

Gene Neidermyer called the **October 8, 2020 meeting** of the **Earl Township Sewer Authority** to order at 6:30 p.m. Present were Gene Neidermyer, Jim Leonard, Floyd Grove, Earl Knepp and Tony Gay. Also present were Noah Zimmerman (Operator), Gary Martin (Engineer), William Cassidy (Solicitor) and Tom Plitt (Township Supervisor)

Jim made a **motion to approve the minutes for the September 10, 2020 Earl Township Sewer Authority Meeting.** Floyd seconded the motion, and all voted yes.

Jamie Schlesinger from PFM Financial Advisors LLC presented to the Authority a proposed loan from Webster Public Finance Corporation, Providence, Rhode Island. The interest rate is 1.438% fixed through the maturity of the loan. With a loan amount of Four Million Ninety Nine Thousand Dollars (\$4,099,000.00). The savings for the term of the loan will be approximately Three Hundred and Fifteen Thousand Six Hundred and Twenty Five Dollars (\$315,625.00). After much discussion. the Authority directed Jamie to proceed with a fixed interest rate loan option.

Joe Pierce from Eckert Seamans Cherin & Mellott, LLC presented a Resolution Authorizing and directing issuance of the Sewer Revenue Note for the ETSA. Jim made a motion to adopt **RESOLUTION No. 2020-2 A RESOLUTION AUTHORIZING AND DIRECTING ISSUANCE OF ITS GUARANTEED SEWER REVENUE NOTE, SERIES OF 2020, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,099,000.** Floyd seconded the motion and all voted yes.

Joe presented an Engagement Letter for the purpose of seeking legal representation from Eckert Seamans Cherin & Mellott, LLC. and the representative to be Laura Kurtz for the ETSA Sewer Revenue Note. Floyd made a **motion to sign and execute the Engagement Letter for Eckert Seamans Cherin & Mellott, LLC to be the legal representation for the Sewer Revenue Note and the representative to be Laura Kurtz.** Jim seconded the motion and all voted yes.

Neal and Jeff Martin were present on behalf of Alma Martin, 963 West Main Street, due to a sewer backup into her basement. At the September 10, 2020 meeting the Authority decided to resubmit the claim to ETSA insurance. The insurance company declined to pay the invoice again based on the Pa. Governmental Immunity Act. After much discussion, the Authority decided to reimburse Alma Martin. Tony made a **motion to reimburse Alma Martin, 963 West Main Street, to clean up the basement sewer spill for the invoice which she paid to Country Boy Restoration in the amount of Eight Thousand Four Hundred Seventy Seven Dollars and Six Cents (\$8,477.06).** Floyd seconded the motion and all voted yes.

The Authority directed Linda to investigate a new insurance company, for better rates and better coverage for the ETSA.

Tom Matteson, Diehm & Sons and Sam Stoltzfus for Tri-S Management, LLC. presented the request to reduce the sewer capacity to five (5) EDU's and requested a reimbursement of nine (9) EDU's in the amount of Eighty One Thousand Dollars (\$81,000.00) for Lot #1, which is a part of the sewer extension at 568 Hollander Road, in Earl Township. Jim made a **motion to conditionally grant the request to reduce the sewer capacity to five (5) EDU's and to reimbursement nine (9) EDU's in the amount of Eighty One Thousand Dollars (\$81,000.00) for Lot #1, contingent upon following the Developer Agreement and providing ninety (90) days of consecutive daily meter readings.** Floyd seconded the motion and all voted yes.

Tom Matteson, Diehm & Son and Gary reported on the sewer extension laterals, and main line stubs and, where to place the sewer laterals on each lot along the TRI-S project at 568 Hollander Road. After much discussion Tom said that TRI-S will be installing the stubs at the lower end of the lots.

Jim made a **motion to approve two (2) EDU's to Horst Farm Market, 1401 Sheep Hill Road. This will be a part of the total flow purchased by Weaverland Valley Sewer Authority flow to ETSA.** Tony seconded the motion and all voted yes.

Floyd **made a motion to approve the request from LappTops, 182 Orlan Road, for one (1) EDU.** Jim seconded the motion and all voted yes.

Gary reported on the bids for the P1 Manhole Project. Gary's recommendation is to award the bid to PACT ONE LLC. After much discussion, Jim made a **motion to approve and execute the bid received from PACT ONE LLC in the amount of Three Hundred and Sixty Four Thousand Dollars (\$364,000.00) for the P1 Manhole Project.** Floyd seconded the motion and all voted yes.

Gary reported that a consulting company had called Linda regarding the Keshav Krupa Project. After Linda referred the call to Becker Engineering and requested a significant amount of information about the project, after an invoice was issued to Mr. Krupa, Linda and Gary discovered they were not working for that specific developer. After much discussion Authority has now directed the office staff, Becker Engineering and Appel & Yost to verify what project the request is for and who the consultant is working for and request a Developers Agreement prior to providing any information.

Sewer Operators Report presented by Noah Zimmerman:

1. Plant was within all permit limits for September.
2. Sam Ringler Trucking hauled 49,500 gallons of bio-solids in September.
3. Kinzer Avenue, upgrade still waiting on Dave Gettle. Of Kohl Brothers Inc. for the new panels and controls for the Kinzer Avenue Pump Station.

Noah requested approval from the Authority to be the only signer on invoices for products the department picks up or orders. The only time a second signature would be required is if one of the other operators picks up materials and supplies. In those cases, Noah will sign off on those receipts. Bill and Linda were certain that was a requirement from the Auditors. The Authority directed Linda to research and report back at the November 12, 2020 meeting.

Noah reported the Lancaster County Conservation District (LCCD) is going to complete some stream bank improvements near the ETSA discharge. He spoke with someone from the LCCD and told them not to disturb anything by the discharge and asked to be notified when work will be in progress that so one of the operators can be present.

Engineer's Report presented by Gary Martin:

1. **2018 Manhole Rehab Project:** Remaining contract value: \$1,790.00. Pre-Construction meeting occurred on 9/24/20. Anticipated start of repairs on 10/12/20.
2. **2017 Manhole Rehab Project:** Will be completed in conjunction with the 2018 project.
3. **Tri-S (Hollander Road) Project:** Construction started. Becker issued shop drawing responses on 9/21/2020. Awaiting additional shop drawings. Becker still discussing the situation regarding 20-year warranted HDPE lining and Terre Hill Concrete Products limited current warranty.
4. **Robert Martin Property:** Becker coordinated with Hoover Excavating regarding shop drawing resubmission and the start of construction on August 11, 2020. No response from Hoover to date. Becker coordinating with NHBA regarding DEP Planning module requested information.
5. **The Landings at Garden Spot Reserve:** After several months of no response, Becker was contacted by Mark Will (developer) regarding the status of the outstanding record drawings and financial security. Becker provided a copy of the past Record Drawing Review letters and the Financial Security Reduction Recommendation on 9/16/2020. Becker is awaiting submission of revised Record Drawings and flushing and televising of the sanitary sewer facilities.
6. **Colonial Road Woodworks:** Plan Submission received on 9/9/20. Plan review Letter No. 1 issued on 9/28/2020. Awaiting Plan resubmission.
7. **LappTops:** Plan submission received on 9/22/2020. Becker contacted developer's consultant (Diehm) on 9/28/2020 regarding plan review minor comments. Revised plan received on 9/29/2020. Need sanitary sewer capacity approval letter from Authority. Need a narrative from Diehm explaining recycling system before we can issue our "technically complete, only administrative items remain"

letter. Diehm requested we hold our letter until we can issue the letter as “technically complete”. Improvement Guaranty to be established at \$47,856.00.

Monthly Reporting Items

Project 1:

1. **Monthly Flows to New Holland:** Average daily flows for September: 39,800 gpd (compared to August’s 41,600 gpd and July’s 41,400 gpd).

Project 2/3:

1. **MEMHP:** Reported average daily flow for September: 6,670 gpd (compared to August’s 12,200 gpd and July’s 9,770 gpd). No clogs noted in September on the monthly submission.
2. **GSV:** Average daily flows for September: 58,200 gpd (compared to August’s 56,900 gpd and July’s 56,900 gpd). Average daily flow below guaranteed 62,869 gpd, so \$1,439.91 Guarantee of Capacity Fee assessed for September.
3. **Monthly STP flows:** Reported average daily flows for September: 290,500 gpd (compared to August’s 304,400 gpd and July’s 275,900 gpd).
4. **Flows from WVA:** Average daily recorded flows for September: 121,500 gpd (compared to August’s 128,200 gpd and July’s 118,200 gpd). Shady Maple business and flows appear to have flattened.
5. **Connection and Permitting Tracking:** Ten (10) new permits logged in this reporting period (The Landings Lots 12, 13, 18, 38, 40, & 91). For 2020, a total of 52 EDUs has been purchased for 52 different properties (46 ETSA and 6 WVA).
6. **The Landings at Garden Spot Reserve:** 76 Permits issued to-date and 61 connections completed to-date.

Solicitor’s report

Bill reported on the Terre Hill Concert Products INC. (THCP) and ETSA Settlement Agreement. they have come to an Agreement which Bill presented to the Authority. The Agreement states THCP and Fidelity will contract PIM corporation to repair the sixteen (16) manholes, guarantee a one (1) year warranty with no cost to ETSA. Jim made a **motion to sign and execute the Settlement Agreement**. Floyd seconded the motion and they all voted yes.

Bill inquired about 784 West Main Street; Wendco of Central PA, bankruptcy, and delinquent account. Linda reported she received a call regarding the possible sale of the property. The account is four (4) quarters delinquent.

The balances for the delinquent accounts were:

Project #1 - \$ 5,691.16

Project #3 - \$ 18,630.86

The September receipts were:

Project #1 - \$ 37,157.70

Project #3 - \$ 218,909.54

Jim made a **motion to approve the disbursements of checks for October 8, 2020 #3237 - #3245 for Project 1 in the amount of \$ 24,395.26 and checks for October 8, 2020 #7001 – #7029 for Project 3 in the amount of \$ 43,268.21**. Earl seconded the motion and all voted yes.

Meeting adjourned at 8:00 p.m.

Respectively submitted,

Linda A. Marburger, Appointed Secretary/Treasurer