

WAYNESBORO BOROUGH AUTHORITY

APRIL 15, 2014

MINUTES

Authority Chairman Jon Fleagle called the meeting of the Waynesboro Borough Authority to order at 6:00 p.m., with the following in attendance:

Borough Authority Members – Jon Fleagle, Christopher Snively, S. Allen Stine and Lee Layman (William Pflager via Skype)

Borough Staff – S. Leiter Pryor, Director of Borough Utilities
D. Lloyd Reichard, II, Authority Solicitor

APPROVE MINUTES: Allen Stine made a motion to approve the minutes of the March 18th meeting, as written. Lee Layman seconded; the motion passed unanimously.

REQUEST FOR WATER SERVICE - SHEFFIELD MANOR: Leiter Pryor noted that he and Chairman Fleagle reviewed the information submitted by Lee Royer with Chief Draftsman-Inspector Scott Crum, and several revisions were recommended. Mr. Pryor recalled that, several years ago, Mike Henicle had expressed a desire to further the Sheffield Manor Development. Some of the lots were located in an elevation that could not be served off the low-pressure line, and they requested to tie into the high-pressure system. Mr. Henicle paid for a study through Gannett Fleming, and accommodations for the previous development were approved.

Since then, their plans for the development have changed slightly. They are proposing to construct townhomes (instead of single-family dwellings); and the original plan was for 96 lots on the high-pressure line (which has now changed to 60). Mr. Pryor noted that, pursuant to the study performed previously by Gannett Fleming, there would be adequate resources.

After further discussion on the lines/locations proposed, Lee Layman made a motion to approve the new Application for Water Main Extension for Sheffield Manor. Allen Stine seconded; the motion passed unanimously. Allen Stine also made a motion to approve the Water Main Extension Agreement, subject to fee information to be supplied by Leiter Pryor and the Engineering Department. Lee Layman seconded; the motion passed unanimously.

RIGHT-OF-WAY AGREEMENT (SUSAN EAST): After review of the proposed Right-of-Way Agreement provided by Susan East's attorney, Authority Solicitor Reichard recommended several modifications (which he explained). He will forward his recommendations to Attorney Tom Murphy for consideration. WBA members concurred.

EXECUTIVE SESSION: WBA members adjourned to an executive session at 6:35 p.m. for the purpose of discussing legal matters. They returned to regular session at 7:45 p.m.

UPDATE – SEWER PLANT UPGRADE: Leiter Pryor reported that the contractor(s) are working on punch-list items. D. L. George has been working on finish grading and is supposed to complete the curbing by the end of the week. In the meantime, they are working toward Phase 2 (digester project) and sludge haulers were lined up for this week (depending on the weather). He anticipates it will take approximately two (2) weeks to empty the digester, and the general contractor is responsible to clean the interior. The next step is to examine, sandblast and paint the structure. He is hopeful that this work will be completed by June 1st, which is the proposed substantial completion date for Phase 2.

Mr. Pryor noted that the original contract included a paving detail for all the traveled portions of the upper and lower driveways to be reconstructed, faced and top-coated. Overlays were specified for the area in front of the control building (where the lab is located) and in front of the digester building, however he feels it will require additional work and has requested price estimates.

Chairman Fleagle noted that “the place is still a mess”. Mr. Pryor noted he will advise Gannett Fleming and the general contractor that the WBA is dissatisfied with the way the construction site looks.

Mr. Pryor presented the following change orders for consideration:

1. Contract #1 (Kinsley Construction) - change order #6 - approved at the last meeting, but paperwork was not yet prepared
2. Contract #2 (Eshenaur & Son) - change order #1 - extension of contract
3. Contract #3 (Heisey Mechanical) - change order #1 - \$0
4. Contract #4 (PSI) - change order #4 - approved at the last meeting, but paperwork was not yet prepared

Allen Stine made a motion to approve change order #1 for Eshenaur & Son. Lee Layman seconded; the motion passed unanimously.

William Pflager made a motion to approve change order #1 for Heisey Mechanical. Lee Layman seconded; the motion passed unanimously.

Mr. Pryor noted that he has obtained proposals for the sampling portion of the NPDES permit submission. There are two (2) components to that testing – the chemical analysis and the WET testing. Pursuant to the WBA’s instruction, he contracted with the low bidders: American Aquatic Testing in Allentown, PA (WET testing - 4 events) - \$9,500 and ALS in York, PA (chemical analysis - 5 events) - \$6,692.50; for a total of \$16,192.50. William Pflager made a motion to affirm the contracts with American Aquatic Testing and ALS for NPDES permit renewal testing, as recommended by Leiter

Pryor. Allen Stine seconded; the motion passed unanimously. Mr. Pryor noted that he will begin work shortly on the application itself.

FILTER PLANT PERFORMANCE EVALUATION: Chairman Fleagle noted that DEP recently conducted an evaluation of the filter plant performance and after the WBA's last meeting, he and Mr. Pryor met with them to review the results. The plant received a "commendable" rating on its operation and efficiency. Mr. Fleagle wrote a letter of appreciation to the staff and announced results of the evaluation at Borough Council's last meeting. Mr. Pryor added that this program is "above and beyond" what is required by DEP; and each time the evaluation is done, they "raise the bar". He noted that the staff comes up with ways to meet the criteria without spending a lot of money ... and they are doing a great job.

UPDATE - SYSTEM-WIDE LEAK DETECTION: Leiter Pryor reported that Aqua-Tech will be in during the first and second weeks of June (for 8-10 days) to conduct a review of the entire system, including Zullinger.

UPDATE - LANDLORD/TENANT BILLING CHANGE POLICY: Leiter Pryor noted that the first round of bills under the new policy were sent out on 04/01. They are currently working with the programmer to draft appropriate notices (90, 30 and 10 days) for both the landlords and tenants. An update to the billing system is also required, as well as a hardware upgrade to the server, which will cost approximately \$5,000 (60% water, 40% sewer). WBA concurred.

The question arose regarding the definition of "customer" at the last meeting, as the previous definition was not consistent with the new policy. Solicitor Reichard has recommended the following definition:

"Customer: The owner of record of real property or severable interest in real estate such as, but not limited to: recorded non-residential leasehold, condominium, real estate cooperative, or other individual defined interest as may be approved by the Authority upon application. The decision as to whether or not to approve any entity as a customer shall be in the sole discretion of the Authority and shall be binding and non-appealable."

After discussion on the matter, Lee Layman made a motion to approve the definition of "customer" as recommended by the Solicitor. Allen Stine seconded; the motion passed unanimously. It was noted that this definition will be inserted in the appropriate section of the WBA's Rules and Regulations.

Leiter Pryor also noted that the definition of "agent" was discussed with Solicitor Reichard. Mr. Reichard suggested that the WBA require a Power of Attorney designating an agent for the particular purpose ... this would be in writing, notarized and conforming to the Power of Attorneys Act. Mr. Reichard was requested to draft an appropriate POA form for review by the WBA.

Leiter Pryor noted he was contacted by Valley Housing Authority. He recalled that they

requested water service for 40 units at Mt. Vernon Terrace in 2010. An Application for Water Main Extension was submitted and a Water Main Extension Agreement was drafted (but not fully executed, because they were trying to obtain funding to pay the associated fees). They have now received approval for the funding, and another agreement has been prepared with new dates. He explained, however, that they can't pay the tap fees and associated engineering costs until they get their money; and they can't get their money without full approval of the Land Development Plan from the Borough. They are requesting WBA approval to proceed with utilities, but not to construct any until they receive their money. Allen Stine made a motion to authorize Mr. Pryor to write a letter to Valley Housing Authority indicating the WBA agrees to serve the development, and plans have been approved, but no construction can commence until the fees are received and the appropriate main extension agreement is executed. William Pflager seconded; the motion passed unanimously.

Mr. Pryor also mentioned that there was a pump failure recently at the well, and it was shut down for a few days. He will be receiving prices for the repair/replacement in a few days.

PAY BILLS: Christopher Snively made a motion to approve the payment of the following requisitions --

Sewer Construction Fund Requisition #1103 - W. C. Eshenaur & Son, Inc. - \$5,400.00 - Estimate No. 8 (Final) for Contract Two (Plumbing Work - Wastewater Treatment Plant Upgrade) for work performed up to and including March 5, 2014

Sewer Construction Fund Requisition #1104 - Gannett Fleming Companies - \$4,576.50 - Construction Phase Services for WWTP Upgrade and Rehabilitation for the period of February 22, 2014 through March 21, 2014

Sewer Construction Fund Requisition #1105 - Gannett Fleming Companies - \$4,816.09 - Construction Management related to WWTP Nutrient Upgrade project for the period of February 22, 2014 through March 21, 2014

Sewer Construction Fund Requisition #1106 - Gannett Fleming Companies - \$518.55 - Engineering assistance to Waynesboro Borough Authority associated with PENNVEST financing for the Wastewater Treatment Plant Rehabilitation Project during construction for the period of February 22, 2014 through March 21, 2014

Sewer Construction Fund Requisition #1107 - PSI Pumping Solutions, Inc. - \$21,447.15 - Estimate No. 12 for Contract Four (Electrical Work - Wastewater Treatment Plant Upgrade) for work performed up to and including April 10, 2014

Sewer Revenue Fund Requisition #SA-114 - Borough of Waynesboro (Clearing Account) - \$293,338.00 - 2nd Quarter, 2014 Sewer Allocation

Sewer Revenue Fund Requisition #SA-115 - Smith Elliott Kearns & Company - \$2,000.00 - Progress billing for audit of financial statements and federal awards programs under Government Auditing Standards and Single Audit Act for the period ended December 31, 2013

Water Revenue Fund Requisition #14-09 - Borough of Waynesboro (Clearing Account) - \$459,627.00 - 2nd Quarter, 2014 Water Allocation

Water Revenue Fund Requisition #14-10 - Smith Elliott Kearns & Company - \$3,000.00 - Progress billing for audit of financial statements and federal awards programs under Government Auditing Standards and Single Audit Act for the period ended December 31, 2013

William Pflager seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 8:35 p.m. on a Snively/Layman motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant