



BOARD MEETING MINUTES MAY 30, 2023

The regular, monthly meeting of the East Cocalico Township Authority (ECTA) was held on Tuesday, May 30, 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 Shober, June Kinback and Noah Zimmerman
Solicitor: Absent
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 7:05 p.m.

MINUTES: Minutes of the monthly meeting held on April 25, 2023 were approved as presented on motion by J. Bradford Fichthorn, second by David Lutz, and carried unanimously.

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

MONTHLY CAPACITY REPORTS (see attached): The April 2023 Monthly Capacity Reports were approved as presented on motion by Noah Zimmerman, second by Samuel Weaver, 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:

WELLS 4 & 12 ABANDONMENT: Administrator Carl will schedule another conference call in June 2023 with Superintendent Spitler and Solicitor Dowd to continue discussions on the possible options regarding the current ECTA property, well building and 1972 Agreement that is in place.

SCADA & CONTROLS SYSTEM: A final punch list status report was issued by Keystone on May 9, 2023. ECTA staff will be meeting to review any remaining outstanding items against the contract requirements and will be issuing a final list of remaining items. Upon ECTA's receipt of the Well M DEP Operations Permit, Keystone will then be able to complete the startup/testing on the Well M RTU and Well F SCADA upgrades.

MEADOWBROOK AREA WATER & SANITARY SEWER PROJECT: The shop drawing submittal process has continued. The PADEP pre-construction meeting was held May 9, 2023 as required by PENNVEST. Administrator Carl and Engineer Smith had a conference call with the Lancaster County Conservation District (LCCD) to expedite the E&S permit review process, and E&S permit "Administrative Review" was subsequently completed. Engineer Smith is now working on "Technical Review." Once the E&S permit is finally received, ECTA will be able to establish a hard start date and construction schedule. The tentative start date was recently pushed out again from May 8, 2023 to late-June 2023.

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TANK #4 WATER SYSTEM MODELING: There has been no action on this project. ECTA still awaits a response from CDM Smith addressing ECTA's April 12, 2023 review comments and requests for additional information, as well as a second presentation to staff.

STEVENS ROAD PENNDOT BRIDGE REPLACEMENT/WATER MAIN RELOCATION: The Bridge Occupancy License approval was received May 17, 2023. Waterline construction activities are anticipated to start the last week of June 2023.

STEVENS PUMPING STATION EXPANSION: Engineer Smith continues to work on getting the final punch list items completed by the contractors and will be discussing this more during his update.

WATER TREATMENT PLANT (WTP) UPGRADE: Garden Spot Electric and PSI were on site working on the new actuator for the bypass line modulating valve. Garden Spot Mechanical has completed the installation of the dehumidification system. The factory start-up technician discovered a small pin hole leak on the refrigerant line inside the dehumidification unit from the factory. Garden Spot Mechanical has submitted a claim to the manufacturer and is awaiting a response regarding this warranty item. Garden Spot Mechanical's Payment Application No. 2 in the amount of \$121,250.70 and PSI's Payment Application No. 4 in the amount \$8,298.26 were received, reviewed and approved by WATEK Engineering and Administrator Carl. They are included on ECTA's May 30, 2023 Invoices to be paid listing for approval at tonight's meeting. ECTA still awaits DEP approval of the Minor Permit Modification package that WATEK submitted for the WTP upgrades. ECTA also still awaits the Well M Operational Permit which is tied to WATEK's Minor Permit Modification package approval.

WATER TREATMENT PLANT (WTP) FILTER & PIPE REPAINTING: This project will proceed now that ECTA has received ARPA funds for the WTP upgrades. Re-bidding is tentatively scheduled for October 2023.

RE-PERMITTING WELLS 2A & 14: The Alternative Hydraulic Evaluations (AHEs) for both wells have been completed and submitted. Well 14's Withdrawal Application was also submitted. GeoServices continues to work on Well 2A's Withdrawal Application.

WICU/KALAS/SYLVIN: Design coordination discussions have continued with WICU's engineer and Entech on the long-outstanding Industrial Way/Kurtz Road water line loop. Administrator Carl has been told that an official project submission will be forthcoming.

SOURCE WATER PROTECTION PROGRAM (SWP): Michael Galley continues to do an outstanding job of managing the overall SWP program and ECTA's NFWF grant project as well as overseeing the grant application to fund the watershed protection sign project.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDING: A media day event and cardboard check presentation for the \$1,332,000 ARPA funds ECTA received was held on May 11, 2023 at the Township Building.

PENNVEST FUNDING: As long as ECTA receives all permits for the Meadowbrook project in time, the fourth and final PENNVEST Microsoft Teams Meeting for the Meadowbrook funding is scheduled for June 15, 2023 and loan closing is now June 29, 2023. The second of four Microsoft Teams meetings for the PENNVEST programmatic financing for the Kurtz Road and Tank #4 projects will be scheduled in the coming weeks once the Kurtz Road project's bidding and construction schedule has been finalized.

KURTZ ROAD WATER MAIN REPLACEMENT PROJECT: This project is progressing through the final adjusted scope of work with Entech who is finalizing the design for ECTA's final review, in

coordination with CDM Smith. Administrator Carl is awaiting Entech's proposal for Bidding, Construction Management, PENNVEST Coordination and Construction Observation Services.

ECTA OFFICE RENOVATION/ECT BUILDING EXPANSION: The shop drawing review phase is nearing completion. Construction Progress Meeting No. 2 was held on May 1, 2023 and Progress Meeting No. 3 on May 22, 2023. On-site work began May 16, 2023. The new grinder pump vault has been set, new pumps were installed, and the new pumping system has been functioning as of May 24, 2023. Building foundation/footer excavation work began on May 25, 2023. Foundation walls are expected to be poured June 1, 2023. Contractors are now indicating a late Fall 2023 completion instead of January 2024. A Final Draft Lease Agreement was issued to all Board members on May 16, 2023, and the Township Manager issued the final draft agreement to the Board of Supervisors on May 19, 2023. Administrator Carl is recommending Board approval and execution of the ECT/ECTA Lease Agreement for a term of 25 years at \$1.00 per year.

- Samuel Weaver made a motion to approve and execute the ECT/ECTA Lease Agreement as presented for a term of 25 years from July 1, 2023 to July 31, 2048 at \$1.00 per year, second by Richard Shober, and carried unanimously.

WATER TREATMENT PLANT (WTP) ASSISTANT OPERATOR TRAINEE POSITION: As a result of the favorable outcome of the final interview with the Personnel Committee, an offer letter package was sent out on May 9, 2023 along with a newly-created Water Treatment Plant Assistant Operator (Trainee) job description. The offer was accepted on May 10, 2023, and ECTA's new employee, Rhiannon Roth, started on site at the WTP on May 22, 2023.

2022 AUDIT: ECTA staff continue to work with ECTA auditors Brown Schultz Sheridan & Fritz on the completion of the final draft audit. The audit review meeting is scheduled for June 19, 2023 at 7:00 a.m.

IMG: Per ECTA's request, ECTA received a check from Ephrata Borough for the full portion of ECTA's available I&I funds in the amount of \$27,256.32.

WATER TREATMENT PLANT (WTP) ROOF LEAK: After multiple attempts at low-cost fixes identified by the Architect and installed by ECTA staff, the WTP roof continues to leak into the lab area. A follow-up site meeting was held with the Architect on May 1, 2023. After further experimental water flow testing, it was determined that water is penetrating through the split-face block wall through the weep holes. The Architect believes this is because the required through-wall flashing was either never installed or was installed incorrectly. It has also been concluded that the exterior face of the split-face block façade was never coated/waterproofed as was required by plans and specs. Final recommendations from the Architect are to remove (rout out) a portion of the weep holes and fill with a flexible sealant along with the application of a waterproofing material across the split-face block façade. ECTA staff will perform the work in the coming weeks.

HUNTER CREEK PARTNERS LLC (35 KEELER AVE): The Authority's administrative requirements for a water and sanitary sewer lateral residential project located at 35 Keeler Avenue, Stevens, PA have been satisfactorily completed. The new laterals and service lines passed ECTA inspection, and all invoices have been paid. The Authority is holding cash in lieu of a Letter of Credit in the amount of \$2,915.00 that was established to guarantee construction of the new water and sanitary sewer lateral as well as \$1,000.00 in Administrative Water and Sewer Escrow. Administrator Carl requested the Board's approval to begin this project's 18-month warranty period and to reduce their cash in lieu of a Letter of Credit from \$2,915.00 to \$437.25 (15% of the approved cost of construction) to be held, along with the Administrative Escrow, until the end of the 18-month warranty period.

- David Lutz made a motion to begin on May 30, 2023, the 18-month warranty period for the water and sanitary sewer lateral project located at 35 Keeler Avenue, Stevens, PA and to reduce the amount of cash in lieu of a Letter of Credit from \$2,915.00 to \$437.25 (15% of the approved cost of construction), second by J. Bradford Fichthorn, and carried unanimously.

PLGIT INVESTMENTS: On April 27, 2023, ECTA conducted their quarterly review meeting with PLGIT representative Matt Conlin. ECTA's current investments, investment rates and terms, as well as market trends and projections were discussed, and ECTA continues to be positioned with a well-structured investment ladder.

ECTA EMPLOYEE SAFETY MANUAL & EMPLOYEE MANUAL: ECTA's Safety Committee (Administrator Carl, Superintendent Spitler, Michael Galley, Tyler Pannebecker and Jeremy Weinhold) has gone through training and was certified by the Department of Labor and Industry on May 10, 2023 after 12 months of successful operation. The Committee has developed a formal Employee Safety Manual, which has been reviewed by the Personnel Committee. It is the recommendation of the Personnel Committee to adopt the ECTA Employee Safety Manual and Acknowledgement Page and to revise the Safety Policy section of the ECTA Employee Manual.

- Richard Shober made a motion to adopt the East Cocalico Township Authority Employee Safety Manual and Acknowledgement Page and to revise the Safety Policy section of the ECTA Employee Manual, second by June Kinback, and carried unanimously.

SHORT FORM DEVELOPER'S AGREEMENT: To be consistent with the Developer's Agreement, a new Item 6 has been added to the ECTA Short Form Developer's Agreement requiring as-built plans.

2022 CAPACITY REASSESSMENTS: Accountant Lisa Shaw completed the annual capacity reassessments for the year 2022. Two High Concrete accounts exceeded their base water capacity by more than 366 gallons per day and base sanitary sewer capacity by more than 506 gallons per day. High Concrete will be sent invoices to purchase the additional water and sanitary sewer capacity. Administrator Carl has been in contact with High Concrete's Environmental Specialist and Ephrata Borough's Environmental Resource Manager to discuss High Concrete's ALAR treatment process.

DISPOSAL OF RECORDS: ECTA follows the Municipal Records Manual which provides retention and disposition schedules for records of Pennsylvania Municipal Governments. Per the Manual's requirement, in October 2010 Resolution No. 2010-10-14 was approved by the ECTA Board declaring ECTA's intent to follow the Municipal Records Schedule. However, if the Schedule is revised or updated, a new Resolution is to be approved declaring ECTA's intent to follow the new/updated retention schedules. To comply with this requirement, the Board was presented with Resolution No. 2023-05-25-01 which declares ECTA's intent to follow the Municipal Records Schedule and any amendments that are made to the Schedule. The Board was also presented with Resolution No. 2023-05-30-02 authorizing staff to destroy old financial files/documents and billing records from 2014 and 2015 in accordance with the Municipal Records Manual.

- Samuel Weaver made a motion to approve and execute Resolution No. 2023-05-30-01 declaring ECTA's intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 and any amendments thereto, second by J. Bradford Fichthorn, and carried unanimously.
- Samuel Weaver made a motion to approve and execute Resolution No. 2023-05-30-02 authorizing disposal of Authority records as set forth in the Municipal Records Manual approved on December 16, 2008 and amended March 28, 2019, second by J. Bradford Fichthorn, and carried unanimously.

FUEL SHARING CONTRACT: ECTA was notified by the Cocalico School District that the new rate from July 2023 to July 2024 is going to be \$2.3204 per gallon.

SINKHOLE – WABASH RETENTION BASIN: On May 2, 2023 a significant sinkhole was discovered within the Wabash retention basin adjacent to ECTA's Well F property. The sinkhole remediation was completed May 11, 2023. ECTA has received final site inspection reports from GeoServices and the Township engineer for the remediation work that was done. DEP was notified that the remediation was complete and that Well F remains operational without subsequent impacts at this time. Per discussions with DEP throughout the sinkhole process, future testing may be required to re-confirm that Well F is not under the influence of surface water. Chairman Becker noted that all current and future costs incurred by ECTA as part of the sinkhole issue shall be billed to the developer. Administrator Carl acknowledged a job well done by ECTA staff and consultants to minimize the impact on ECTA's Well F water source and the treatment plant process equipment during the sinkhole situation.

SUPERINTENDENT'S UPDATE: A complete copy of the update is on file in the Authority Office.

WELL LEVELS: Superintendent Spitler reported that well levels appear to be holding steady despite the dry conditions.

PERSONNEL COMMITTEE: A Personnel Committee meeting was held on May 30, 2023 at 6:15 p.m. to continue discussions on the Administrator's succession planning process.

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: Keystone has prepared record plans for CDM Smith review, and CDM Smith is preparing the civil/mechanical record plans to compile into a complete set. The Minor Modifications Permit Application submitted by WATEK for the WTP improvements was reviewed by DEP on May 24, 2023, and comments were given to WATEK for response.

TANK #4 WATER SYSTEM MODELING: CDM Smith's follow-up presentation to ECTA staff on a more focused analysis of Tank #4's immediate needs will be scheduled by CDM Smith the week of May 30 to June 2, 2023. Engineer Smith expects to also present the modeling results to the Water Committee before the next Board meeting.

STEVENS ROAD PENNDOT BRIDGE REPLACEMENT/WATER MAIN RELOCATION: The anchors were successfully installed without a project delay, and the full hanger hardware submittals are approved. It is expected that the quantity of new stainless steel hardware will result in a cost increase (75% PennDOT, 25% ECTA). A red-line revision to the waterline alignment was made to avoid conflict with proposed guardrail posts. Installation of the waterline is expected to begin at the end of June 2023. The PennDOT BOL supplement was approved on May 17, 2023 for the revised waterline location. A resubmittal for the PennDOT Utility HOP will be completed by WRA (PennDOT's engineer).

STEVENS PUMPING STATION EXPANSION: Contract No. 1 DESCCO – Closed out after April 25, 2023 ECTA Board meeting. Contract No. 2 Garden Spot Electric – Payment Application No. 7 was reviewed and approved by CDM Smith and is recommended for payment. It is included on ECTA's May 30, 2023 Invoices to be paid listing for approval at tonight's meeting. Contract No. 3 – Closed out after April 25, 2023 ECTA Board meeting.

MEADOWBROOK AREA WATER & SANITARY SEWER PROJECT: A.H. Moyer submittals have mostly all been received, returned, and completed. The Lancaster County Conservation District (LCCD)

has determined the E&S permit application is “administratively complete” and issued a “technical deficiency” letter on May 17, 2023. CDM Smith is working with LCCD to understand review comments on the technical deficiency letter and how to address them. LCCD permit issuance remains outstanding.

HEATHERWOODS PHASES 3, 4 & 5: CDM Smith is verifying the record plans meet ECTA requirements and will return comments to the developer before the end of May 2023.

MEMBERS FIRST FEDERAL CREDIT UNION: Members First recently completed a sanitary sewer lateral repair. This project continues to work towards moving into the 18-month warranty period.

VILLAGE AT EAST COCALICO: CDM Smith, ECTA, the developer’s engineer (DM/A), and the developer met on May 15, 2023 to go over review comments and confirm understanding of remaining work before plan approval.

SWARTZVILLE ROAD/GRANDE DEVELOPMENT (PREV FOX BROOKE): CDM Smith, ECTA, and the developer’s engineer (DM/A) met on May 15, 2023 to go over the project and review the Capacity Review & Request Application (CRRA). CDM Smith issued a CRRA response on May 19, 2023 highlighting that additional water and sanitary sewer studying will be required before conveyance capacity can be issued. CDM Smith and ECTA met on May 24, 2023 to go over the Gehman Interceptor history and to determine what will be required to interconnect this development with Village at East Cocalico.

EARTH, TURF & WOOD: CDM Smith is reviewing as-built plans that were submitted on May 8, 2023.

THE CROSSINGS AT COCALICO: CDM Smith intends to use the updated Tank #4 hydraulic model to progress this development’s evaluation. This direction was relayed to the developer’s property management, and CDM Smith expects that they will provide the evaluation by June/July 2023.

425 SOUTH MUDDY CREEK ROAD WAREHOUSE/DIVERT: An update to the CRRA has been requested from Divert to formalize their request of water and sewer capacity.

BLACK HORSE WAREHOUSE/PURECYCLE: Plan approval was issued by CDM Smith on May 19, 2023.

ROECHLING MEDICAL LANCASTER (44 DENVER RD): CDM Smith has begun review of the plans.

WEAVER (13 LAKESIDE DRIVE): The submittals were approved by CDM Smith, and the property owner is proceeding with construction/connection.

TWO COUSINS PIZZA: Revised plans dated May 23, 2023 were received and are under CDM Smith review.

COCALICO COFFEE CRAFTERS (11 LONG AVENUE): There has been no activity on this project. Administrator Carl said this project will be discussed during Executive Session.

SOLICITOR’S UPDATE: Solicitor Lucy Dowd did not attend the meeting, and no update was provided.

INVOICES (see attached): Bills included on the May 30, 2023 ECTA invoice listing were approved for payment on motion by June Kinback, second by Noah Zimmerman, and carried unanimously.

EXECUTIVE SESSION: Chairman Becker called an Executive Session at 8:06 p.m. to discuss potential legal issues. At 8:25 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 8:26 p.m., second by J. Bradford Fichthorn, and carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, reading "Gerald A. DeBalko". The signature is written in a cursive, flowing style.

Gerald A. DeBalko
Secretary

jae