking – Fulton Bank

\$255,948.97

Denise explained that she contacted Jeff Sweater to discuss some of the charges on the ELA bills. She explained that some of the charges she questioned were for work that the Day-to Day Committee was already working on and ELA was not authorized to perform this work by the WVA. There were also some charges for work that Denise felt should actually be charged to the Township. Jeff explained the reason for the charges to the board. The board agreed to pay all the charges in question except the charge for Coordination on Township questions on 537 Plan and alternatives for \$542.50. Jeff agreed to waive this charge. A motion was made by Harold Kilhefner to approve the financial report and pay the bills except the charge for coordination with the Township on 537 Plan and alternatives, seconded by Jason Firestine. Motion carried unanimously.

Nelson Groff asked if the Authority has a “Not to Exceed” contract with ELA. *Jeff explained that a contract isn’t in place at this time but he does have a contract to distribute tonight.* Nelson explained that he feels a “not to exceed” number is important. Gene asked if there is a “not to exceed” clause in what Jeff has to distribute tonight. Jeff explained that most of their clients would prefer to not have a “not to exceed” contract because their quote would be approximately 20% higher by doing so. ELA provides a fee for services and if they are going to exceed that fee, they need board approval.

ENGINEER’S REPORT:

Meeting with David Busch and Terre Hill Borough: David Busch feels that the Borough is on the right track. They still need to provide David with the payroll spreadsheets. Jerrene explained that Valerie has some concerns so she suggested that Valerie attend a Day-to-Day to express her concerns. Ken agreed that the committee would be interested in hearing her concerns.

Rules and Regulations Committee: The drafts are being reviewed by the Authority. The board was asked to have all comments to Denise one week prior to the next meeting so she can forward any comments to ELA. Jeff explained that ownership of the grinder pumps will be a separate section.

Jerrene asked to have the abbreviation POTW, Publicly Owned Treatment Works, defined within the Definitions of the Rules and Regulations based on Ken's questions.

Ron Byrne asked if there is a violation and the Authority is notified, is the Authority then required to notify DEP. *Jeff explained that in some situations the Authority would be required to notify DEP.*

Rate Study: Keystone Alliance is in the process of verifying all the revenue numbers. They will then provide individual rate models for each system as they exist currently. David Busch recommended meeting with a committee or having another meeting in which he would be available to attend.

Thomas Dougherty (422 Spring Grove Rd.) – Was Jeff referring to individual rates? *Ken explained that yes, he was referring to individual rates. The Authority hired a company to do a rate study. Will each have an assessed cost? Ken: no, all entities are transferring their assets and liabilities to the new Authority. Jeff also explained that the two current billing rates are similar. What will it cost to hook up? Jeff explained that the estimated tapping fee is expected to be \$7,500.00. If a grinder pump is needed, it would be an additional \$8,000.00 and a gravity connection would be \$2,500.00. I live on Spring Grove Rd. and I have never had any septic problems. I have had my well tested and there are no problems. Will there be any exceptions? The Connection Ordinance requires any residence 150 feet or less must connect to the system.*

Ed McDevitt (415 Spring Grove Rd.) – Why weren't residents notified? *Public notices were sent out during the preparation of the 537 Plan.*

Ron Byrne asked if the problem is Goodville why encompass such a wide area. *During the 537 planning process the Township and Terre Hill wanted to explore a joint treatment plant option due to Terre Hill needing to build a new treatment plant, which expanded the wells needing to be tested and area planned for. When will the letter be sent out? The addresses are being gathered at this time.*

Regional Wastewater Treatment Plant & Conveyance System:

Project Design and Permitting – ELA is going through the modeling of the WWTP.

USDA Funding: The application has been started.

Action Items:

Point Person - Jeff explained that it is important that the Authority appoint a point person for questions that arise between meetings. He is concerned that if they need to wait until meetings to ask questions that they would not be able to meet the deadlines. Ken agreed to be the point person.

Administrative Offices – Jeff explained that when he was at the meeting in Terre Hill, he heard talk that the administrative offices are going to be at the WWTP. The board agreed that the plan is not for the office to be at the WWTP but instead at the maintenance building.

Union Grove Area Sewer – Jeff explained that this area could be gravity or low pressure. He would like the board to give some thought to what they would prefer in the area. Harold said he would be interested in seeing the cost difference. Jeff will provide.

Joanne Gillis (Main St., Goodville) – If the line will cross a field, how will it be installed? *Jeff noted that it could either be drilled or bored below grade, but open cut would be the cheapest option.* Joanne explained that farmers may be opposed to a line crossing their field if the land is going to be disturbed.

Gene asked what the status is for the agreement. Jeff distributed a couple hard copies of the agreement to the board. An electronic copy was sent to Denise and she will send it to the board. Jeff would like the board to review it prior to the next meeting.

DAY-TO-DAY COMMITTEE:

Permanent Engineer and Solicitor – Harold reported that the committee would recommend ELA as the design engineers and Gary Martin with Becker Engineering as the operational engineers. They would also recommend Brad Harris as the organizational solicitor and Frank Mincarelli with Blakinger Thomas as the permanent solicitor. Gene asked if these professionals need to be appointed now. Harold explained that if Gary is going to be the engineer going forward he should be kept up to date. Gene also noted that Gary is very committed to Earl Township and wondered if it would be a conflict of interest. It was noted that it has never been an issue in the past. The board decided to wait until the April meeting to take action since Brad was not present to advise the board of the proper procedure. Denise will put on the April agenda.

Informational Newsletter – The letter has been finalized and will be sent out after all addresses have been gathered.

Operations Employees – Employee leasing agreements will be drafted. Terre Hill still needs to establish costs for their lease employees.

Ownership of Grinder Pumps – the committee is not ready to make a recommendation at this point.

Valerie Gregory Attendance at Committee Meeting – Harold felt that Valerie's attendance at a meeting to hear her concerns would be valuable but he doesn't see a need for her to attend a lot of the meetings.

Ron Byrne – At the last meeting there was discussion about contacting other municipalities. *Harold explained that he contacted 8 other municipalities and what he learned was discussed with the Day-to-Day Committee but the committee is not ready to make a recommendation at this time. Gene also explained that he believes David Busch is going to provide 2 different rate analyses.*

Ed McDevitt – What is the status of the appeal? *The appeal was dropped by the appellant several months ago.*

Ron Byrne – Has the appraisal come in? *Jeff- yes, but the board and he are not at liberty to discuss it at this point. Mr. Byrne recommended talking with another land owner if the Authority can't reach an agreement. Jeff explained that the project can't be moved. If the Authority can't come to an agreement with Conestoga Wood, the Authority, as a last resort, can take the land by eminent domain.*

Harold Kilhefner moved to adjourn the meeting into an executive session, for the purposes of discussing negotiation options for purchasing land based on the property assessments received, at 8:20 p.m., seconded by Scott Marburger. The next meeting will be held on April 3, 2017, 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
Jerrene Zimmerman
Jason Firestine
Bradford J. Harris, Attorney
East Earl Township
Terre Hill Borough
Robert Rissler
Jeff Sweater, Consulting Engineer
Gary Martin, Becker Engineering
Frank Mincarelli, Blakinger Thomas