

Solicitor Cassidy called the **January 14, 2021 Re- Organization meeting** of the **Earl Township Sewer Authority** to order at 6:49 p.m. Present were Gene Neidermyer, Jim Leonard, Earl Kenep, and Floyd Grove. Also present were Noah Zimmerman (Operator), Gary Martin via-zoom (Engineer), William Cassidy via-zoom (Solicitor) and Tom Plitt (Township Supervisor).

Solicitor Cassidy asked for nominations for the following officers:

Chairman: Floyd nominated **Eugene (Gene) Neidermyer**, Jim seconded and all voted yes.

Vice- Chairman: Gene nominated **James Leonard**, Floyd seconded and all voted yes.

Secretary/Treasurer: Floyd nominated **Earl Kenep**, Jim seconded and all voted yes.

Assistant Treasurer: Jim nominated **Floyd Grove**, Gene seconded and all voted yes.

Assistant Secretary: Floyd nominated **Tony Gay**, Jim seconded and all voted yes.

Appointed Secretary/Treasurer: Gene nominated **Linda Marburger**, Floyd seconded and all voted yes.

Appointed Assistant Secretary/Treasurer: Jim nominated **Brenda Becker and Joy Oberholtzer**, Gene seconded and all voted yes.

Solicitor: Floyd made a **motion to appoint William Cassidy of Appel, Yost & Zee LLP**, Jim seconded and all voted yes.

Engineer: Jim made a **motion to appoint Gary Martin of Becker Engineering**, Floyd seconded and all voted yes.

Auditor: Floyd made a **motion to appoint Maher Duessel**, Gene seconded and all voted yes.

Depositories: Jim made a **motion to approve Ephrata National Bank, BB&T now Truist Bank, PNC Bank and PLGIT**. Floyd seconded and all voted yes.

Gene made a **motion to approve the 2021 mileage reimbursement rate at Fifty Six Cents (\$0.56) per mile for personal vehicle usage**. Floyd seconded and all voted yes.

Floyd made a **motion to approve the current IRS established rate of Three Dollars (\$3.00) per daily round trip for commuting with a company vehicle, which shall be included on the employee's Form W-2 as taxable wages at the end of the calendar year**. Gene seconded the motion and all voted yes.

Solicitor Cassidy then turned the meeting over to Chairman Gene Neidermyer for the regularly scheduled ETSA monthly meeting at 6:55pm.

Jim made a **motion to approve the December 10, 2020 minutes with correction as follows, page two (2) paragraph three (3) second (2) sentence should read. "Many of the valves are in the", and everywhere the words "value/values" it should be "valve/valves".** Earl seconded the motion and all voted yes.

Brandon Rutt, 9 Runway Avenue, was present to discuss the one half (1/2) EDU he is required to purchase, for the beauty salon which was installed in their home several years ago. Mr. Rutt told the Authority he was never informed of the required one half (1/2) EDU when he obtained a Building Permit. Mr. Rutt said he is fine paying the current quarterly fee of Eighty Dollars (\$80.00) for the additional one half (1/2) EDU. After much discussion, the Authority directed Linda to review the Building Permit and all documents regarding this matter. The Authority told Mr. Rutt they will make a decision and provide him with an answer at the February 11, 2021 meeting.

Becker Engineering reviewed the Sewer Connection Plan for Colonial Roads, 171 Commerce Drive. Jim made a **motion to approve the Improvement Guarantee for Colonial Roads, 171 Commerce Drive in the amount of Twelve Thousand Four Hundred Ninety Six Dollars (\$12,496.00)**. Floyd seconded the motion and all voted yes.

Noah reported on the TRI-S Management, 568 North Hollander Road sewer extension, relative to Hollander Road and Maple Grove Road properties. The sewer extension now puts a few properties within the one hundred and fifty (150') foot distance for mandatory connections requirement. Noah asked Dale High to come and discuss the importance of having all properties hooked up while the project is still in process. After much discussion. Jim made a **motion to make a recommendation to the Earl Township (ET) Board of Supervisors to enforce the Township's Ordinance, which states if a property owners primary building is located within one hundred and fifty (150) feet of public sewer system the property owner is required to hook up.** Floyd second the motion and all voted yes. The Authority directed Linda to inform the ET Supervisors.

Noah suggested that the ETSA extend the sewer down through Kings Court while the road is closed, Noah and Dale said a few of the business want to hook up to public sewer system. The Authority said they were not interested in making that investment, and it has never been ETSA policy to install private sewer extensions.

Noah reported he was on a site visit to Apogee manufacturing Solutions, 825 East Earl Road. He said it is a very clean operation and no surcharge for sewer will be needed. The Authority directed Linda to send a letter stating the requirement to conduct ninety (90) days of daily meter readings.

Linda reported that she spoke to Mr. Sarro, 712 School Lane, and he will be in to pay on his account.

Linda reported that Brenda gave her a suggestion to make calls to delinquent accounts, to set up a payment schedule suitable for the customer and to help enable them to get the account current. Linda presented a collection script to the Authority and they directed her to proceed with the phone calls.

Floyd made a **motion to approve P1 Manhole Rehab Project Contract Payment Request #1, in the amount of One Hundred Forty Two Thousand Dollars (\$142,000.00).** Jim seconded the motion and all voted yes.

Gary reported on the progress of the P1 Manhole Project, and that Terre Hill Concrete is behind in the production of manholes and it may be another ten to twelve (10/12) weeks until they are produced. Floyd made a **motion to adopt P1 Manhole Project Contract Change Order #1 for Time Extension from January 8, to May 7, 2021 for Substantial Completion and from January 15, to May 14, 2021 for Final Completion.** Jim seconded the motion and all voted yes.

P1 MANHOLE PROJECT:

Linda reported current expenses paid to date for the Project 1 Manhole is One Hundred Seventy Six Thousand Eight Hundred Thirty Two Dollars and Forty Seven Cents (\$176,832.47).

This includes the payment to PACT ONE.

Sewer Operators Report presented by Noah Zimmerman:

1. Plant was within all permit limits for December.
2. Sam Ringler Trucking hauled 77,000 gallons of bio-solids in December.
3. Kinzer Avenue Pump Station upgrade still waiting on Dave Gettle, from Kohl Brothers Inc. plans for the new control panels for the Kinzer Avenue Pump Station. They should have the plans finished by end of January.
4. Hauled in Waste generated revenue over One Thousand Dollars (\$1,000.00) for December. Noah reported they are looking at the cost of a holding tank with fifteen thousand (15,000) gallons of capacity. It would hold three (3) truckloads of waste and potentially increase more revenue. The authority directed Noah to find out cost and report back at next meeting.

Engineer's Report presented by Gary Martin.

1. **2018 Manhole Rehab Project:** Remaining contract value: \$1,790.00. Repairs on manhole bases completed on 10/28/20. Awaiting scheduling of final repairs to frames and covers.
2. **2017 Manhole Rehab Project:** Will be completed in conjunction with the 2018 project.
3. **Tri-S (Hollander Road) Project:** Construction underway. Construction slowed by groundwater and rock. Township assisted Noah and Contractor's Foreman to confirm and mark lateral locations (confirmation that the locations will work for each property and not require a new road opening when the lines are dedicated to the ETSA and when / if the Township (by Ordinance) requires connections). Township still to decide on mandatory connection. Reminder, the construction remains private until dedication and Authority does not have connection enforcement power as it is all by Township Ordinance.
4. **GSV Memory Care Facility Flows:** Still working out the kinks in the GSV reporting of the Memory Care Facility daily flows. Occupancy started in October. Initial flows for the month of November as the facility is being started up have an average daily flow of 9 EDUs and for December the average was 8 EDUs. The Agreement to defer the additional capacity purchase was for the deferral of 11 EDUs. The logging of **maximum daily flows** is still being worked out by GSV. Record Plans still pending.
5. **Robert Martin Property Project:** There appears to be a new contractor (Gerald G. Martin) replacing Hoover Excavating. New shop drawings from Gerald G Martin received on 01/11/21. To be reviewed. Explains why no response for months from Hoover Excavating.
6. **The Landings at Garden Spot Reserve:** Becker is awaiting submission of revised Record Drawings. Flushing videos reviewed this month and the Becker recommendation in the review letter is:

"Based upon our review of the video inspection reports, flash drive, there are several portions of the sanitary sewer main that have minor sags. With that being said, due to the size of the residential development and expected sanitary sewer flow through the sanitary sewer piping, we do not anticipate any clogging within the sanitary sewer main due to the minor nature of the pipe sags observed. We recommend the Authority Operators add these pipe runs to the current flushing schedule."

7. **Chapter 94s:** It is that time of year to ask the question if any Board member has heard any rumors or has insight for other developers or developments to be included in the Chapter 94 Reports?

Monthly Reporting Items

Project 1:

1. **Monthly Flows to New Holland:** Average daily flows for December: 38,800 gpd (compared to November's 37,300 gpd and October's 39,900 gpd). Annual Average flows down from projections which has resulted in a credit from the Borough for the 2020 operations cost sharing despite the Borough flows being down considerably (would shift the cost sharing to ETSA) and the shared expenditures by the Borough up 3.3% (would also shift cost sharing to ETSA).

Project 2/3:

1. **MEMHP:** Reported average daily flow for December: 10,200 gpd (compared to November's 6,220 gpd and October's 6,130 gpd). No clogs noted, but flow from rain around Christmas peaked at 77,000 gpd increasing the monthly average flow.
2. **GSV:** Average daily flows for December: 54,400 gpd (compared to November's 56,000 gpd and October's 55,800 gpd). Memory Care facility flow monitoring still be clarified. Average daily flow below guaranteed 62,869 gpd, so \$2,559.84 Guarantee of Capacity Fee assessed for December.

3. **Monthly STP flows:** Reported average daily flows for December: 316,800 gpd (compared to November's 292,400 gpd and October's 305,600 gpd). Annual flow average for 2020 was 22,000 gpd less than 2019, with most of the drop due to CORONA related closings/reductions. WVA flow average was 14,000 gpd of that 22,000 gpd which has shifted the cost sharing percentage slightly (1.7% drop).
4. **Flows from WVA:** Average daily recorded flows for December: 118,400 gpd (compared to November's 123,000 gpd and October's 117,900 gpd). These flows continue to reflect lower flows from the Shady Maple complex with the latest closures.
5. **Connection and Permitting Tracking:** Five (5) new permits logged in this reporting period (The Landings Lots 37, 67, 68, 92, & 97). For 2020, a total of 70 EDUs has been purchased for 70 different properties (58 ETSA and 12 WVA).
6. **The Landings at Garden Spot Reserve:** 89 Permits issued to-date and 73 connections completed to-date (2 added on 01/14/21). 11 lots remain to be permitted.

Solicitor's Report presented by William Cassidy:

Solicitor Cassidy reported that NPC International (Wendy's) is seeking to sell all of its assets. If the assets are sold, unsecured creditors are estimated to receive 0% of the distribution. If the sale is not finalized, the debtor plans to reorganize the equity interests in Wendy's. Under either alternative, the Authority will be unlikely to collect the pre-petition debt, costs and legal fees.

An executive session was call at 8:05 pm to discuss employee matters.

Regular session re-convened at 8:06 pm.

Floyd made a **motion to accept Patrick Kidd resignation, Patrick's last day of employment for ETSA will be January 27, 2021.** Jim seconded the motion and all voted yes.

The balances for the delinquent accounts were:

Project #1 - \$ 3,392.68

Project #3 - \$ 17,715.46

The December receipts were:

Project #1 - \$ 4,879.61

Project #3 - \$ 216,293.10

Jim made a **motion to approve the disbursements of checks #3263 - #3269 for Project 1 in the amount of \$ 176,526.42 and checks #7075 – #7103 for Project 3 in the amount of \$ 81,905.77.** Earl seconded the motion and all voted yes.

Meeting adjourned at 8:15 p.m.

Respectively submitted,

Linda A. Marburger, Appointed Secretary/Treasurer