

# W T M A

## Warwick Township Municipal Authority

*Administration of Water & Wastewater*

### OCTOBER 21, 2014 MINUTES OF THE BOARD

The meeting was called to order by Chairman Troy Clair at 7:00 P.M.

**Present Were:** Board Members: Troy Clair, Donald Engle, Edward Stone, Jeffrey Tennis, and Joyce Gerhart; Administrator Daniel Zimmerman, Claudia Watt, Carl Haws, Solicitor William Crosswell, and Consulting Engineer Steven Riley and Mark Will of 1213 Orchard Road.

**GUEST RECOGNITION:** D. Zimmerman stated that Mr. Will has appeared before the Planning Commission and the Board of Supervisors and will present a proposal tonight regarding several tracts of land. Using a map, D. Zimmerman identified the tracts: A 49-50-acre tract on Orchard Road owned by Michael Glass, 5 tracts owned by Dana Clark and a tract on Lexington Road owned by JPM Development Group of which M. Will is a partner. During the most recent review of the Orchard Road tract, WTMA Staff pointed out several issues relative to service. Water service would be dependent on the Newport/Orchard water booster station. There is a 10-inch line up to the village of Brunnerville but fire flows would be limited. M. Glass listed the tract for sale. Two of the Clark tracts are located on Locust Street and have limited farming potential, one is located entirely in the Borough and the one is half in the Borough and half, about 20 acres, in the Township. Zoning within the Borough is R1 while the portion in the Township is zoned R2. The three larger Clark farm tracts that are adjacent to the Orchard Road Tract are zoned RI, R2 and Rural Estate. The Clarks are considering requesting rezoning of these tracts to agricultural and eventually preserving them. What Mr. Will would like to propose is trading the R1 zoning and approved density (114 units of single family cluster development) of the 50-acre Orchard Road tract for the similarly sized agriculturally zoned tract on Lexington Road. This would potentially create a large area of preserved farm land especially if the Fyock tract, which is also adjacent to the Orchard Road tract, is preserved.

Referring to the Comprehensive Water Study, D. Zimmerman said that we have completed our objective of securing sufficient capacity in the Lititz water system and we are currently working on completing the objective of a backup well for the Rothsville system. Our third objective is to install a water tank on the northern end to prepare for watering the northern area. This proposal would extend service from the existing village of Brunnerville rather than moving into an area where no service is provided. The Authority has already secured a right-of-first refusal on a tract that is across the street from the Lexington Road Tract. Entech estimates the cost of installing a water tank and connecting to the water system at \$2.2 million. The objective is not to promote growth but to be able to provide gravity water service as growth occurs. This would also improve fire flows to the customers whose water service is dependent on the Newport Orchard Water Booster. The existing residences to the west of the tank would not be required to connect to the water system but, once the tank is installed, we would be able to provide service for those residents should they request municipal water service.

M. Will said that JPM Development has owned the 45-acre farm on Lexington for about nine years and it is an active farming operation. They are willing to delay development of the tract until the Authority installs the water tank provided that a time frame is established. In the meantime, JPM has been talking with the Clarks regarding development of the Locust Street properties. JPM would like to put together a task force consisting of the Developers, property owners, and representatives from the Authority, Planning Commission and Zoning Hearing Board to identify what steps would have to be taken in order to make this work. J. Tennis asked if the Orchard Road tract can be developed. D. Zimmerman said that it can but water service would be dependent on the booster station and fire suppression capabilities would be minimal. Both the Orchard Road and Lexington Road tracts

would be served by the WTMA's Lititz water system. M. Will noted that in order to develop the Orchard Road tract improvements would need to be made to the 18" sewer interceptor and the water booster station. M. Will asked for two members of the Board to serve on the Task Force. D. Engle and J. Tennis volunteered to serve on the Task Force. B. Crosswell said that there would have to be an agreement that, if zoning is changed, the Developer would guarantee that the tract would not be developed until the tank is built. Any commitment by the Authority as to when the tank would be built would need to exclude any liability on the part of the Authority as to the time for completion of the tank.

The **MINUTES** of the September 16, 2014 meeting were unanimously approved on a motion by T. Clair, seconded by J. Tennis.

The **TREASURER'S REPORT** was unanimously approved on a motion by T. Clair, seconded by D. Engle.

**PAYMENT OF THE BILLS**, in the amount of \$211,477.88, for the period from September 16, 2014 through October 21, 2014 was unanimously approved on a motion by D. Engle, seconded by J. Tennis.

The **WATER OPERATING REQUISITION**, in the amount of \$178,000.00, for operation of the water system through November 18, 2014 and the \$45,000 transfer from the Sewer Operating Fund for operation of the Sewer System through November 18, 2014. were unanimously approved on a motion by T. Clair, seconded by E. Stone.

The following **REQUISITIONS** from the **Water BR&I Fund** were unanimously approved on a motion by D. Engle, seconded by J. Tennis:

<u>REQ.</u>	<u>PAYEE</u>	<u>REASON</u>	<u>AMOUNT</u>
WB452	Morgan, Hallgren, Crosswell & Kane, PC	Lititz Water Rate	\$1,188.00
WB453	Entech Engineering, Inc.	Rothsville Well #2	\$2,974.50
WB453	Entech Engineering, Inc.	Meter Pit and system mapping	<u>\$5,570.40</u>
		Total	\$9,912.90

The following **REQUISITIONS** from the **Sewer Operating Account** were unanimously approved on a motion by D. Engle, seconded by J. Gerhart:

<u>REQ.</u>	<u>PAYEE</u>	<u>REASON</u>	<u>AMOUNT</u>
S108	Garden Spot Electric, Inc.	Station 2 Upgrades	\$3,560.00
S109	Warwick Township	Force Main Repair	\$6,410.15
S110	Entech Engineering, Inc.	Sewer System mapping	<u>\$1,100.00</u>
		Total	\$11,070.15

#### **ADMINISTRATOR'S REPORT**

D. Zimmerman said that the Township received a set of plans for Warwick at Woodland, a subdivision of over 400 units being developed by Moravian Manor. The project is located on the Beamesderfer tract in the Borough of Lititz. Issues regarding water service arose and D. Zimmerman and C. Haws met with RGS Associates and representatives of Moravian Manor regarding the possibility of connecting to the Authority's 12" water line. When they tested the Borough's water system they found that flows were inadequate and are now exploring alternatives. The old Glace drawings show the potential to extend into the Borough. Although a method of billing shared customers is not addressed in the Water Agreement, the Sewer Agreement establishes a procedure which could apply to the water system. This is just to inform the Board that Moravian Manor may request connection to the WTMA system if adequate service cannot be provided by the Borough. If that happens, an agreement would have to be reached with the Borough regarding tapping and user fees. If we would allow connection to our water system, the water usage would not be charged against our capacity.

As part of the evaluation of the Orchard Road Tract, we asked Entech to take a look at the 18" interceptor that runs from Brunnerville Road to Orchard Road. Accessibility of that line is extremely difficult but access would be easier during the winter. We do not have the capability of accessing the line with our own equipment and personnel. D. Zimmerman asked Entech to prepare a proposal and to evaluate the viability of slip lining the sewer main. Entech submitted a proposal for all of the services: evaluation, cleaning, and televising in the amount of \$17,100. Utility Services Group, Inc. would clean and televise the line. D. Zimmerman said that this is something that should be done, if not this year, then next. A motion was made by D. Engle, seconded by E. Stone, to accept the proposal prepared by Entech Engineering, Inc., in the amount of \$17,100 for evaluating, cleaning, and televising approximately 5,000 LF of the 18" Brunnerville Interceptor line. Passed unanimously.

### **MAINTENANCE REPORT**

C. Haws reported on the following maintenance to the systems since the last meeting:

- Maintenance personnel topped off all of the fuel tanks at the pump stations for the generators to prepare for winter.
- We replaced a freeze-out plug that was leaking on the generator at Station 12.
- Batteries were replaced in the generators at 1, 2, 6 and 16.
- Weeds were trimmed around the fire hydrants in areas that are not maintained by homeowners.
- The second phase of Traditions of America was televised. There were no problems with any of the lines.
- We graded and seeded around the curb boxes that we located and raised on Winding Way earlier this summer.
- The old control cabinet was removed from the wet well at Station 2. The electrical system was upgraded by Garden Spot Electric. Electrical systems will be upgraded at Stations 8 & 15 this year completing electrical upgrades to all of the pumping stations.
- Bottom Line Contracting repaired a broken sewer lateral in the street at Pleasant View Drive.
- A block heater was replaced on the generator at Station 5.
- A water leak at 47 Buttonwood Drive was repaired. The leak was on the homeowner side and was repaired by his contractor.
- Sewer lines were televised on Buttonwood Drive.
- Pump 3 at the Newport/Orchard Booster Station was replaced and was taken to Keener Electric Motors for repair.
- The off motor was replaced at Station 7. The motor was taken to Keener's to be rebuilt.
- The grinder unit at Station 7 was jammed with a piece of PVC pipe. We were able to pull it out to remove the jam.
- Maintenance personnel flushed the radiator and block on the generation at Station 9.

### **SOLICITOR'S REPORT**

B. Crosswell reported that a municipal lien at 372 Crosswinds Drive was satisfied.

The Solicitor's office reviewed the Improvement Bond for Traditions of America, Phase 3 and gave some comments to C. Watt.

There has been more activity on the Lititz water rate which will be discussed in executive session.

***Industrial Waste and Pretreatment*** - Entech worked on comparing Lititz Borough's and WTMA's regulations. Today, the Solicitor received a merged document that Entech prepared trying to blend the Lititz pretreatment requirements into WTMA regulations. B. Crosswell said that, in the long term that is the way to go but time did not permit a thorough review of the document and there are some differences, such as enforcement powers that need to be addressed. There are also some terms that may not apply to WTMA. He asked S. Riley to check with

PA DEP to see if WTMA is considered an approved, publically owned treatment works due to the lines that feed into the treatment plant. Sewer lines can qualify an entity as an approved publically owned treatment works and it would probably be worth the effort to find out if WTMA, with respect to its collection and conveyance system is considered approved for purposes of the Pennsylvania Penalties Statute. As a stop-gap measure, the Solicitor prepared a resolution to amend the Authority's Rates, Rules and Regulations to adopt, to the extent that they are more stringent, Lititz Borough's industrial waste and pretreatment standards. Detail sheets that were previously approved by motion of the Board are also included in the resolution. A motion was made by E. Stone, seconded by D. Engle, to adopt a resolution amending the WTMA Sewer System Rates, Rules and Regulations to revise requirements for and limitation on discharges to the sewerage system and the treatment plant and ratifying and confirming previous revisions and additions to the water system and sewer system standard details for Developers. Passed unanimously.

Last month, there was some discussion about a stocking charge for water meters. After the meeting, B. Crosswell and C. Watt discussed how WTMA recoups costs of meters. The Solicitor has concerns about whether or not the cost of storing meters is a recoverable cost under the Municipality Authorities Act. A motion was made by J. Tennis, seconded by T. Clair to rescind the motion that was made at the September meeting to impose a fee for stocking water meters. Passed unanimously.

A developer purchased several permits and meters in 2003, in advance of a proposed increase in tapping fees. Two of those permits are still outstanding. Those meters contain lead and, as of 1/1/2014, may not be installed. New meters are much more expensive. Staff will write a letter to the Developer, notifying him that the meters are obsolete. With the Board's approval, we will offer to exchange the old meters as long as the Developer pays the difference between the cost of the old meters and the cost of the new meters. The board approved the exchange of the meters as stated above.

Another issue is that Developers are using water to test water lines and establish landscaping. At times, this usage can be significant and WTMA is purchasing the water from Lititz Borough. C Watt suggests that the Authority charge Developers for this water usage so that we can recoup our costs. B. Crosswell said that, if the Authority desires to recover this expense, a method needs to be established and written into the Developers Manual and Regulations and Developers Agreement. In the short term, if the situation arises Staff can invoice the Developer for the water used based on a calculation for testing and flushing and on metered usage for irrigation. A motion was made by E. Stone, seconded by J. Tennis, to authorize Authority Staff to recoup water used by developers in connection with development activities and to establish a mechanism to impose the charges and to require them to include it in their escrows per the Developers' Agreement. Passed unanimously.

#### **ENGINEER'S REPORT**

John Brady, of Entech, walked the Brunnerville Interceptor with C. Haws to determine areas for sewer line assessment and to address accessibility issues.

Entech provided information to Land Grant Surveyors related to the Route 501 widening project.

S. Riley attended the workshop meeting on October 7<sup>th</sup>.

Final approval letters were issued for Ziegler Barn and Hometowne Terrace.

#### **SUBDIVISIONS**

**Traditions of America, Ph. 2** - Staff makes a recommendation to approve the drawdown of the construction bond as requested by the Developer. A motion was made by D. Engle, seconded by E. Stone, to approve a drawdown

of the Construction Bond for Traditions of America, Phase 2 in the amount of \$228,509.60, with a balance of \$152,339. to remain available under the bond. Passed with four ayes. J. Gerhart abstained.

**Lititz Reserve, Ph. 2** - Staff makes a recommendation to approve the drawdown of the Letter of Credit as requested by the Developer. A motion was made by E. Stone, seconded by J. Tennis, to approve a drawdown of the Letter of Credit for Lititz Reserve, Phase 2 in the amount of \$119,108, with a balance of \$33,911 to remain available under the Letter of Credit. Passed with four ayes, J. Gerhart abstained.

**Traditions of America, Ph. 3** - D. Zimmerman said that Staff recommends conditional final plan approval for the third phase of this project pending satisfaction of administrative items. A motion was made by E. Stone, seconded by D. Engle, to approve the Final Plan of Traditions of America, Ph. 3, contingent on satisfaction of outstanding administrative items. Passed with four ayes, J. Gerhart abstained.

**Rock Lititz, Phase 1A** - The Developer has requested a drawdown of the Letter of Credit in the amount of \$96,066.60, with a balance of \$77,628.40 to remain available. The improvements that will be dedicated to the Authority are complete and closeout documentation is outstanding. A motion was made by D. Engle, seconded by J. Gerhart, to approve the drawdown of the Letter of Credit for Rock Lititz, Ph. 1A as stated above. Passed with four ayes, T. Clair abstained.

**Willier Tract** - D. Zimmerman said that the Township is getting much more selective in taking over streets as public streets because of overhead in maintaining them. There will be a single street which ends in a cul-de-sac as there is no prospect for future expansion of the road or the water and sewer systems. Because of this, the roadway installed for the Willier Tract will remain private. The Authority's Developers Manual states that all water and sewer lines will be installed in Township or State road rights-of-way and that exceptions will be made only when the Authority determines that accepting the installation is in the best interest of the Authority. This issue came up with Traditions of America, which wanted to keep the streets private, and a special easement was prepared regarding public utilities within private streets. D. Zimmerman said that this issue will become more and more frequent. S. Riley does not recommend allowing water and sewer lines to remain private because of maintenance issues believing that small HOA's often do not last and are not capable of handling the costs of repairs. C. Watt said that the Authority would have to hire an outside firm to perform roadway repairs, spending public funds for private streets. The Authority would also have to deal with homeowner expectations of road repair. W. Crosswell said that it would not be necessary to change the Authority's regulations as there is sufficient flexibility to allow the Authority to decide on a case by case basis whether or not it will accept lines. It was decided by the Board that the Authority, when it approves public utilities within private streets, should adopt as a standard the language contained in the Traditions of America easement which requires only that the Authority restore to grade and cover with cold patch. The Board also decided to retain the existing language in the Developers' Manual. D. Zimmerman said that the residents would be able to petition the Township to take over the roads if the HOA folds but they would be required to show that the utility lines were in good condition and the streets would have to be brought up to standards.

#### **ISSUES PENDING**

**Rothsville Well** - We are slated to submit the DEP withdrawal application by the end of the month. S. Riley will provide D. Zimmerman and C. Haws with a set of drawings on the well design by the end of the day on Friday. Entech has had discussions with Authority Staff on the design which will be about 50 - 60% complete by Friday and that is about what will be submitted to DEP.

**Meter Pit Mapping** - S. Riley provided five sets of the drawings to D. Zimmerman at the start of the meeting. A set will go to the Borough. There is an accompanying narrative with a summary of each meter pit and what and

when improvements were done. There are also detailed as-built drawings. D. Zimmerman said that Staff will set up a meeting to review the drawings with them. There is also an overall map of the entire WTMA water system illustrating the locations of the Lititz owned meter pits. The water distribution and sewer collection maps have been updated as well. S. Riley brought 3 sets of the paper version to the meeting and laminated sheet sets will be provided as soon as C. Haws reviews the paper drawings.

At 8:45 PM, the Chairman announced that the Board will hold an executive session to consult with the Authority Solicitor concerning potential litigation and/or issues upon which identifiable complaints may be filed relating to the Lititz Borough water rates and the Lititz Borough water system.

The regular meeting resumed at 9:00 PM and, as there was no further business to discuss, the meeting immediately **ADJOURNED** on a motion by D. Engle, seconded by T. Clair. Passed unanimously.

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Jeffrey A. Tennis, Secretary