

SPRING-BENNER-WALKER JOINT AUTHORITY

REGULAR MEETING

August 12, 2019

ATTENDANCE:

AUTHORITY MEMBERS:

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| Spring | Joseph Galbraith Gregg Heny Chris McMurtrie Dondi Smeltzer |
| Benner | Brian Book Dan Hoffman Timothy Miller |
| Walker | Dennis McDowell Joseph Swanderski |

GUESTS: Joseph Capperella and Randy Moyer

CONSULTING ENGINEER: Andy Johnson, P.E.

CONSULTING SOLICITOR: Robert Mix, Esq.

EXECUTIVE DIRECTOR: N. Warren Miller

EMPLOYEES: Kelly Gill & Brandon Eckenroth

CALL TO ORDER:

The August 12, 2019, 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:

Dondi Smeltzer, Secretary, took Roll Call, recording nine members present. 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, Guests 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 22, 2019 meeting minutes as presented. **Mr. Galbraith moved, seconded by Mr. Book to approve the Minutes of the July 22, 2019 Regular Meeting as presented. 9 ayes, 0 nays. The motion carried.**

CORRESPONDENCE:

Benner Township Supervisors – We received a letter from the Benner Township Supervisors requesting our Authority provide additional information for the proposed sewer extension to the Shiloh Road/Walnut Grove/Big Hollow area. The Supervisors have indicated they would like this information for use in addressing public questions and concerns upon receipt of the Act 537 Plan Special Study, which may involve a public meeting.

Mr. Swanderski asked if Mr. W. Miller would be attending the public meeting/presentation hosted by Benner Township and Mr. W. Miller stated Mr. Johnson and himself plan to attend the public meeting.

After a lengthy conversation, the Board agreed to send a letter to the Benner Township Supervisors acknowledging discussion of the request and indicating that many of the requested items will be addressed within the Act 537 Plan Special Study. This information will not be available until the special study is completed. It was also noted that any questions that arise at the public meeting would be better addressed by our Authority personnel and/or engineer. **Mr. Book moved, seconded by Mr. Galbraith to authorize N. Warren Miller to draft a response to Benner Township Supervisor's August 5, 2019 letter which will be signed by the Authority Chairman. 9 ayes, 0 nays. The motion carried.**

Erdman Anthony – We received a letter and maps from Chad Martin of Erdman Anthony requesting utility location information for the SR0064/SR 550 project, which involves the relocation of the intersection. The requested information was provided to Erdman Anthony on August 8, 2019.

State College Chapter of Citizens Climate Lobby – We received an email from Sylvia Neely, Group Leader, inviting the Board members to a presentation and tour of the University Area Joint Authority's solar array on September 22, 2019 at 3:00 p.m.

APPROVAL OF PAYMENTS:

Approval of Requisitions:

Revenue Fund Requisition 2012-152– Mr. Heny presented the Board with Revenue Requisition #2012-152 in the amount of \$86,765.19. Mr. McDowell asked if there were any questions regarding the presentation of Revenue Fund Requisition 2012-152. Mr. Smeltzer referenced the payment to Groff Tractor & Equipment for a 3 ton hook weld and asked what that was. Mr. W. Miller stated it was a 3 ton hook that was welded onto the front of the backhoe bucket for hooking a chain to for lifting. **Mr. Book moved, seconded by Mr. Galbraith to approve Revenue Requisition 2012-152 payable to SBWJA in the amount of \$86,765.19. 9 ayes, 0 nays. The motion carried.**

GUESTS:

Randy Moyer and Joe Capperella (Radio Drive Right-of-Ways) – Mr. Moyer and Mr. Capperella were in attendance at the meeting inquiring about the status of the easement for sewer service to Lot 1 of the Koltay Subdivision along Radio Drive. Mr. Mix indicated he received an email last Friday from 4B's Partnership's attorney stating they have accepted the Authority's counter offer and would like a draft easement agreement sent to them for their review. Mr. Mix sent the easement agreement to their attorney earlier today.

Due to the delays experienced with receiving a response, Mr. Mix recommended the Authority approve Resolution #2019-01 which he drafted that would allow for this Authority to proceed with the declaration of taking if the Authority is unable to obtain the easement within a timely manner. This is not filed with the court, just the initial step in place if the Authority chooses to pursue that avenue.

SBWJA Resolution #2019-01 – Mr. Book moved, seconded by Mr. McMurtrie to approve SBWJA Resolution #2019-01 to allow for the declaration of taking of an easement from Tax Parcel No. 12-003,041A owned by 4B's Partnership for the purpose of constructing and operating an extension of its public sewer system, which is attached and made a part of these official meeting minutes. 9 ayes, 0 nays. The motion carried.

Radio Drive Right-of-Way – Mr. Galbraith moved, seconded by Mr. Hoffman to authorize compensation in the amount of \$4,000 payable to 4B's Partnership, Tax Parcel No. 12-003,041A, for an easement for the purpose of constructing and operating a public sewer system extension. 9 ayes, 0 nays. The motion carried.

Mr. Moyer asked for a timeframe associated with moving forward with the project since the PA DEP will not allow them to submit the land development plan until the right-of-way agreement is obtained, which also impacts the financing for the project. Mr. W. Miller stated that once the Authority is in receipt of the signed easement agreement he will contact Mr. Moyer so the planning process can begin. Mr. Moyer thanked the Board for their assistance throughout this process.

SYSTEM OVERVIEW REPORT:

July 2019 System Overview – Mr. W. Miller reviewed the July 2019 System Overview with the Board.

In-Home Inspections - There were 43 in-home inspections completed in the month of July. The Authority staff is beginning to notice a trend in which some of these illegal connections have been reconnected to the sanitary sewer. In 2013 our Authority updated its rules and regulations to allow for a \$1,000 charge for the reconnection of an illegal connection to the sanitary sewer. In an attempt to keep our customers aware of the Authority's rules and regulations, we have begun sending a letter to the new owner notifying them of the previous violations and making them aware of the \$1,000 charge that will be assessed if a previously identified illegal connection is reconnected to the sanitary sewer.

Sewer Permits and/or Lateral Inspections - Our maintenance department completed five (5) new sewer lateral inspections in July with one being the new Wendy's along Buckaroo Lane. The office staff received five (5) sewer permit applications in the amount of 9.08 EDUs and issued the permits. One of those permits was for the new Rutter's in Benner Township.

System Maintenance - The maintenance department completed various system maintenance throughout the month including video inspection of 14,545 feet of sewer line and jetting/cleaning 21,469 feet of sewer line. Mr. W. Miller also informed the Board that the fairly large sink hole that developed in the vicinity of our sewer mainline behind Willow Bend in Benner Township has been remediated. The sink hole was packed with rock and clay. There was no damage to our sewer mainline.

Benner Township Water Authority - There were multiple tasks performed for the Benner Township Water Authority, which included plumbing repairs to the Grove Park water system and continuous disinfection of the unused mainline in the back side of Edward Drive for a new connection. A bacteria test was completed earlier today to determine if the line can be put into use.

Sewer Extensions - Our staff completed reviews of several sewer extension projects for development occurring within our service area. Stonehenge Phase 7 is currently being installed and there are two additional developments planned for this construction year which include the next phase of Steeplechase and the Village of Nittany Glen. Deerhaven Phase 2A was just completed and will be ready for sewer permits soon.

Vector Truck - We assisted Murmac Farms with cleaning/jetting a manure line several times throughout the last month and also used our power snake to clean a plugged culvert pipe.

Inter – Municipal Work –The maintenance staff raised manholes for Benner Township’s paving project and we will be completing similar work for Spring Township later this month.

Call Outs/ PA One Calls – There was a callout to Pump Station #11 (Jenny Gap) for a power failure which was due to having debris in the pumps. Mr. W. Miller ended the report with a total of 101 PA One Calls being located in July.

Mr. T. Miller asked if we had a running tally of how many EDUs we added for the calendar year to date. Mr. W. Miller stated no, but that information could be provided at the next meeting. Mr. T. Miller asked if this information could be provided periodically—such as over a six month period.

EXECUTIVE DIRECTOR’S REPORT:

SCADA/Office Computers – Mr. W. Miller informed the Board that a few months ago we learned that Windows 7 is no longer going to be supported after August 31, 2019. All operating systems currently used by the Authority runs on Windows 7; therefore, it is necessary to upgrade to Windows 10. This would involve our SCADA (pump station alarm) system, office computers, laptop and server. The office computers, office laptop and server will cost approximately \$15,000 and the SCADA computer will cost approximately \$15,000. Mr. W. Miller indicated the office computers/server are in there ninth year. The purchases will be made through COSTARS. These unforeseen costs were not included within the 2019 budget.

Mr. T. Miller asked if everything in that budget category was purchased? Would there be any savings that those monies could be directed towards this purchase? Mr. W. Miller stated the kitchen hasn’t been built yet and the \$20,000 budgeted for that could be applied to this purchase; however, he doesn’t feel there will be an issue with finances for the 2019 year.

Anti-Virus/Piracy Protection – Mr. T. Miller asked if the Authority is protected against hacking and/or a data breach of the computer system. There have been many organizations within Centre County that have been hacked and had their data corrupted. Mr. W. Miller stated we have a contract with RBA to oversee our information technology who has installed a firewall and a security system. Mr. Eckenroth indicated RBA also handles the security for the Centre County 911 Center. Mr. T. Miller suggested we contact RBA to see how protected we are against a data breach.

Workload after In-Home Inspections – Mr. McDowell stated that he assumed the Authority has dedicated two employees to complete the in-home inspections and asked where this labor is being redirected since this work is nearing completion. Mr. W. Miller informed the Board that it hasn't been the same two personnel completing the inspections over the past 13 years. The in-home inspections are still ongoing as properties transfer ownership and new connections are added. Mr. W. Miller reminded the Board that we completed 43 in-home inspections in the month of July. This program is an ongoing task.

Mr. McDowell wanted to make sure we were covered labor wise due to the level of effort being less with these inspections. Mr. W. Miller indicated there is plenty of work to do throughout the system and this Authority could use more inspectors for new line construction.

Mrs. Gill informed the Board that the maintenance staff has been able to complete more preventative maintenance, including cleaning, jetting and video inspecting the sewer mainlines which aids in catching problems before they occur.

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

ENGINEER' S REPORT:

Shiloh Road Project – Mr. Johnson reported the field survey work was finished about two weeks ago. The Authority was then approached by two property owners of Walnut Grove about the location of the mainline and their taps. The first property owner was along Majestic View Drive, on the lower side, and inquired about routing the sewer main to the rear of the properties where the existing on-lot systems are, which was more economical. Mr. Johnson indicated the surveyors returned to pick up this modification.

The second resident was near the bottom of Walnut Grove Drive and was concerned about his lateral coming out at/near the rock ledge that he wanted to avoid. The specific location of the tap will be directed by the homeowners as part of the construction phase.

Mr. Johnson reported that we received clearance from Pennsylvania Natural Diversity Inventory (PNDI) which is the environmental review that helps identify impacts to threatened, endangered species. We are still waiting for the Pennsylvania Historical & Museum Commission's (PHMC) review to come back that was submitted about a month ago. Once we have that clearance, the study can be finalized and ready for submission. Mr. T. Miller asked if the special study had to be approved by the Authority Board before submittal to the County and Township for the public comment period. Mr. Johnson stated that once the special study is finalized it will be submitted to Mr. W. Miller for review. That's up to the Board to decide if they want to review the special study first or have Mr. W. Miller provide his approval. Mr. Book stated that there is no requirement at the state level that requires approval by this Authority.

Mr. Book asked if any sanitary surveys were completed as part of the process and Mr. Johnson stated no. Mr. Johnson indicated the surveyors talked to mostly every affected property owner while on site and all with the exception of about five seemed to be accepting of the project. Mr. Johnson stated that the surveyors did note a property that has raw sewage on the ground, coming up out of the drain field. There is a rather large wet area that they can't mow because of the very obvious failing on-lot system.

OLD BUSINESS:

Hughes Street Vacant Lot – Mr. Smeltzer asked when the Hughes Street extension was completed a couple of years ago was the tap for the vacant lot identified by a 4x4 wooden stake? Mr. W. Miller stated yes. Mr. Smeltzer then asked if the Authority was aware of another vacant lot on the other side of the Borough's water tank? Discussion was held about the location of this additional vacant lot and the possibility of public sewer. Mr. W. Miller and Mr. Smeltzer will review the tax maps after the meeting to obtain a better understanding of the property to determine the possibility of connection to public sewer.

NEW BUSINESS:

Steeplechase Phase 7 Sewer Extension Agreement (26 EDUs) – Mr. W. Miller indicated the developer for Steeplechase Phase 7 is almost ready to proceed with a mainline extension and has submitted a Sewer Extension Agreement. This is the last phase of single family dwellings in the Steeplechase development. **Mr. Book moved, seconded by Mr. T. Miller to approve the Sewer Extension Agreement for Steeplechase Phase 7 in the amount of 26 EDUs. 9 ayes, 0 nays. The motion carried.**

Health Insurance – Mr. T. Miller indicated some discussions were previously held about health insurance and wanted to know if the Authority ever considered Pennsylvania Municipal Health Insurance Cooperative. Mrs. Gill stated yes, several years ago she attended a seminar where Benecon was making a presentation about the program. Following the seminar Mrs. Gill contacted the representative from Benecon, submitted our Authority's current plan and rates at the time and was told that it would not benefit us at that time. Our rates and coverage were better than what they could offer. Mrs. Gill stated she recently discussed looking at this again through our health insurance broker and was told that the minimum threshold for consideration was 15 employees. Our Authority only has 12 employees and this likely would not be an option. Mrs. Gill stated that she knows of many municipalities in Centre County that participate in the program, including Bellefonte Borough. Mr. Galbraith stated he talked with Spring Township's Manager who indicated they also looked into this program, but it was not beneficial for them.

COMMITTEE REPORTS:

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

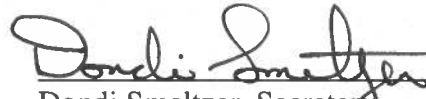
Facilities Committee: Mr. Galbraith had nothing to report.

Financial Committee: Mr. Heny had nothing to report.

ADJOURNMENT:

Mr. Galbraith moved, seconded by Mr. McMurtrie to adjourn the meeting at 8:24 p.m. 9 ayes, 0 nays. The motion carried.

Respectfully submitted,



Dondi Smeltzer, Secretary



Kelly J. Gill, Recording Secretary

CC: Benner Township _____
Spring Township _____
Walker Township _____

SPRING-BENNER-WALKER JOINT AUTHORITY

RESOLUTION #2019-01

RESOLUTION AUTHORIZING THE SPRING-BENNER-WALKER JOINT AUTHORITY'S (AUTHORITY) SELECTION AND APPROPRIATION OF A RIGHT OF WAY AND EASEMENT OVER A CERTAIN PARCEL OF REAL ESTATE LOCATED IN BENNER TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA, KNOWN AS CENTRE COUNTY UNIFORM PARCEL IDENTIFIER NO. 12-003B,041A,0000 OWNED BY 4 B's PARTNERSHIP FOR THE PURPOSE OF CONSTRUCTING AND OPERATING AN EXTENSION OF ITS PUBLIC SEWER SYSTEM AND AUTHORIZING THE AUTHORITY, ITS OFFICERS, EMPLOYEES, AGENTS OR SOLICITOR TO TAKE ALL NECESSARY ACTION TO EFFECT THE SAME AND TO CARRY OUT THE PURPOSES OF THIS RESOLUTION

WHEREAS, The Spring-Benner-Walker Joint Authority, (the "Authority") is a body corporate and politic organized by Spring, Benner and Walker Townships, Centre County, Pennsylvania, incorporated under the Pennsylvania Municipal Authorities Act of 1945 and existing under the Pennsylvania Municipal Authorities Act of 2001; and

WHEREAS, the Spring-Benner-Walker Joint Authority provides sewage collection and treatment service to its residential, commercial, industrial and governmental customers throughout its service areas in Spring, Benner and Walker Townships, Centre County, Pennsylvania; and,

WHEREAS, the Authority proposes to construct an extension of its sanitary sewer system in Benner Township to provide sewer service to a parcel of real estate in Benner Township known as Centre County Uniform Parcel Identifier No. 12-003B,041C,0000 owned by Capperella Automotive, Inc. (hereinafter "Project"); and,

WHEREAS, it is necessary that the Authority acquire a permanent and / or temporary easement or right-of-way across a certain parcel of real estate in Benner Township, known as Centre County Uniform Parcel Identifier No. 12-003,041A,0000, owned by 4 B's Partnership in furtherance of this project; and,

WHEREAS, the easement or right-of-way to be acquired is of the type and description set forth more specifically in the drawing attached hereto, incorporated herein and marked Exhibit "A;" and,

WHEREAS, the Authority has been unable to obtain the consent of the owner of said parcel of real estate as to a grant of such easement or right-of-way or as to the price or damages to be paid for such easement or rights-of-way; and,

WHEREAS, in accordance with Section 5615 of the Pennsylvania Municipality Authorities Act of 2001, as amended, the Authority is authorized to acquire easements or rights-of-way over real estate through eminent domain proceedings.

NOW, THEREFORE, BE IT RESOLVED, that the Spring-Benner-Walker Joint Authority, in accordance with the authority conferred by law, selects and appropriates for the purpose of construction and operation of an extension of its public sewer system to be constructed in Benner Township an easement and right-of-way over that certain parcel of real estate described above and as described on the drawing marked Exhibit "A."

RESOLVED: That the title to be acquired shall be an easement or right-of-way.

RESOLVED: That the Spring-Benner-Walker Joint Authority and its appropriate officers, employees, agents and solicitor are hereby authorized to file a declaration of taking and such other proceedings including the entry of such bond as may be necessary or desirable to carry out the purposes of this Resolution.

RESOLVED: That the institution of such proceedings and any damages which may be awarded to the owners of said premises are to be paid out of funds of the Spring-Benner-Walker Joint Authority.

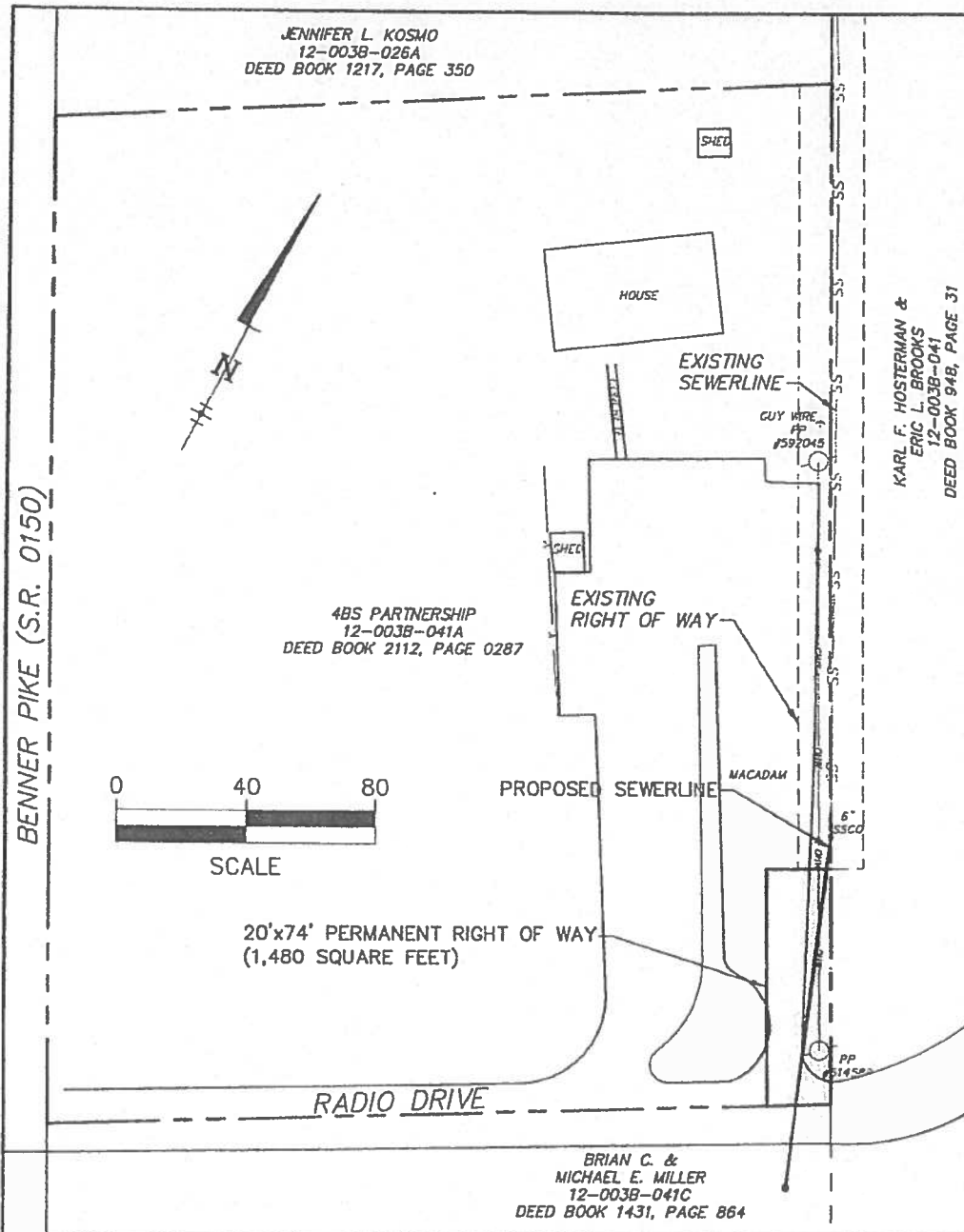
VOTE ON THE RESOLUTION:

FOR 9

AGAINST 0

IT IS HEREBY CERTIFIED that the within Resolution was adopted by the Board of the Spring-Benner-Walker Joint Authority at a regular meeting of the Authority held on Monday, August 12, 7, 2019, at 7:00 p.m. in the offices of the Authority in Spring Township, Centre County, Pennsylvania, and that the vote on the Resolution was as reported above.


Secretary of the Authority



NOTES

1. ALL PROPERTY AND RIGHT OF WAY LINES AND LIMITS SHOWN ON THIS EXHIBIT WERE OBTAINED FROM AVAILABLE RECORDS, DEEDS, TAX MAPS AND FIELD OBSERVATIONS. THE ACCURACY OF THE LINES AND LIMITS SHOWN IS NEITHER GUARANTEED, WARRANTED NOR IMPLIED.
2. THE PROPERTY AND RIGHT OF WAY LINES AND LIMITS SHOWN DO NOT CONSTITUTE A BOUNDARY SURVEY AND THE LIMITS OF ALL PROPERTIES AND RIGHT OF WAYS WERE PREPARED WITHOUT THE BENEFIT OF AN INDEPENDENT CERTIFICATE OF TITLE PREPARED BY A LICENSED TITLE AGENCY.
3. THE LOCATION OF FEATURES SHOWN ON THIS EXHIBIT, INCLUDING BUT NOT LIMITED TO, BUILDINGS, PAVING, SIDEWALKS, PARKING AREAS, FENCES, WATERLINES, SANITARY SEWER LINES, OIL OR NATURAL GAS LINES, INLETS, STORM DRAINS, STORMWATER MANAGEMENT FACILITIES, UTILITY POLES, ELECTRIC LINES, FLOODPLAINS, NATURAL WATER COURSES, WETLANDS, ETC., HAVE BEEN OBTAINED FROM THE BEST AVAILABLE RECORDS, AERIAL MAPS AND PHOTOGRAPHY, FIELD OBSERVATION AND SURVEYS. THE ACCURACY OF THE LOCATION OF THESE FEATURES IS NEITHER GUARANTEED, WARRANTED NOR IMPLIED.
4. ALL BEARINGS AND COORDINATES SHOWN REFERENCE TO THE NORTH AMERICAN DATUM OF 1983 (NAD83)



4BS PARTNERSHIP (GRANTOR)
 CONVEYS TO
 SPRING-BENNER-WALKER JOINT AUTHORITY (GRANTEE)
 PROPERTY SITUATE IN
 BENNER TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA
 DATE: 3/4/19 SCALE: AS SHOWN

Prepared by
 GWIN, DOBSON & FOREMAN, INC.
 CONSULTING ENGINEERS
 ALTOONA, PENNSYLVANIA

Horace G. McAnuff 3-5-19
 Horace G. McAnuff, P.L.S. SU-046649-E TAX PARCEL No. 12-0038-041A PLAN NO. 6578

