MEETING MINUTES – January 11, 2012
WEST EARL SEWER AUTHORITY
PO BOX 725
BROWNSTOWN, PA  17508-0725

The regular monthly meeting of the West Earl Sewer Authority was held in room 102 at the West Earl Township Municipal Building, 157 West Metzler Road, Brownstown, Pennsylvania on Wednesday, January 11, 2012. Chairman Jim Houser called the meeting to order at 7:02 PM.

Authority members present: Dale Wissler, Jim Houser, Rick Weik, Dave Noyes and Mike Reed. Also present: Dan Becker, Becker Engineering; Patrick Barrett, Township Manager; Teresa Beever, Recording Secretary.

1. **SEWER AUTHORITY ORGANIZATION 2012**
   The Chairman asked for nominations of officers for the Authority.
   Dale Wissler nominated **Jim Houser Chairman**. Dave Noyes seconded the nomination. Passed unanimously.
   Dave Noyes nominated Dale Wissler for Vice Chairman. Mr. Wissler declined the nomination.
   Dale Wissler nominated **Mike Reed for Vice chairman**. Dave Noyes seconded the nomination. Passed unanimously.
   Dave Noyes nominated **Rick Weik for Secretary/Treasurer**. Dale Wissler seconded the nomination. Passed unanimously.
   Mike Reed nominated **Dave Noyes for Assistant Secretary/Treasurer**. Jim Houser seconded the nomination. Passed unanimously.
   The motion by Dave Noyes, seconded by Dale Wissler was approved unanimously to re-appoint **Becker Engineering as Authority engineer**.
   The motion by Dale Wissler, seconded by Mike Reed was approved unanimously to re-appoint **Morgan, Hallgren, Crosswell and Kane as Authority Solicitor**.

2. **MINUTES**
   The motion by Mike Reed, seconded by Rick Weik was approved unanimously to accept the minutes of the December 14, 2011 regular meeting of the West Earl Sewer Authority as presented.

3. **PUBLIC COMMENT/GUESTS**
   Resident Tom Briggs attended the meeting to observe.

4. **ENGINEER’S REPORT**
   Dan Becker began by thanking the Authority for the reappointment for 2012.
   See attachment
   **Oregon Pike Extension Project**
   The engineer provided a preliminary worksheet to the manager for calculation of tapping fees for this project, but requires the outstanding debt and costs of the most recent financing to in be able to complete the calculation.
   Easement agreements – Dan Becker verified that the per-foot price to offer the Horsts for their 200 foot easement compensation is $3 - $5. Jim Houser said he will meet with Mr. & Mrs. Horst this weekend and present the figure for their consideration.
   **DS Waters**
   **Darl Yoder**
   **Cloverbrook**
   **Millway Commercial**
   **Lancaster General Hospital**
Non-Residential Waste (NRW) Discharge Permit Program – Vice Chairman Mike Reed requested a listing of the Non-Residential customers. Teresa Beever will email the Authority the mailing list used for the NRW update requests.

Rules and Regulations update

Five Year Capital Improvement Projects Planning

WWTF Influent Screening Facility

WWTF Steel Tanks - The Authority discussed the color discrepancy of the paint and decided to table action on payment of application no. 3 for $20,005.91.

Oregon Pike Commercial (former Millway Commercial Properties)

Dollar General Store – At the recommendation of the engineer, the motion by Dale Wissler, seconded by Jim Houser was approved unanimously to grant capacity of 1 EDU for the proposed Dollar General Store, as requested by the developer.

Kep-Good Plan – At the recommendation of the engineer, the motion by Mike Reed, seconded by Rick Weik was approved unanimously to grant capacity of 2 EDU’s for the proposed Kep-Good project, as requested by the developer.

The Authority will notify these developers of the Authority’s decision and provide them with capacity reservation information and instructions.

WWTF Nutrient Credits

Lewis Burkholder
Millway Acres Phase II

5. MANAGERS REPORT/FINANCE REPORT

None

6. BILLS

The motion by Dale Wissler, seconded by Dave Noyes was approved unanimously to pay total monthly operating expenses of $25,483.89.

The motion by Rick Weik, seconded by Mike Reed was approved unanimously to pay total construction expenses of $11,086.61.

The motion by Dale Wissler, seconded by Dave Noyes was approved unanimously to pay improvement expenses of $1,182.50. The Authority did not authorize payment of application No. 3 from Valley Painting due to the paint color discrepancy. Bills totaling $127.00 will be paid from developers’ escrow accounts.

7. PAYMENT REQUISITIONS

The motion by Dale Wissler, seconded by Mike Reed was approved unanimously to authorize payment requisition No. 119 for $25,483.89 to pay operating expenses.

The Authority and engineer signed the document.

The motion by Jim Houser, seconded by Rick Weik was approved unanimously to authorize payment requisition No. 106 for $11,086.61 to pay construction expenses.

The Authority and engineer signed the document.

The motion by Dave Noyes, seconded by Rick Weik was approved unanimously to pay improvement expenses totaling $1,182.50 from the Bond Redemption and Improvement Fund. The Authority and engineer signed the document.
8. **OTHER BUSINESS**
Chairman Houser informed the Authority that he had contacted sludge haulers for current pricing. He asked the haulers to provide quotes for the Authority’s consideration at the February 2012 meeting.

Administrative procedures regarding capacity requests and capacity reservation were discussed. It was suggested that categorizing single lot owners differently from multiple lot and multiple EDU developers would streamline the process considerably. The engineer cautioned the Authority to determine the legality of making changes to the resolution due to the recent 2006 legislation governing the collection of Capacity Reservation Fees.

9. **ADJOURNMENT**
The *motion* by Dale Wissler, seconded by Dave Noyes was approved unanimously to adjourn the meeting at 8:27 P.M.
WEST EARL SEWER AUTHORITY
January 2012 Engineer’s Report

1. Oregon Pike Sewer Extension: The Authority conditionally awarded the construction contract to Delaware Valley Utility Contractors at the December 2011 Authority meeting. BEL has provided the contracts to the contractor and is waiting for the executed agreements, bonds, insurances, etc. After those documents are received and reviewed, the Authority can execute the contracts and schedule a preconstruction meeting with the contractor.

The Authority has scheduled resident meetings on January 26, 2012 at 6:00 pm and February 4, 2012 at 9:00 am. BEL provided a draft letter to the Authority to send to all impacted residents informing them of the meeting dates/times. BEL will prepare an information package for the Authority to hand out to the residents at the meetings and will email that package to the Authority Board and staff in advance of the resident meetings for review. BEL will also be updating the Authority’s tapping fee calculation based on actual bid prices and will provide that to the Authority in advance of the resident meetings.

The Authority will need to obtain executed Right of Entry Agreements from all property owners to allow for installation of the grinder pumping units and sewer laterals. These Agreements can be provided to the residents at the informational meetings.

BEL had provided the Authority with the legal descriptions and exhibits for 2 sanitary sewer easements that the Authority will need to secure. Jim indicated that he has provided the easement agreements to the property owners for execution.

2. DS Waters: As requested by the Authority at the March Authority meeting, BEL had reviewed the historical DS Waters sewer flow meter readings for the period from January 2010 through February 2011 and provided the summarized information to the Authority and Authority Solicitor for review. BEL updated the summary including flows through May 2011 and met with Authority staff on July 8, 2011 to review and discuss the next steps.

DS Waters did provide correspondence to the Authority dated September 10, 2011 indicating that they are intending to budget various improvements in 2012 to better control wastewater discharges to the Authority’s system and have also submitted the NPDES permit application to PADEP to increase their discharge from 60,000 gpd to 72,000 gpd. Subsequent to the DS Waters correspondence, it is BEL’s understanding that the DS Water flow meter calibration has been completed so that the capacity of the flow meter matches the capacity of the gravity flume and Butch continues to monitor the DS Water flows.

It is BEL’s understanding that DS Waters will be submitting an NPDES permit application to PADEP to increase the maximum discharge to the Cocalico Creek based on a public information mailing sent to the Township on December 16, 2011.

3. Darl Yoder (No Change from December Report)

4. Cloverbrook Lot 1 to Lot 4 (No Change from December Report)

5. Millway Acres Commercial Tract (No Change from December Report): The developer had provided correspondence regarding the maintenance bond for the sanitary sewer facilities. BEL does not have copies of the final sanitary sewer Record Drawings.

6. LGH Sewer Connection (No Change from December Report): The Authority had reviewed the most recent version of the Draft Agreement prepared by the Authority Solicitor and approved that version of the agreement at the August 2011 Authority meeting.
7. Brownstown Commons Lot 2 *(No Change from December Report)*

8. Eagleview Phase II *(No Change from December Report)*

9. Lancaster County Career & Technology Center *(No Change from December Report)*: LCCTC submitted a letter to the Authority dated April 26, 2011 indicating that they may be interested in connecting to the Authority’s sanitary sewer facilities when public sewer facilities are installed adjacent to the LCCTC facility. LCCTC indicated that anticipated wastewater flows of approximately 3,000 – 4,000 gpd should be utilized for planning purposes.

10. Non-Residential Waste (NRW) Discharge Permit Program:
   a. DS Waters *(No Change from December Report)*: The Authority authorized issuance of the NRW permit renewal at the May 2011 Authority meeting. The NRW Permit will expire on August 31, 2014. DS Waters provided 3rd Quarter sampling results to the Authority and BEL issued a review letter to the Authority dated November 25, 2011. All sample results are in compliance with Authority requirements.
   b. Zimco/American LaFrance: BEL received the NRW Permit Application renewal on October 13, 2011 and issued a review letter to Zimco dated October 21, 2011 requesting updated wastewater sampling and other required information. BEL did receive supplemental sampling results, however, additional parameters need to be tested. BEL issued a letter to Zimco dated January 5, 2012 reminding them of the requirements.
   c. As reported at the March 2011 Authority meeting, it appears that the most recent correspondence from the remainder of the non-residential customers dates back to 2004. Consequently, BEL provided the Authority with a Draft letter to the remaining non-residential customers for review. The Authority mailed correspondence to all non-residential customers requesting updated information and information has been coming into the Authority. BEL will be compiling that information to determine whether any facilities need NRW Permits.

11. Rules & Regulations Update *(No Change from December Report)*: The Authority did authorize adoption of the Revised Rules & Regulations conditioned upon incorporation of the Authority’s Solicitor’s comments at the July 2010 Authority meeting. BEL will coordinate the language modifications with the Authority and Authority Solicitor.

12. 5-Year Capital Improvement Projects Planning *(No Change from December Report)*: BEL and Authority staff have discussed the merits of generating a capital improvement project planning document to assist the Authority with future planning efforts. As a starting point, BEL prepared preliminary project cost opinions for providing sanitary sewer service to the Conestoga View and Farmersville Service Areas.

13. WWTF Influent Screening Facility *(No Change from December Report)*: BEL did provide Authority staff with some preliminary alternatives with respect to wastewater screening prior to the WWTF Influent Pumping Station. BEL and staff agreed to keep this information on file in the event the Authority would like to investigate alternatives any further.

14. WWTF Steel Tanks: Valley Painting has completed sandblasting and coating all 3 tanks. BEL and Butch have been providing construction oversight for this project. The color of the 3rd tank does not appear to be completely consistent with the first 2 tanks. Consequently, BEL met with the contractor and paint manufacturer on January 9, 2012 to discuss the situation. The contractor and paint manufacturer feel that the color of the 3rd tank will match the first 2 tanks as the paint fully cures. The contractor has verbally agreed to paint the 3rd tank again if the color does not match the other 2 tanks after it fully cures. BEL has requested that the contractor provide this in writing to the Authority.

Valley Painting has submitted Payment Application No. 3 for the project and based on BEL’s review of the payment application, BEL recommends payment to Valley Painting in the amount of $20,005.91, leaving a balance to finish plus retainage of $3,802.31. BEL recommends that the payment be conditioned upon the contractor agreeing to repaint the 3rd tank if the tank color of the 3rd tank does not match the other 2 tank color after full
**curing.**  BEL will provide the payment recommendation letter to the Authority at the January Authority meeting.

15. Oregon Pike Commercial Project *(No Change from December Report)*:  BEL has been corresponding with an organization that may be interested in developing one or more of the commercial lots that were created as part of the Millway Acres project.  BEL provided information regarding the location of existing sanitary sewer facilities to the prospective developer.

16. WWTF Nutrient Credits *(No Change from December Report)*:  It appears that the Authority will have excess Total Nitrogen and/or Total Phosphorus credits available to sell since the actual WWTF discharge loadings are less than the NPDES permitted loadings.  However, in order for the Authority to have the ability to sell those nutrient credits, the credits need to be certified by PADEP.  BEL has certified nutrient credits for other municipalities and estimates approximately 8 – 12 hours of work to certify the credits, communicate/correspond with PADEP and the Authority.  After the credits are certified by PADEP, the Authority needs to verify available credits in October/November of each year to verify that the Authority does not sell more credits than they have available.

17. Lewis Burkholder Project *(No Change from December Report)*:  BEL did provide direction to Mr. Andrew Martin who is representing Lewis Burkholder regarding the Authority’s sanitary sewer requirements.  Evidently, Mr. Burkholder is currently connected to public sewer and is proposing to install a commercial produce sales stand (or something similar to that).  BEL informed Mr. Martin that at least 1 additional EDU would be required to be purchased since an additional use if proposed on the property, and that a sanitary sewer capacity request should be provided to the Authority as part of the Land Development process.  Mr. Martin understood and indicated that Harbor Engineering will be working on this project for Mr. Burkholder.

18. Millway Acres Phase 2 Subdivision *(No Change from December Report)*:  BEL issued a comment letter regarding our review of the sanitary sewer Record Drawings dated November 30, 2011.

19. Dollar General Store:  BEL has reviewed the land development plans and issued a review letter dated January 5, 2012.  The developer has requested 1 EDU of sanitary sewer capacity and BEL recommends that the capacity be granted conditioned upon compliance with the Authority’s requirements.

20. Kep-Good Plan:  BEL reviewed the sanitary sewer capacity request for this project and issued a review letter dated December 30, 2011.  While not specifically requested, it is BEL’s understanding that the developer will need 2 EDU’s of sanitary sewer capacity.  BEL recommends that the capacity be granted conditioned upon compliance with the Authority’s requirements.  BEL will request that the developer substantiate the 2 EDU’s as part of the Land Development process.

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