

EAST COCALICO TOWNSHIP AUTHORITY
MEETING MINUTES
MAY 25, 2021

The regular, monthly meeting of the East Cocalico Township Authority (ECTA) was held on Tuesday, May 25, 2021, in the East Cocalico Township Municipal Building, 100 Hill Road, Denver, PA 17517.

Those in attendance were as follows:

Members: Daniel Becker, Samuel Weaver, Edward Nevling, David Lutz, J. Bradford Fichthorn, Richard Shober, and June Kinback (Absent: Gerald DeBalko and Raymond Wolf)
Solicitor: Lucy Dowd, Lucy Dowd Law, LLC
Engineer: Rachel Kirkham, CDM Smith
Administrator: Scott Carl, Sr.
Employees: Kenneth Spitler, Tyler Pannebecker, Lisa Shaw, and Jodie Eberly
Visitors: Matthew Bartholomew, ECTA Customer

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

MINUTES: Minutes of the monthly meeting held on April 27, 2021, were approved as presented on motion by J. Bradford Fichthorn, second by Edward Nevling, and carried unanimously.

RECOGNITION OF VISITORS/PUBLIC COMMENT: Matthew Bartholomew came to the meeting to request payment from ECTA for a water service line repair that was recently performed at his property. Since the home is only three years old, Mr. Bartholomew did not think he should be responsible for payment of the repair. Mr. Bartholomew requested payment from the home builder, but since the one-year home warranty has expired, they told him it was not their responsibility. The contractor who made the recent repair is also the same contractor who originally installed the water service line. The contractor told Mr. Bartholomew that they followed ECTA's Construction Specifications during construction of the service line, so they told him the bill was not their responsibility. After discussion, Chairman Becker told Mr. Bartholomew that ECTA's responsibility ends at the public right-of-way/curb stop and that when he purchased the home, he took ownership of the private service lines. Chairman Becker went on to say that while ECTA understands and appreciates his position, ECTA cannot be held liable for payment of his private water service line repair.

TREASURER'S REPORT (see attached): Accountant Lisa Shaw reviewed the April 2021 financial reports. The reports were approved as presented subject to audit.

MONTHLY CAPACITY REPORTS (see attached): The April 2021 Monthly Capacity Reports were approved as presented on motion by J. Bradford Fichthorn, 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:

WELL 10 – TCE SOURCE INVESTIGATION: DEP's Hazardous Site Cleanup Program Manager has been to the site and has been in contact with ECTA and GeoServices. DEP will continue to assist ECTA in further investigating the potential source of the TCE.

SCADA & CONTROLS SYSTEM: Keystone Engineering Group submitted their SCADA & Controls System Feasibility Report this evening. Administrator Carl will review the report. The final revised time

and materials (T&M) proposal for as needed/emergency SCADA support services was received from Keystone on May 11, 2021. Administrator Carl reviewed and issued comments on the proposal. All review comments were incorporated, so Administrator Carl is recommending the proposal for Board approval.

- Richard Shober made a motion to approve and execute the May 11, 2021, Keystone Engineering Group T&M Services Proposal No. 2021-0199, Rev. 1 to provide as needed/emergency SCADA support services, second by June Kinback, and carried unanimously.

CARRIAGE HILL PHASES 3 & 4: The manhole vacuum testing passed inspection on April 29, 2021. In accordance with Section III.B.4 of the ECTA Administrative Procedures, Landmark Homes has requested a partial bond reduction for work completed to date. Since the Carriage Hill Phases 3 & 4 water and sewer facilities that will eventually be dedicated to the Authority are complete, except for as-built plans and easements, and the Authority currently holds a Subdivision Bond in the amount of \$594,561.00, Administrator Carl requested Board approval to reduce the bond value to \$89,184.15. The 18-month warranty period will not start until the as-built plans and easements have been submitted and approved by the Authority. At that time, the Subdivision Bond can be extinguished and Landmark Homes will be required to submit a maintenance bond to cover the 18-month warranty period.

- J. Bradford Fichthorn made a motion to approve the reduction of the Landmark Homes Subdivision Bond for Carriage Hill Phases 3 & 4 in the amount of \$594,561.00 to \$89,184.15, second by Samuel Weaver, and carried unanimously.

DENVER BOROUGH EMERGENCY WATER INTERCONNECTION: At the request of Denver Borough, on April 30, 2021, representatives from the Authority and the Borough met to discuss an emergency water interconnection between the two municipalities. Administrator Carl prepared and issued meeting minutes and action items on May 10, 2021. On May 21, 2021, Denver Borough submitted a copy of the proposed PRV vault specifications and drawing. It was noted by the Board that the Authority and Borough had previously met in September 2018, also at the Borough's request, to discuss this same topic. However, at that time, Denver Borough decided to not pursue the interconnection. After discussion at tonight's meeting, the Authority Board decided to hold off on expending further efforts and engineering costs until the potential development project that would bridge the gap between the two systems moves forward with a formal plan submission.

STEVENS ROAD/PENNDOT WATER MAIN RELOCATION PROJECT: The Authority has been in communication with PennDot over the past several months and reviewed multiple plans regarding the upcoming Stevens Road bridge replacement project. A formal site meeting was held on April 28, 2021 with PennDot's engineer and other affected utilities. As the Authority's existing water line is an old 6-inch cast main; is in conflict with the proposed new guiderail system; is currently exposed in the creek bed; will be exposed at other locations several times during construction; and would have a construction rock mat placed on top of it to accommodate bridge pier rehab work, PennDot has been notified that the Authority would like to relocate the main to an aerial crossing (i.e., hanging the water main from the new box beam bridge structure) and upsize the main to accommodate future growth. ECTA will need to complete the design of the water main relocation, and PennDot will incorporate ECTA's design into their overall design and bidding package. It is understood that a 75% (or greater) reimbursement of the Authority's engineering and construction costs is applicable but requires a quick design turnaround schedule on ECTA's part. After further evaluation of this project and with respect to CDM Smith's current workload, ARRO Consulting was authorized to assist ECTA immediately on a time and materials (T&M) basis in compiling the upfront documentation which is required by May 30, 2021 to get the Authority into the reimbursement process. At Administrator Carl's request, ARRO submitted a formal proposal for the water main relocation design on May 19, 2021. Administrator Carl reviewed and issued

comments on the proposal. All review comments were incorporated, so Administrator Carl is recommending the final proposal dated May 24, 2021 for Board approval for the Not-to-Exceed Fee of \$20,300.00.

- Samuel Weaver made a motion to approve and execute ARRO Consulting, Inc.'s Professional Services Agreement #0521-PW08 Revision No. 1 dated May 24, 2021 for the Stevens Road/PennDot water main relocation design for the Not-to-Exceed Fee of \$20,300.00, second by David Lutz, and carried unanimously.

AIWA RISK & RESILIENCE ASSESSMENT (RRA): The Authority is still awaiting draft Assessment forms from CDM Smith from the Phase 2 Stakeholder Workshop/Team Meeting that was held on April 6, 2021. During this Assessment process, it was discovered that the Authority office would not be able to continue office operations during a prolonged power outage as the Authority's server and all computers are not on the Township building's emergency power circuit. To address this situation, Administrator Carl prepared a general scope of work and requested a proposal from ARRO Consulting to have one of their electrical engineers evaluate the Township's generator, its current connected loads, as-built electrical drawings and the generator's potential ability to better serve the Authority's future-connected load in a prolonged power outage. An initial proposal was received on May 17, 2021. Administrator Carl reviewed and issued comments on the proposal. All review comments were incorporated, so Administrator Carl is recommending the final proposal dated May 24, 2021 for Board approval for the Not-to-Exceed Fee of \$5,020.00.

- Samuel Weaver made a motion to approve and execute ARRO Consulting, Inc.'s Professional Services Agreement #0521-PW10 Revision No. 1 dated May 24, 2021 for the Emergency Generator Evaluation project for the Not-to-Exceed Fee of \$5,020.00, second by David Lutz, and carried unanimously.

STEVENS PUMPING STATION INSPECTION ASSISTANCE: CDM Smith was asked to prepare a construction observation assistance proposal to be presented at the December 2020 Board meeting, and the Authority received the proposal on April 27, 2021. Administrator Carl reviewed and issued comments on the proposal. All review comments were incorporated, so Administrator Carl is recommending the final proposal dated May 21, 2021 for Board approval for the Not-to-Exceed Fee of \$57,125.00.

- Richard Shober made a motion to approve and execute the CDM Smith Amendment Proposal (Revision #2) dated May 21, 2021 for the Stevens Pumping Station Upgrade Construction Inspection Services for the Not-to-Exceed Fee of \$57,125.00, second by J. Bradford Fichthorn, and carried unanimously.

STEVENS PUMPING STATION EXPANSION: Construction Progress Meeting No. 3 was held on May 11, 2021, and CDM Smith continues to review shop drawings. Contractors are now expected to be on site around mid-June 2021 in lieu of April 2021; however, the contract completion date is still January 15, 2022.

WELL M CONSTRUCTION: CDM Smith's shop drawing review has continued. Pipe delivery and waterline construction began on May 18, 2021. The contract started on December 4, 2020 and the expiration date is still set for June 2, 2021; however, construction now looks to be about two months behind schedule. Engineer Kirkham is working on scheduling a progress meeting and obtaining an updated schedule from the general contractor. Chairman Becker said the contractor needs to be put on notice that this project needs to be completed ASAP, unless there is a valid reason to extend the completion date.

Chairman Becker also reminded Engineer Kirkham that if the delay in schedule is contractor-driven, then the Authority may need to look into claiming liquated damages.

RE-PERMITTING WELLS F, M, 11, 12, 2A & 14: The Aquifer Test Waiver Requests (ATWR's) for all wells (except for Well 12) were completed, and Administrator Carl uploaded them to SRBC on April 30, 2021. A major upcoming project milestone is the completion and submission of Ground Water Withdrawal Renewal Applications by December 30, 2021. Administrator Carl asked GeoServices to provide a proposal for preparing the Renewal Applications, and he will have it reviewed and ready for Board approval at the June Board meeting.

SOURCE WATER PROTECTION PROGRAM (SWP): The Wellhead Protection Area Delineations are still scheduled to begin June 1, 2021 which will include mapping, figures and the Potential Source of Contamination Inventory Search. It is anticipated the remaining process will take approximately four to five more months until the SWP is completed. Administrator Carl again reminded the Board that a steering committee will need to be formed and maintained as the project moves forward.

METER REGISTER REPLACEMENT PROJECT: The Authority has received 200 meters so far towards the total of 861 meter register replacements. Register replacements are continuing to be installed by ECTA operators as time allows.

2020 AUDIT: The final audit report will be submitted for Board review before the June 30, 2021 deadline.

ECTA MANHOLES: In review of construction cost estimates provided in CDM Smith's April 23, 2021 report (\$20,000 to \$24,000), it initially appeared that a formal bid package would be required to obtain pricing for the required upper cone section replacement work at each of the eight (8) manholes. After further evaluation of this project and with respect to CDM Smith's current workload, Administrator Carl requested a proposal from ARRO Consulting for the preparation of a specification and drawing package which was received on May 17, 2021. Administrator Carl reviewed and provided comments on the proposal. All review comments were incorporated, so Administrator Carl is recommending the final proposal dated May 24, 2021 for Board approval for the Not-to-Exceed Fee of \$3,840.00.

- June Kinback made a motion to approve and execute ARRO Consulting, Inc.'s Professional Services Agreement #0521-PW07 Revision No. 1 dated May 24, 2021 for the eight (8) manhole cone section replacements project for the Not-to-Exceed Fee of \$3,840.00, second by David Lutz, and carried unanimously.

GRANT & FUNDING OPPORTUNITIES: Administrator Carl has continued researching potential grant and funding opportunities for ECTA. He attended a presentation on the American Rescue Plan Act (ARPA) Funding program with Township staff on May 13, 2021. He previously notified the Township that they would be receiving \$1,055,317 and that it could be allocated to investments in water and sanitary sewer system improvements. He will be providing the Township with a list of projects from the Authority's budget for their consideration.

COMPREHENSIVE INSURANCE PACKAGE: The Authority's business, auto, and workman's compensation insurance package is due for renewal on July 1, 2021. Administrator Carl and ECTA's Accountant Lisa Shaw have received two official proposals, one of which is from the Authority's current provider, The Glatfelter Agency. After a thorough review and comparison of each proposal, Administrator Carl and Mrs. Shaw are recommending approval of The Glatfelter Agency proposal dated May 24, 2021 in the amount of \$31,786.00 for coverage beginning July 1, 2021 through July 1, 2022. By opening up the renewal process to a competitive bidding situation, the Authority was able to increase certain coverages, improve its Cyber Liability protection and reduce its cost from last years' annual

premium payment of \$33,643.00. This reduction was also possible as the result of completing a lengthy questionnaire which netted a \$2,094.00 final reduction.

- J. Bradford Fichthorn made a motion to approve The Glatfelter Agency proposal dated May 24, 2021 in the amount of \$31,786.00 for the Authority's comprehensive insurance package for coverage from July 1, 2021 through July 1, 2022, second by Samuel Weaver, and carried unanimously.

GIS (GEOGRAPHIC INFORMATION SYSTEM): Administrator Carl reviewed CDM Smith's April 23, 2021 draft proposal for estimated manhours and costs for multiple options related to incorporating water main break information into ECTA's GIS system. After further evaluation of this project and with respect to CDM Smith's current workload, Administrator Carl requested a proposal from ARRO Consulting to incorporate water main break information into ECTA's GIS system which was received on May 12, 2021. Administrator Carl reviewed and provided comments on the proposal. All review comments were incorporated, so Administrator Carl is recommending the final proposal dated May 12, 2021, Tasks 1 & 2 ONLY, for the Not-to-Exceed amounts of \$1,990.00 and \$2,490.00 respectively.

- David Lutz made a motion to approve and execute ARRO Consulting, Inc.'s Professional Services Agreement #0521-PU02 dated May 12, 2021, Tasks 1 & 2 ONLY, for the Not-to-Exceed amounts of \$1,990.00 and \$2,490.00 respectively to incorporate water main break information into ECTA's GIS system, second by June Kinback, and carried unanimously.

MORGANSHIRE PHASES 2 & 3 (17 ARABIAN COURT): On May 6, 2021, the Authority received a signed Short Form Developer's Agreement from William and Valerie Landis to relocate a residential sanitary sewer lateral at 17 Arabian Court in the Morganshire Development and Administrative Escrow in the amount of \$500.00. Acceptance of the Short Form Developer's Agreement will allow CDM Smith to begin technical review of the relocated sanitary sewer lateral connection plans and allow this single-family residential project to move forward with the Authority.

- J. Bradford Fichthorn made a motion to accept and execute the Short Form Developer's Agreement with William A. and Valerie A. Landis for their residential sanitary sewer lateral relocation project at 17 Arabian Court in the Morganshire Development, second by Samuel Weaver, and carried unanimously.

VILLAGE AT EAST COCALICO: On May 14, 2021, the Authority received a signed Developer's Agreement, for a Residential Water and Sewer project, along with \$10,000.00 administrative water and sewer escrow from East Cocalico Associates for the construction of a 124-unit residential development known as the Village at East Cocalico. Acceptance of the Developer's Agreement will allow CDM Smith to begin technical review of the project's design plans and allow this residential development project to move forward with the Authority.

- Richard Shober made a motion to accept and execute the Developer's Agreement, for a Residential Water and Sewer project, with East Cocalico Associates for the construction of water and sanitary sewer facilities for a 124-unit residential development known as the Village at East Cocalico, second by Samuel Weaver, and carried unanimously.

SUPERINTENDENT'S UPDATE: A complete copy of the update is on file in the Authority Office. Superintendent Kenneth Spittler discussed the following from his update:

WATER LATERAL REPAIR: A leaking water lateral was repaired by ECTA at 2055 North Reading Road on April 29, 2021.

EMERGENCY ROAD RESTORATION (NORTH REAMSTOWN ROAD): On May 24, 2021, ECTA repaired a significant water main break on North Reamstown Road which caused substantial road damage. Superintendent Spitler is getting quotes for this road restoration. Because of the severity of the road damage, Administrator Carl asked the Board for their approval to move forward with this road restoration as soon as possible, instead of waiting to get Board approval of the official quote at the next Board meeting. The Board agreed that since this is an emergency situation, the Authority should move forward with the road repair ASAP.

NORTH REAMSTOWN ROAD: Superintendent Spitler brought to the Board's attention that there have been three significant water main breaks this year, two along North Reamstown Road and one along South Reamstown Road, which caused substantial road damage. Because of this, Superintendent Spitler said this area may need to move up on the Authority's repair/replacement priority list. Superintendent Spitler spoke with the Township's Roadmaster Bret Hoffert about road paving plans along North/South Reamstown Road, and Mr. Hoffert said those roads are not on the list in the immediate future.

PERSONNEL COMMITTEE: A Personnel Committee meeting was held on April 27, 2021. Another Personnel Committee meeting is scheduled for May 25, 2021 immediately following the ECTA Board meeting.

ENGINEER'S UPDATE: A complete copy of the update is on file in the Authority Office. Engineer Rachel Kirkham discussed the following from her update:

AIWA RISK & RESILIENCE ASSESSMENT (RRA): CDM Smith is finalizing the draft RRA spreadsheet of threat-asset pairs and their related consequences and will submit it to ECTA for their review by the end of this week.

WELL M CONSTRUCTION: CDM Smith and Keystone continue to review submittals from the contractors. The General Contractor began pipe installation on May 18, 2021. Shannon A. Smith (Electrical Contract) has submitted Payment Application No. 3 in the amount of \$14,091.62 which has been approved and recommended for payment by CDM Smith. This Payment Application is included on the Invoices to be Paid listing.

TANK #4 WATER SYSTEM MODELING: CDM Smith did not finalize the draft modeling memo by mid-May as promised. Engineer Kirkham said she should have a draft memo to Administrator Carl by the end of next week.

STEVENS PUMPING STATION EXPANSION: CDM Smith is addressing comments from the Lancaster County Conservation District on the E&S Plan. CDM Smith is also working on Administrator Carl's and Superintendent Spitler's changes to the proposed landscaping at the new building. The next progress meeting is scheduled for June 8, 2021. DESCCO Design & Construction (General Contract) has submitted Payment Application No. 1 in the amount of \$10,692.00 which has been approved and recommended for payment by CDM Smith. This Payment Application is included on the Invoices to be Paid listing.

MEADOWBROOK AREA WATER & SANITARY SEWER PROJECT: CDM Smith has completed the initial layout. CDM Smith prepared the sewer profiles with proposed work recommendations and the initial horizontal alignment for the new water main. CDM Smith will review the proposed water main alignment with ECTA staff prior to creating the profiles.

WABASH LANDING PHASE 2: CDM Smith, Solicitor Dowd and Administrator Carl continue to review the two easement agreements submitted for this project.

VILLAGE AT EAST COCALICO: Development plans were submitted for review on May 14, 2021.

THE CROSSINGS AT COCALICO: A Capacity Review and Request Application was submitted on May 20, 2021 for a proposed 176 EDU development near the intersection of West Swartzville Road and North Reading Road.

SOLICITOR'S UPDATE: Solicitor Lucy Dowd had nothing to report.

INVOICES (see attached): Bills listed on ECTA Invoices to be Paid, along with a payment to TD Bank in the amount of \$19,612.50 for ECTA's loan interest payment which was not included on the listing, were approved for payment on motion by Samuel Weaver, second by David Lutz, and carried unanimously.

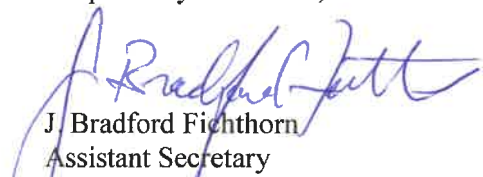
OTHER MATTERS TO COME BEFORE THE BOARD:

SB 597: PA legislators are voting on a bill (SB 597) which places authorities and municipal water and sewer systems under the Pennsylvania Public Utility Code (PUC). Should this happen, municipalities and municipal authorities across PA would suddenly be subject to PUC oversight at considerable cost to those communities. Not only does this bill overstep regulations currently in place, but it will also significantly increase rates to the customers. The bill already passed the Senate Consumer Protection and Professional Licensure Committee and will now move to the Senate floor to be voted on by all Senators. Administrator Carl, on behalf of ECTA, sent a letter to Senator Ryan Aument on May 21, 2021, before the Committee vote, opposing the Bill. Administrator Carl, on behalf of ECTA, sent another letter to Senator Ryan Aument on May 25, 2021, emphasizing ECTA's opposition to the Bill.

EXECUTIVE SESSION: Chairman Becker called an Executive Session at 8:16 p.m. to discuss potential litigation matters. At 8:31 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, Samuel Weaver made a motion to adjourn the meeting at 8:32 p.m., second by J. Bradford Fichthorn, and carried unanimously.

Respectfully submitted,



J. Bradford Fichthorn
Assistant Secretary

jae