



## BOARD MEETING MINUTES MARCH 28, 2023

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The regular, monthly meeting of the East Cocalico Township Authority (ECTA) was held on Tuesday, March 28, 2023 at the East Cocalico Township Municipal Building, 100 Hill Road, Denver, PA 17517.

Those in attendance were as follows:

Members: Daniel Becker, Samuel Weaver, Gerald DeBalko, Edward Nevling, J. Bradford Fichthorn, David Lutz, Richard Shoher, June Kinback and Noah Zimmerman  
Solicitor: Lucy Dowd, Lucy Dowd Law, LLC  
Engineer: Adam Smith, CDM Smith  
ECTA Staff: Scott Carl, Sr., Kenneth Spitler, Michael Galley, Tyler Pannebecker, Lisa Shaw and Jodie Eberly  
Visitors: None

Chairman Daniel Becker called the meeting to order at 7:00 p.m.

**MINUTES:** Minutes of the monthly meeting held on February 28, 2023 were approved as presented on motion by J. Bradford Fichthorn, second by Edward Nevling, and carried unanimously.

**TREASURER'S REPORT (see attached):** Accountant Lisa Shaw reviewed the February 2023 financial reports. The reports were approved as presented subject to audit.

**MONTHLY CAPACITY REPORTS (see attached):** The February 2023 Monthly Capacity Reports were approved as presented on motion by J. Bradford Fichthorn, second by David Lutz, and carried unanimously.

**ADMINISTRATOR'S UPDATE:** A complete copy of the update is on file in the Authority Office. Administrator Scott Carl, Sr. discussed the following from his update:

**WELL 10 (DENVER ROAD) TRICHLOROETHYLENE (TCE) INVESTIGATION:** Communications have continued with DEP, who will keep the TCE investigation process open for an additional year until March 2024. ECTA continues its quarterly sampling protocol.

**WELLS 4 & 12 ABANDONMENT:** A follow up meeting with the property owner (Lester Zimmerman) was held on March 27, 2023 to discuss the current ECTA property, well building and 1972 Agreement that is in place. ECTA is now discussing options with Solicitor Dowd.

**SCADA & CONTROLS SYSTEM:** ECTA provided Keystone with an updated punch list on March 9, 2023. The new WIN-911 has been up and running on the new SCADA system since the beginning of March 2023, and ECTA staff continue to monitor the new system. The old SCADA system is anticipated to be shut down the week of April 3 or April 10, 2023.

**MEADOWBROOK AREA WATER & SANITARY SEWER PROJECT:** The shop drawing submittal process has picked up momentum, and ECTA still awaits receipt of approved permits from the County Conservation District and PennDOT. The tentative re-established construction start date is April 10, 2023 but is dependent on when ECTA receives the permits. An informational letter along with a map of the project area was sent to all residents within the Meadowbrook development.

**TANK #4 WATER SYSTEM MODELING:** ECTA is still awaiting the Tank #4 hydraulic model report from CDM Smith that ECTA authorized on September 25, 2020. Engineer Smith will discuss the progress made during the Engineer's Update.

**STEVENS ROAD PENNDOT BRIDGE REPLACEMENT/WATER MAIN RELOCATION:** An on-site waterline pre-construction meeting was held on March 21, 2023. Design and constructability issues were noted during the meeting (the water main would have only had six to eight inches of cover) and extensive follow up discussions and email communications have been held to discuss alternative waterline mounting locations on the bridge structure. PennDOT's engineer has agreed to the concept of mounting the waterline on the downstream face of the concrete barrier wall/facia beam, so ARRO (ECTA's design engineer) has started the re-design effort for this option.

**EMERGENCY ECTA OFFICE GENERATOR:** Site work began on March 2, 2023; electrical tie-in connections occurred March 21, 2023; and generator start-up was on March 27, 2023. One final power outage will occur on March 30, 2023 when the old generator will be completely disconnected and removed.

**STEVENS PUMPING STATION EXPANSION:** Engineer Smith is still working on getting the final punch list items completed by the contractors.

**WATER TREATMENT PLANT (WTP) UPGRADE:** GSE and PSI are off site until delivery of the emergency generator sometime in November 2023. Keystone has been finalizing the valve controls and programming. Garden Spot Mechanical will return to the site once the dehumidification system arrives which has now been moved from the week of February 27, 2023 to April 12, 2023 due to supply chain issues. WATEK completed and submitted the Minor Permit Modification package to cover the project's changes/additions to the WTP piping/valving and to address the new modulating valve that DEP is requiring based on their inspection. WATEK has coordinated with Keystone and PSI for pricing to incorporate the new valve. Keystone pricing was received for a not-to-exceed amount of \$9,800, and PSI pricing was received for a lump sum amount of \$5,477.70 under Change Order No. 2. Both were approved and authorized to move forward in order to keep the valve installation moving forward so the Minor Permit Modification can be issued.

**WATER TREATMENT PLANT (WTP) FILTER & PIPE REPAINTING:** This project remains on hold with re-bidding tentatively scheduled for October 2023, and only if ECTA has the available finances to move forward with the project.

**RE-PERMITTING WELLS 2A & 14:** GeoServices submitted Well 2A's Alternative Hydraulic Evaluations (AHE) on March 28, 2023 and Well 14's Withdrawal Application on March 13, 2023. Work has started on Well 2A's Withdrawal Application with a planned submission later this year.

**WICU/KALAS/SYLVIN:** Design coordination discussions have continued with WICU's engineer on the long-outstanding Kurtz Road/Industrial Way water line loop, and an official project submission is expected to be forthcoming which will open up discussion on their private well situation and waterline tie in.

**SOURCE WATER PROTECTION PROGRAM (SWP):** Michael Galley continues with the NFWF grant project meetings with ECTA's consultant. Mr. Galley also continues to evaluate funding opportunities for highway signage to identify watershed protection areas, and the preliminary water supply sign design and locations have been approved by PennDOT. The required Annual SWP Plan Update was submitted to DEP on March 15, 2023 and received positive accolades from DEP's SWP Program Manager on ECTA's efforts.

**GRANT & FUNDING OPPORTUNITIES:** The Lancaster Watershed Academy grant for funds to be used to address the stormwater outfall directed at our Well 10 wellhead continues to move forward. Students and professors from Thaddeus Stevens are working on completing their “design” for the revised stormwater outfall and anticipate review and approval for a late Spring 2023 install.

**AMERICAN RESCUE PLAN ACT (ARPA) FUNDING:** Administrator Carl has continued his follow-up efforts on the February 2, 2023 executed ARPA Funding Agreement covering \$1M for the Meadowbrook project and \$332,000 for the current WTP Upgrade project. After multiple contacts, on March 16, 2023, Administrator Carl received email correspondence from the County’s Solicitor that the agreements were routed to the Board of Commissioners for final execution and was given the names of two new contacts who are organizing the payment and coordinating a media day event for the check presentation.

**PENNVEST FUNDING – MEADOWBROOK PROJECT:** The third of four Microsoft Teams meetings with PENNVEST for the Meadowbrook project funding is scheduled for April 6, 2023 with closing scheduled for April 20, 2023. A pre-closing final preparation meeting with Ben Ried and Engineer Smith is scheduled for March 30, 2023.

**KURTZ ROAD WATER MAIN REPLACEMENT PROJECT:** A project status/PENNVEST coordination meeting was held with staff from CDM Smith, Entech and Administrator Carl on March 14, 2023. Entech has addressed the Township’s Road Opening Permit comments and finalized the plans, which will be reviewed by ECTA staff. Since ECTA currently has a sanitary sewer easement through the property at 57 Kurtz Road, which is also a stream crossing location for the future Kurtz Road water main. Administrator Carl will be coordinating a site meeting with that property’s owner in the coming weeks to discuss acquiring a new easement to include both water and sanitary sewer utilities.

**ECTA OFFICE RENOVATION/ECT BUILDING EXPANSION:** All four fully-executed contract documents along with Notices to Proceed were issued on March 15, 2023. ADA improvement design and final layout changes were completed, and a final drawing package was submitted on March 14, 2023 to all four contractors for pricing and to Technicon for review and building permit consideration. It is understood that the building permit is “conditionally approved” and is expected to be issued the week of March 27, 2023. The pre-construction meeting has been scheduled for April 3, 2023. Administrator Carl has had follow up discussions with the Township Manager about long-term, no/low-cost lease arrangement options that would allow the ECTA to recoup project costs and be protected should the Township ever sell the building before expiration of any long-term lease arrangement. The Board of Supervisor’s requested that ECTA draft an agreement for their review, and Solicitor Dowd is currently working with Administrator Carl on the second draft of the agreement.

**WELL 11 (DRY TAVERN ROAD) STREAMBANK STABILIZATION PROJECT:** A pre-construction meeting was held March 1, 2023 with Flyway Construction. In-stream restoration work began on March 20, 2023 and shall be completed by March 31, 2023 per US Fish & Wildlife permit requirements.

**2023 ADAMSTOWN BOROUGH BUDGET:** ECTA still has not received a draft budget from Adamstown Borough.

**TOWNSHIP BUILDING MOLD ISSUE:** Administrator Carl spoke with the contractor and was told he will not be returning to perform the HEPA vac cleaning of all ceilings, walls and carpets since re-tested mold levels (after the cleaning of the Township Manager’s office and all ceiling AC units) were below outdoor levels. ECTA office staff will continue to monitor all ceiling AC units for any re-occurrence of mold and monitor and report any physical discomforts (smell, breathing, etc.) to the Township.

**CERTIFIED OPERATOR TRAINEE POSITION:** A third candidate was interviewed on March 8, 2023, and a fourth candidate was interviewed on March 16, 2023. Candidates 3 and 4 were discussed at tonight's Personnel Committee meeting held before tonight's meeting.

**PENNVEST PROGRAMMATIC FINANCING – WATER SYSTEM IMPROVEMENTS PROJECT** (Kurtz Road, Wabash Road, Water Storage Tank No.4, Reamstown Road and Stevens Road): The first of four Microsoft Teams meetings with PENNVEST was held on March 2, 2023. PENNVEST was notified that ECTA is only pursuing the Kurtz Road and Water Storage Tank No. 4 projects. PENNVEST was also notified of the possibility that Tank No. 4 may change from a rehab project to a replacement project, dependent upon the results of CDM Smith's Tank #4 hydraulic model report, and that a replacement conclusion could result in a financial impact that may cause ECTA to drop the project. PENNVEST was also advised that the actual new EDUs vs. the estimated EDU calculations will also impact ECTA's financial position. Based upon those discussions and upon strong advisement of PENNVEST officials, it was decided to proceed with Kurtz Road and Tank 4 as the primary intended projects, but that the full five-project package as covered in the loan offer will remain in place. This gives ECTA the flexibility to drop any project (beyond Kurtz Road) based upon financial position going forward and the ability to reprioritize one of the other projects ahead of Tank 4 or eliminate the project entirely.

**FUEL SHARING CONTRACT:** ECTA awaits the School District's "fully executed" Contract that will be issued once the School District receives Board approval of their 2023/2024 Agreement with the Lancaster-Lebanon IU13.

**2022 AUDIT:** ECTA auditors Brown Schultz Sheridan & Fritz will return to the ECTA office on April 17 and 18, 2023 to continue their work.

**IMG:** Administrator Carl submitted a request to Ephrata Borough for the full portion of ECTA's \$27,256.32 in available I&I funds.

**ROECHLING MEDICAL LANCASTER EXPANSION:** On March 6, 2023, Roechling Medical Lancaster, LLC submitted an ECTA Administrative Escrow Agreement for Miscellaneous Projects and Administrative Escrow in the amount of \$30,000 for a facility expansion project located at 44 Denver Road. CDM Smith can now begin technical review of the project's design plans.

**SUPERINTENDENT'S UPDATE:** A complete copy of the update is on file in the Authority Office. Superintendent Kenneth Spitler had nothing to add to his update as presented.

**WATER COMMITTEE:** A Water Committee meeting will be scheduled to review and discuss the soon-to-be completed Water Storage Tank #4 hydraulic model report.

**PERSONNEL COMMITTEE:** A Personnel Committee meeting was held on March 28, 2023 at 6:15 p.m. to discuss personnel matters, the ongoing interview process and potential candidates for final interviews.

**ENGINEER'S UPDATE:** A complete copy of the update is on file in the Authority Office. Engineer Adam Smith discussed the following from his update:

**WELL M CONSTRUCTION:** CDM Smith confirmed that the Minor Modifications Permit Application submitted by WATEK for the WTP improvements is administratively complete by DEP. Engineer Smith noted that the Well M Operations Permit will not be issued until the WTP Minor Modifications Permit is approved and issued.

**TANK #4 WATER SYSTEM MODELING:** Engineer Smith said the modeling specialist working on the report is progressing and, in general, Tank No. 4 is needed to maintain pressure during fire flow demands, but the large volume presents issues for water age. These findings are consistent with findings from 2005 CDM Smith memorandums and 2020 ARRO memorandum.

**PENNVEST FUNDING – MEADOWBROOK PROJECT:** CDM Smith continues to work on the outstanding checklist items required to close on the loan.

**STEVENS ROAD PENNDOT BRIDGE REPLACEMENT/WATER MAIN RELOCATION:** Due to constructability concerns, the water main is being relocated to the outside of the South (downstream) barrier wall. In addition to the revised hanger design being requested from the design engineer (ARRO), the following items will also be required: (1) Red-line drawings to show the revised alignment location and hanger design, (2) A resubmittal for the PennDOT Utility HOP, and (3) A resubmittal for the PennDOT Bridge Occupancy License (BOL).

**2022 CHAPTER 94 REPORT:** The 2022 ECTA Chapter 94 report has been completed and was issued to Ephrata Borough Authority and Adamstown Borough.

**STEVENS PUMPING STATION EXPANSION:** Engineer Smith reported that Garden Spot Electric has provided a Change Order for auxiliary contact work to make the pulling of the pump safer for ECTA operators and CHM Contracting and DESCCO have minor punch list items remaining.

**MEADOWBROOK AREA WATER & SANITARY SEWER PROJECT:** Original submittals for the project have been reviewed and returned to A.H. Moyer. Submittals continue to come in for the project ahead of work being authorized to proceed. Regarding the outstanding permits, comments have been received back from PennDOT on the HOP and administrative comments have been received back from the Conservation District on their permit.

**CARRIAGE HILL PHASES 3 & 4:** This project is currently being pursued by ECTA to move into the 18-month warranty period.

**RED RUN EXHAUST OF REAMSTOWN:** A few final items need addressed regarding the PennDOT permit, then this project may proceed into the 18-month warranty period.

**VILLAGE AT EAST COCALICO:** CDM Smith reviewed the revised Final Land Development plans and issued a comment letter on March 28, 2023.

**EARTH, TURF & WOOD:** The work has been constructed, but an electrical junction box on their privately-owned grinder pump system does not meet ECTA standards. CDM Smith issued a letter on March 28, 2023 stating the issue is the responsibility of the property owner and listed administrative items needed to progress towards completion.

**THE CROSSINGS AT COCALICO:** CDM Smith intends to use the updated model from the Tank No. 4 modeling effort to progress this evaluation so ECTA knows more about what specific needs the Northeast portion of the system will require.

**425 SOUTH MUDDY CREEK ROAD WAREHOUSE:** Engineer Smith reported that per an e-mail from Ephrata Borough Authority's engineer on March 17, 2023, EBA and Divert (the proposed tenant at 425 South Muddy Creek Road warehouse) have coordinated to develop allowable nutrient limits for the proposed facility's sewer organic load for if/when a formal application is submitted to ECTA for review. Administrator Carl said a pre-planning meeting with Divert is scheduled for the beginning of April 2023.

**BLACK HORSE WAREHOUSE/PURECYCLE:** A plan resubmittal was received from PureCycle on March 3, 2023, and CDM Smith provided e-mailed review comments to the developer's engineer on March 27, 2023.

**ROECHLING MEDICAL LANCASTER EXPANSION:** Since ECTA has now received an executed administrative escrow agreement and escrow, CDM Smith can now review the drawings dated December 15, 2022.

**WEAVER (13 LAKESIDE DRIVE):** Engineer Smith has been in communication with a new contractor for this sanitary sewer connection project and provided comments on what has been submitted.

**LOUD (190 EAST CHURCH STREET):** CDM Smith reviewed submittals for this sanitary sewer connection project and issued final approval on March 20, 2023.

**TWO COUSINS PIZZA:** Revised plans were received from Two Cousins Pizza on March 1, 2023, and CDM Smith issued a review letter with comments on March 24, 2023.

**COCALICO COFFEE CRAFTERS (11 LONG AVENUE):** Plans were submitted on February 22, 2023, and CDM Smith issued review comments on March 13, 2023. Administrator Carl and Solicitor Dowd have been corresponding with Cocalico Coffee Crafters in order to obtain an Administrative Escrow Agreement for Miscellaneous Projects along with the required administrative escrow. Until ECTA receives the executed Agreement and escrow from Cocalico Coffee Crafters, all work/review of this project by ECTA and its consultants has ceased.

**SOLICITOR'S UPDATE:** Solicitor Lucy Dowd reported on the following:

**ADMINISTRATIVE ESCROW AGREEMENT FOR MISCELLANEOUS PROJECTS:** At the January 31, 2023 Board meeting, the ECTA Board discussed requiring administrative escrow for smaller, miscellaneous projects. An agreement was drafted by ECTA staff and reviewed by Solicitor Dowd. Solicitor Dowd presented the Board with a Resolution approving the form of Administrative Escrow Agreement for Miscellaneous Projects and authorizing its execution.

- Richard Shober made a motion to approve and execute Resolution No. 2023-03-28-01 approving form of Administrative Escrow Agreement for Miscellaneous Projects and authorizing execution thereof, second by Samuel Weaver, and carried unanimously.

**ECTA RATES, RULES & REGULATIONS:** Solicitor Dowd presented the Board with Resolutions to update ECTA's Rates, Rules & Regulations to incorporate the Administrative Escrow Agreement for Miscellaneous Projects.

- Gerald DeBalko made a motion to approve and execute Resolution No. 2023-03-28-02 amending Section V. of the Rates, Rules & Regulations of the ECTA Water System to include the Administrative Escrow Agreement for Miscellaneous Projects, second by Edward Nevling, and carried unanimously.
- Gerald DeBalko made a motion to approve and execute Resolution No. 2023-03-28-03 amending Section V. of the Rates, Rules & Regulations of the ECTA Sanitary Sewer System to include the Administrative Escrow Agreement for Miscellaneous Projects, second by Samuel Weaver, and carried unanimously.

**INVOICES (see attached):** Bills included on the March 28, 2023 ECTA invoice listing were approved for payment on motion by David Lutz, second by June Kinback, and carried unanimously.

**EXECUTIVE SESSION:** Chairman Becker called an Executive Session at 8:01 p.m. to discuss a personnel matter and a potential litigation matter. At 8:20 p.m., Chairman Becker adjourned the Executive Session and reconvened the public meeting. No action was taken during the Executive Session

Since there was no further business to come before the Board, Gerald DeBalko made a motion to adjourn the meeting at 8:21 p.m., second by Edward Nevling, and carried unanimously.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gerald A. DeBalko". The signature is fluid and cursive, with the first name "Gerald" being more prominent and the last name "DeBalko" following in a similar style.

Gerald A. DeBalko  
Secretary

jae