

SPRING-BENNER-WALKER JOINT AUTHORITY

REGULAR MEETING

August 10, 2020

ATTENDANCE:

AUTHORITY MEMBERS:	Spring	Toby Dashner Joseph Galbraith Gregg Heny Chris McMurtrie
	Benner	Dan Hoffman Willis Houser, Jr.
	Walker	Dennis McDowell Joseph Swanderski

GUESTS: None present

CONSULTING ENGINEER: Andy Johnson, P.E.

CONSULTING SOLICITOR: Robert Mix, Esq.

EMPLOYEES: Will Barton, Kelly Gill & Tasha Dutton

CALL TO ORDER:

The August 10, 2020, Regular Meeting of the Spring-Benner-Walker Joint Authority was called to order at 7:00 P.M. by Dennis McDowell, Chairman. Mr. McDowell thanked everyone for attending and stated that the meeting would be recorded for transcription purposes.

ROLL CALL:

Joseph Swanderski, Secretary, took Roll Call, recording eight members present. Mr. Book was excused from the meeting. Mr. McDowell, Chairman, noted that with a quorum present, the Spring-Benner-Walker Joint Authority was permitted to conduct business under the laws of Pennsylvania.

PLEDGE OF ALLEGIANCE:

Mr. McDowell, Chairman, led the Board members and Employees in the Pledge of Allegiance.

APPROVAL OF MEETING MINUTES:

Mr. McDowell asked the Board if there were any questions and/or changes to the July 27, 2020 meeting minutes as presented. **Mr. Galbraith moved, seconded by Mr. Dashner to approve the Minutes of the July 27, 2020 Regular Meeting as presented. 8 ayes, 0 nays, 1 absent. The motion carried.**

CORRESPONDENCE:

Beard Law Company – Mr. McDowell indicated Benner Township’s solicitor, Rodney Beard, sent Mr. Stocker’s attorney, Christine Line, a letter responding to their formal request to revise the Township’s Act 537 Plan Special Study. Mr. Miller indicated Mr. Stocker required the Township’s response before they could proceed to the next step of addressing PA DEP with their concerns.

APPROVAL OF PAYMENTS:

Approval of Requisitions:

Revenue Fund Requisition 2020-10 – Mr. Heny presented the Board with Revenue Requisition #2020-10 in the amount of \$44,559.39. Mr. McDowell asked if there were any questions regarding the presentation of Revenue Fund Requisition #2020-10. Mr. Heny asked if the pipe that was purchased from Altoona Pipe & Steel Supply Company was 1” pipe because he didn’t think we used pipe that small in diameter. Mr. Miller indicated the 1” stainless steel pipe was correct and that it was used to fabricate guide rails, used in the wet well, of Pump Station #4 (Pleasant View). **Mr. Swanderski moved, seconded by Mr. McMurtrie to approve Revenue Requisition 2020-10 payable to SBWJA in the amount of \$44,559.39. 8 ayes, 0 nays, 1 absent. The motion carried.**

GUESTS: There were no Guests present for the meeting.

SYSTEM OVERVIEW REPORT:

Will Barton, Maintenance Crew Leader, provided an overview of the work completed on the sanitary sewer system for the month of July 2020.

In-Home Inspections - There were 51 in-home inspections completed in the month of July. Mr. Barton stated there were three (3) HVAC systems connected to the public sewer that were removed. A broken standpipe and missing cleanout cap were noted at 535 Valley View Road. There were also roots located in the 6" X 4" reducer at 149 Faust Circle, which required excavation for repair.

Sewer Permits and/or Lateral Inspections - Our maintenance department completed 13 new sewer lateral inspections in July. There were six (6) in Nittany Glen, one (1) on Feidler Road, two (2) in Springfield, two (2) on Kenlee Drive and two (2) on Empire Court Road. The office staff received 12 new permit applications in the amount of 12.00 EDUs and issued the permits.

System Maintenance - Our employees obtained readings at all of the meter pits and cleaned the flow channels. A new exhaust fan was installed in the chlorine room at Pump Station #7 (Zion Ridgecrest). All peristaltic pumps were cleaned and lubricated. We met with Allegheny Contracting in Brocker Hoff Heights for a pre-construction meeting. A pump was repaired and replaced at Pump Station #6 (Rockview). There were new impellers and wear plates installed at Pump Station #9 (Penn Eagle), which resulted in a 30% gain of pump output. The floats and level sensors were cleaned at all Pump Stations. A float tree was replaced in a private grinder at 519 Valley View Road. Our staff installed manhole markers throughout the system to assist in identifying manholes in areas that are not regularly maintained. We completed electric troubleshooting for several new Orenco system pumps on Feidler Road that were not wired properly by the contractor. The maintenance staff also re-terminated a push camera connection. There were holes found in the chlorine lines at Pump Station #8 (Zion Stover) and Pump Station #9 (Penn Eagle); therefore, the chlorine lines were replaced. Our front and rear shops were cleaned, organized and unused items were disposed of. The check valves were cleaned at Pump Station #8 (Zion Stover) and Pump Station #6 (Rockview). There were temporary repairs to Pump Station #11 (Jenny Gap) until the upgrades are made. A manhole was adjusted to the correct elevation prior to a private paving job at Alpine Sales & Rentals Corporation on Pleasant View Boulevard. The pressure lateral at Troy's Hoagies on the Benner Pike was broken and has been corrected. All the garage doors and door jambs were painted at Pump Station #6 (Rockview) and the oils were changed in all of our submersible pumps.

Video Truck - Our personnel completed 4,677 feet of video work for the month of July. We completed video work at the Village of Nittany Glen due to their maintenance bond expiring in August and completed follow-up video work for Spring Township's water project. Mr. Barton also indicated a few problem areas were video inspected.

Vactor Truck – We jetted 60 feet of storm pipe on Greens Valley Road for Spring Township.

Sewer Extensions – The maintenance staff reviewed prints for the Village of Nittany Glen and prints to relocate a small portion of 6" lateral behind the former Pleasant Gap Fire Hall. A pre-construction meeting took place on 7/29/2020 to discuss the construction of Deerhaven Phase 3A, which started on 8/3/2020.

Benner Township Water Authority – The maintenance staff painted the doors and door jambs at Hampton Hills, Opequon and Grove Park well houses. We obtained bacteria samples for testing and installed new snubbers at Hampton Hills. The maintenance staff located and repaired a water leak on Aster Avenue. We verified the calibration curve on the Colorimeters and repaired a chlorine pump at Hampton Hills. Trees were trimmed at the Hampton Hills well house and there were a total of five (5) PA One Calls being located in July.

Call Outs/ PA One Calls – There were a total of four (4) call outs throughout the month of July. The Rockview Pump Station had Pump #1, #2 and #3 failure. There were Pump #1 and #2 failures at Pump Station #7 (Zion Ridge). We had an error with our SCADA system, which required it to be rebooted at the office. An emergency one call was also marked at 164 Hecla Road in Walker Township due to a water leak. Mr. Barton ended the report with a total of 79 PA One Calls being located in July.

Mr. Barton informed the Board of the maintenance department receiving compliments from contractors regarding their work and the professionalism of the ladies in the office.

EXECUTIVE DIRECTOR'S REPORT:

Act 537 Plan Special Study – Mr. Miller, Mr. Johnson and Mr. Raber met with the property owners, Larry Ermol and Russell Burman, along the stream where the artifacts were found during the Phase I Archaeological Survey to discuss placement of the projected sewer mainline. The artifacts that were found consisted of chips of rock that were shaved from making arrowheads. Mr. Miller stated PHMC will invoice the Authority approximately \$375.00 to log the artifact findings and then the homeowners may keep the findings or donate them to the PA historical museum. The preliminary plan is to cross the stream onto Larry Ermol's property at 1036 Ellman Lane and then continue to the pump station. Mr. Miller indicated the best option at this time would be to bore under the area in question. Mr. Johnson stated the length of the bore would be approximately 300 feet and 10 feet deep. Mr. Raber will complete his report and submit it to PHMC. Mr. Johnson estimated it will take PHMC approximately 30 days to review and submit a response to us. Once we receive a response, we can forward the Act 537 Plan Special Study to PA DEP for review.

Pump Station #4 (Pleasant View) – The mounts and guide rails that hold the submersible pumps in place within the wet well at Pump Station #4 (Pleasant View) had rotted apart; therefore, our maintenance staff had to complete upgrades. The upgrades involved 1 ½ yards of new concrete being poured to reform the bottom of the wet well and new pump mounts and guide rails were fabricated to hold the submersible pumps in place. Our maintenance department will be required to complete similar work to Pump Station #10 (Valley View Road) and Pump Station #11 (Jenny Gap). Mr. Miller stated the PA Department of Community & Economic Development (PA DCED) is scheduled to award funds for the PA Small Water and Sewer grant the week of August 17, 2020; therefore, we will wait to start the upgrades at Pump Station #10 (Valley View Road) and Pump Station #11 (Jenny Gap) to see if we may be eligible for grant monies.

SR64/SR550 Project - A utility field meeting was held with PennDOT on August 3, 2020 to discuss the impacts to existing utilities within the SR64/SR550 Project. This project is scheduled to start in March of 2021. There will be elevation adjustments made to several of our manholes during this project, which will be minimal. Mr. Miller indicated there is also a portion of privately owned sewer main, that was never connected to our system or dedicated to us that runs, from the corner of the old Fellowship Hall property on Zion Road through Miles Clevestine's fields along SR550 to the "Y" in Zion, that will require elevation adjustments to the manholes. The manholes will be adjusted accordingly and the owner, Jane Clevestine, of this sewer mainline will be invoiced for the work. Mr. Miller stated this piece of property may develop in the future; therefore, they will be required to have testing completed to their private line prior to dedication and connecting to our system.

I-80, Phase I Project – Mr. Swanderski asked if the Authority would be affected by the I-80, Phase I Project. Mr. Miller stated the old Tele-Media building at 804 Jacksonville Road is the closest we come to the project; therefore, we will not be affected.

SOLICITOR'S REPORT: Mr. Mix had nothing to discuss.

ENGINEER' S REPORT:

Berks at Nittany Glen – Mr. Johnson indicated he had a conference call with Mr. Miller, Mr. Stafford and a representative from Envirep regarding the suction lift pumps that will be installed at the new pump station for the Berks at Nittany Glen in Benner Township. This pump station will be constructed, at the developer's cost, to our specifications and then be dedicated to us. Mr. Miller anticipates the pump station will be completed by the end of next year.

OLD BUSINESS: There was no Old Business presented for discussion.

NEW BUSINESS:

Resolution #2020-01 (Amendment to In-Home Inspection Policy) –Mr. Miller indicated that our original in-home inspection policy did not address broken or damaged building sewer laterals being charged an inflow charge as we do for unauthorized connections; therefore, Mr. Mix created Resolution #2020-01 to amend our previously adopted Resolution #2006-01 and amended Resolution #2013-4. Resolution #2020-01 will allow SBWJA to assess an inflow charge against a customer who fails to replace or repair a damaged building sewer lateral on their property. **Mr. Hoffman moved, seconded by Mr. Dashner to approve Resolution #2020-01 amending Resolution #2006-01, adopted February 13, 2006, as amended by Resolution #2013-04, effective January 1, 2014, to provide for an inflow charge to be assessed against a customer who fails, after notice, to replace or repair a damaged building sewer lateral on his property as attached and made a part of these official meeting Minutes. 8 ayes, 0 nays, 1 absent. The motion carried.**

COMMITTEE REPORTS:

Personnel & Community Relations Committee: Mr. Hoffman had nothing to report.

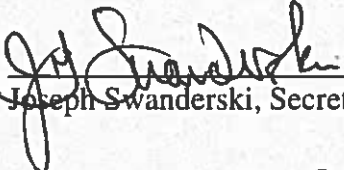
Facilities Committee: Mr. Book was absent.

Financial Committee: Mr. Heny had nothing to report.

ADJOURNMENT:

Mr. Dashner moved, seconded by Mr. McMurtrie to adjourn the meeting at 7:32 p.m. 8 ayes, 0 nays, 1 absent. The motion carried.

Respectfully submitted,



Joseph Swanderski, Secretary



Tasha L. Dutton, Recording Secretary

CC: Benner Township _____
Spring Township _____
Walker Township _____

**SPRING-BENNER-WALKER JOINT AUTHORITY
RESOLUTION # 2020 - 01**

A RESOLUTION OF THE SPRING-BENNER-WALKER JOINT AUTHORITY (AUTHORITY), CENTRE COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO. 2006-01, ADOPTED FEBRUARY 13, 2006, AS AMENDED BY RESOLUTION 2013-4, EFFECTIVE JANUARY 1, 2014, TO PROVIDE FOR AN INFLOW CHARGE TO BE ASSESSED AGAINST A CUSTOMER WHO FAILS, AFTER NOTICE, TO REPLACE OR REPAIR A DAMAGED BUILDING SEWER LATERAL ON HIS PROPERTY

WHEREAS, the Spring-Benner-Walker Joint Authority (Authority) is a Pennsylvania municipal authority created and existing under the provisions of the Pennsylvania Municipal Authorities Act of 1945, as amended, (Act), which provides public sewer service to industrial, commercial and residential customers in its incorporating Municipalities.

WHEREAS, the Authority previously adopted Resolution 2006-01, effective February 13, 2006, as amended by Resolution 2013-4, effective January 1, 2014, imposing an inflow charge on its customers in order to identify and correct unauthorized connections to its sewer system and to otherwise prevent the introduction of water other than domestic sewage into its sewer system contrary to its policies and Rules and Regulations.

WHEREAS, the Authority has operated under the policies and procedures established by Resolution 2006-01, as amended by Resolution 2013-4 for a period in excess of fourteen (14) years.

WHEREAS, by utilizing the policies and procedures established by Resolution 2006-01, as amended by Resolution 2013-4, the Authority has identified and corrected numerous sources of and otherwise prevented the introduction of significant amounts of water other than domestic sewage into its sewer system.

WHEREAS, the Authority believes that an amendment to the policies and procedures established by Resolution 2006-01, as amended by Resolution 2013-4, are necessary to better carry out its purpose, to include establishing a charge to be assessed against a customer who fails, after notice, to repair a

broken or damaged building sewer lateral, which permits the introduction of amounts of water other than domestic sewage into its sewer system.

NOW THEREFORE, be it resolved by the Board of the Spring-Benner-Walker Joint Authority that Resolution 2006-01, as amended by Resolution 2013-4, is amended as follows:

Section I. Inflow Charge.

(A) Amount. An Inflow Charge shall be imposed against each customer of the Authority's sewer system, in a quarterly amount equal to three (3) times the quarterly sewer rental charges then in effect. This Inflow Charge shall be added to the quarterly billing for each customer of the system, in accordance with the provisions hereof. Said fee to be used to generate income for the Authority to treat unauthorized inflow generated from sump pumps, HVAC condensate drainage and other similar unlawful devices or inflow permitted by a broken or damaged building sewer lateral.

Said charge to be in addition to the quarterly sewer rental charges billed to each customer account. The Inflow Charge shall be billed and collected on the same schedule as the quarterly sewer rental charge. The Board may increase or decrease the inflow charge by appropriate resolution.

(B) Notice. The Authority shall give each customer fifteen (15) days notice of the pending imposition of the Inflow Charge. The Inflow Charge shall be imposed on all customers on a staggered basis so as to provide each customer with ample opportunity to obtain an inspection of their property by representatives of the Authority or a third party approved by the Authority, at its sole discretion, to conduct such an inspection and, if necessary, make the changes necessary to avoid imposition of this fee, as provided for herein. Along with the notice provided by this Section, each customer shall also be provided with a written explanation as to how this fee can be avoided pursuant to this Resolution.

In the event a customer elects to have an approved third party conduct the inspection, he or she will be responsible for hiring the approved third party, making arrangements for the inspection to be completed within the required time period and paying all fees, costs and expenses charged by the approved third party to conduct the inspection.

Notice under this section shall be given via U.S. Mail. The date of the inflow inspection shall, in all cases, be before the Inflow Charge is imposed;

however, the date of the inspection must be within 30 calendar days of the notice. If the customer does not allow the Authority or an approved third party to undertake the inflow inspection as scheduled, or make alternative scheduling arrangements with the Authority, the quarterly fee will be imposed on the customer's next quarterly bill and all subsequent quarterly bills, until the customer allows for an inspection by the Authority or an approved third party and/or the correction of any unlawful hook-ups or a damaged or broken building sewer lateral. Additionally, the owner of the property, if different, will be notified, in writing. If an inspection uncovers an unauthorized source of inflow into the system or a damaged or broken building sewer lateral, and same is not corrected as provided for herein, the quarterly fee will be imposed on the customer's next quarterly bill, and all subsequent quarterly bills, until the customer corrects any unlawful hook-ups and allows for a follow-up inspection by the Authority or an approved third party.

(C) Inflow Inspection. With the notice provided for herein, each customer shall be given a date and time for an inflow inspection by the Authority or an approved third party. If the customer is unavailable at the date and time given, he/she may contact the Authority to arrange for an alternate date and time. The purpose of this inspection is to permit the Authority or an approved third party to inspect the premises for sump pump and other unauthorized inflow causing devices being tied into the sewer system or a damaged or broken building sewer lateral permitting inflow into the sewer system. This inspection shall occur not more than thirty (30) days from the date of the notice provided for herein and, in no case, will a customer be subject to the Inflow Fee without first having been given the opportunity to have an inspection of the premises completed and any needed remedial actions taken. Should an illegal connection or a damaged or broken building sewer lateral be found, the customer will be assessed an inspection fee of \$50.00 for this initial inspection. If it is determined at the initial inspection there are not any illegal connections or a damaged or broken building sewer lateral there is no charge for the inspection. If an inspection is scheduled and the customer is not present to allow Authority personnel or an approved third party to enter the property, a \$50.00 fee will be assessed.

Upon inspection, the Authority shall relieve the customer of the Inflow Charge if it determines the customer is not contributing to unauthorized inflow into the system, does not have a damaged or broken

building sewer lateral, or has satisfactorily and in a timely manner complied with the Notice of Violation issued by the Authority as provided for herein.

(D) Notice of Violation. If the Authority determines that a device contributing to unlawful and unauthorized inflow or a damaged or broken building sewer lateral is located on a premises, the Authority shall immediately notify the customer and owner, if different, in writing, of the presence of said illegal connection or a damaged or broken building sewer lateral. The customer or owner shall, thereafter, have fifteen (15) days from the date of the Notice of Violation from which to disconnect the device and/or thirty (30) days from the date of the Notice of Violation to repair the building sewer lateral. Upon the expiration of the fifteen (15) day period, the Authority or an approved third party shall conduct a follow-up inspection in order to verify compliance with the Notice of Violation. Additional compliance inspections may also be conducted. If a user complies with the Notice of Violation issued, no inflow charge shall be imposed.

(E) Appeal. Any customer or owner who receives a written Notice of Violation may file a written appeal with the Authority not later than ten (10) days from the date of the Notice of Violation. The filing of an appeal will temporarily stay the requirement that the unlawful and unauthorized inflow causing device be dismantled or that a damaged or broken building sewer lateral be repaired, but it will not stay the imposition of the Inflow Charge.

(F) Injunction. The Authority shall require the elimination of any unlawful and unauthorized inflow causing device or the repair of a damaged or broken building sewer lateral. The Authority may pursue an order from the Centre County Court of Common Pleas requiring the elimination of the device or the repair of a damaged or broken building sewer lateral, if the customer or owner fails to comply with any Notice of Violation issued by the Authority. The customer or owner shall be responsible for the Authority's cost and expenses, including its attorney fees, if the Authority is required to pursue legal action in order to accomplish the dismantling or removal of unlawful and unauthorized inflow causing device or the repair of a damaged or broken building sewer lateral. In addition to the above, the Authority, in such a situation, may take all other actions provided for by law. Until the device in question is eliminated or a damaged or broken building sewer lateral is repaired, the fee provided for herein shall apply to the account and not be refunded.

(G) Periodic Charge. If it is deemed necessary by the Board of the Authority, the inflow charge and associated actions by the Authority, may be imposed annually, or more frequently, as the Board of the Authority so determines. The assessment and inspection schedule for all future impositions of this inflow charge shall be at the discretion of the Board of the Authority.

(H) Schedule of Initial Assessments. So as to provide ample opportunity for inspection by the Authority, and fee avoidance by the Authority's customers, the initial inflow fee will not be charged to all customers of the system simultaneously, but will be introduced in stages at the discretion of the Authority Director.

(I) Reconnection of Unlawful Hook-up. If following a notice of violation a customer, the Authority or an approved third party disconnects an unlawful hook-up to the Authority's sewer system and the customer subsequently reconnects said unlawful hook-up to the Authority's sewer system a charge of One Thousand (\$1,000.00) shall be imposed against the customer.

Section II. Tenant/Owner Responsibilities.

The Inflow Charge will be assessed, if necessary, against the registered customer of the Authority. If the customer is not the property owner, responsibility for compliance with this Resolution will fall primarily to the owner as with all Authority charges and fees, ultimate responsibility will be that of the property owner. The Authority advises all parties in a landlord-tenant relationship to work together to comply with this Resolution.

Section III. Severability.

In the event any provision, section, sentence, clause or part of this Resolution shall be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Authority that such remainder shall be and shall remain in full force and effect.

Section IV. Repealer.

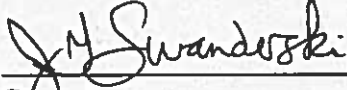
All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent herewith, shall be, and are hereby, repealed. However, nothing in this Resolution shall impact the Authority's legal right to conduct administrative inspections.

Section V. Effective Date.

This Resolution shall be effective August 11, 2020.

The undersigned Secretary of the Spring-Benner-Walker Joint Authority, hereby certifies that the foregoing Resolution was duly adopted by the Authority at a regular meeting held on August 10th 2020, 2020 and that proper public notice of said meeting was duly given by posting and publication in accordance with the Sunshine Act, the Act of Oct. 15, 1998, P.L. 729, No. 93, § 1, General Assembly of the Commonwealth of Pennsylvania, as amended, and that said Resolution has not been rescinded or amended and remains in full force and effect.

Witness the signature of the undersigned and the seal of the Authority this 10th day of August, 2020



Secretary
Spring-Benner-Walker Joint Authority

[SEAL]