

MINUTES
New Holland Borough Authority
January 19, 2016

The New Holland Borough Authority met on Tuesday, January 19, 2016 at 8:30 a.m. in Borough Hall. All members were present: Jacob W. Musser, Jack E. Schnader, M. Timothy Bender, Robert P. Johnson and Ernest M. Orr. Others in attendance included Authority Solicitor Bradford J. Harris, Authority Manager/Recording Secretary J. Richard Fulcher, Borough Wastewater Department Supervisor Tina Myers, Borough Water Department Supervisor Clete Stone and Borough and Authority water consultant Jeff Bologna of Becker Engineering.

Member Jacob Musser asked Authority Manager/Recording Secretary Fulcher to call for election of Chairman for 2016.

Manager Fulcher asked for nominations for the office of Authority Chairman for 2016.

Timothy Bender nominated Jacob Musser for Chairman for 2016. Jack Schnader seconded the nomination. No other nominations were received. Jacob Musser was then elected Chairman for 2016.

Chairman Musser asked for nominations for the other officers of the Authority for 2016.

Timothy Bender nominated the 2015 officers of Vice-Chairman Timothy Bender; Secretary Robert Johnson; Treasurer Jack Schnader; and Assistant Secretary/Treasurer Ernest Orr to serve for 2016. Robert Johnson seconded the nominations. There were no other nominations. The officers other than Chairman were then elected for 2016.

Ernest Orr made the motion that the Authority's regular meeting days and times be set as the quarterly months of January, April, July and October, at 8:30 a.m. This was seconded by Tim Bender and passed.

Tim Bender made the motion that the firm of Good and Harris be appointed as the Authority Solicitor for 2016. This was seconded by Robert Johnson and passed.

Tim Bender made the motion that the firm of Becker Engineering be appointed as the Authority's water engineer and the firm of Buchart-Horn be appointed as the

Authority's wastewater engineer, for 2016. This was seconded by Robert Johnson and passed.

Tim Bender made the motion that the firm Weinhold, Nickel and Company be appointed as the Authority's auditor for 2016. This was seconded by Jack Schnader and passed.

There being no further Organizational business, the meeting convened into regular business session.

Chairman Musser then asked for action on the Minutes of the Authority's meeting of October 20, 2015.

Jack Schnader made the motion that the Minutes of the Authority's previous meeting of October 20, 2015, be approved as distributed. This was seconded by Robert Johnson and passed.

The members then discussed the status of the proposed Lease Agreement between the Authority and Crown Castle, concerning the former ATT tower on the Authority's Wastewater plant property.

Solicitor Harris briefly outlined the Lease narrative updates with the members. Their official company name is CCATT, LLC; registered in Delaware. The Agreement with the typical standard conditions is set to extend from the original lease with ATT, to March 25, 2041, through regular five year renewal periods. It is set to begin March 26, 2016. Through negotiations, they are to provide the Authority an independent \$10,000 within 60 days of the execution of the Lease Amendment. The annual rent is to increase by three percent over the prior year. Overall it is a fairly simple Amendment, with just a few minor items to finalize; but it is basically in acceptable form.

Member Schnader inquired about the determination of "abandoned" as used in the Amendment; who or what determines this.

Solicitor Harris noted that there are a number of situations related to what could cause the Authority to consider the site abandoned. The Authority/Borough would stop receiving payment, any serious physical deterioration with the tower and so on. There is also a penalty provision if they do not properly remove the tower if it should be abandoned; however, the company could also be bankrupt by that time.

Tim Bender made the motion that this formal First Amendment to the Land Lease Agreement and that the Memorandum of First Amendment to the Land Lease Agreement between the Authority and CCATT LLC (Crown Castle) as relates to the former ATT antenna tower on the Authority’s Wastewater plant property, be approved as finalized by the Solicitor; and further that the officers be authorized to sign the Amendment. This was seconded by Robert Johnson and passed.

Borough Wastewater Department Supervisor Myers reported for information purposes that she plans to have the 2015 Operations Report for the Authority before its next meeting. Regarding the formal Corrective Action Plan (CAP) we are under concerning the reduction of surface water infiltration into the Spruce Road Pump Station, the replacement of the second main pump of two at the Station last spring, with the first one replaced the year before, appears to have made a significant difference in the occasional intense rain events. There has not been a Station overflow since an intense storm last March prior to the installation of the second pump. They are also continuing the infiltration and inflow inspections as well as manhole conditions and the sealing of the lids when needed. If this continues as it has been since the replacement of the second pump, she hopes the CAP will be lifted by PA DEP.

Water consultant Bologna reported that the recent project to relocate the old existing sewer line and install a future connecting 10” water line, both related to the upcoming new well at Groff Park, was completed successfully. There were a number of reductions in cost items due to a reduction in quantity of pipe utilized, a slightly smaller concrete encasement at the stream and a smaller amount of restoration in the field. There was one additional cost item requested by staff for pipe maintenance and that was for a 10 inch gate valve located on the new line between the future well and the connection to the main line in the field. The net result is a reduction in contract costs of \$4,788.41. He and his associates have reviewed this and recommend approval of the Change Order; which for this contract is the only one, Change Order 1.

Tim Bender made the motion that Change Order 1, for the contract with Barrasso Excavating be approved. This was seconded by Ernest Orr.

<u>C.O.#</u>	<u>Contractor</u>	<u>Reasons</u>	<u>Net Cost</u>
1	Barrasso Exc.	Use of lesser quantities of piping & Materials; add 10” gate valve	-\$4,788.41
		Final Contract cost:	\$158,050.39

The motion passed.

Mr. Bologna then reported on the current activities related to proceeding with the installation of the new well. As the members may recall, Well #2 was provided an updated/new Permit just a few years ago. Well #1 which is located nearby was Grandfathered as the long time records maintained by Department Supervisor Stone provided the information needed without additional testing. When a new source is requested even if only to provide system redundancy use, any Grandfathered well requires a Permit to be obtained from the Susquehanna River Basin Commission. They have completed a Waiver request for Well #1 from the Commission as it relates to requirements for the draw-down testing from nearby private wells. In response to a question, he noted that the records for Well #1 are also well documented by Supervisor Stone, however even if they waive the draw-down requirement they may still require various other wetland, or nearby stream impact tests, concern with aquatic life, etc., during a specified draw-down of Well #1.

In continuing, consultant Bologna stated that the draw-down testing for the planned new well is scheduled for early summer. He has obtained permission from a number of nearby private well owners to use their wells for draw-down impact records. He still needs one more to the immediate north. Owner Abner Beiler from whom the Authority purchased the additional land needed for the future well, has a hand dug shallow well which he has said we could use, however due to its narrow construction, the equipment cannot be placed into it. Mr. Beiler is looking to replace his old well and this restoration could present a less expensive opportunity to the Authority. The Authority could consider supporting Mr. Beiler's costs for his new well to some extent. This possibility keeps the Authority from having to find a site and install its own temporary well for draw-down purposes; which would then have to be abandoned.

In response to a question, Water Department Supervisor Stone reported that the Average Daily Usage of water is a little over 900,000 gallons per day, with higher draws occasionally around 1.3 million gallons per day.

Solicitor Harris then reported on the new Lease Agreement with Verizon for attachment to the Diller Avenue water tank. They used to be on the tank at Garden Spot High School. After extensive back and forth with Verizon's attorney and with the assistance of the Manager and Mr. Bologna, it appears ready for approval by the Authority, contingent upon final settlement of a few issues. The one that is more involved than the others is the amount Verizon is to pay if Authority engineering and possibly some legal expenses are incurred by the Authority because of work done by Verizon on the tank that involves critical aspects as to the

tank structure. Verizon currently is proposing \$500; he is concerned that based on the recent experience with the contractor utilized by T-Mobile to make significant change to its equipment not long after the tank was repainted by the Authority is an extreme example, but could happen. That engineering involvement cost around \$15,000. Verizon did state that if the Agreement was finalized by the end of the month, they would add \$5,000 to \$6,000 committed to the initial engineering reimbursement costs for this initial step.

Consultant Bologna stated he felt the contractor utilized by T-Mobile was not experienced with such work so his firm was highly involved with the details of the corrective action work at the East End tank. He also noted that with the proposed Lease with Verizon, it was required by his firm for Verizon to install a handrail along the top of the Diller tank; which they did.

Tim Bender then made the motion that the Authority approve the Lease Agreement with Verizon for attachments on the Diller Avenue water storage tank and the officers be authorized to sign such, contingent upon the final negotiation of the engineering reimbursement cost amount by the Solicitor; noting that the \$500 as currently proposed by Verizon is not near acceptable. This was seconded by Jack Schnader and passed.

Tim Bender next made the motion that the bills be paid as prepared. This was seconded by Robert Johnson and passed. The bills were:

ARRO Consulting Towne Centre Lane	\$552.70 Ck#1440
Becker Engineering Groff Memorial Park Water/Meeting	\$832.05 Ck#1441
Good & Harris, LLP Verizon Wireless Lease	\$1,905.00 Ck#1442
Phil's Backhoe Service Supervise Tank Removal at Towne Ctr. Lane	\$950.00 Ck#1443
Becker Engineering Groff Memorial Park Water	\$4,211.23 Ck#1444

Becker Engineering General Engineering; Groff Mem. Park Water	\$3,946.19 Ck#1445
Gerald G. Martin & Sons Excavating Fuel Tank Removal—Towne Centre Lane	\$3,289.50 Ck#1446
Becker Engineering Groff Memorial Park Sewer/Meeting	\$832.05 Ck#451
Good & Harris, LLP Crown Castle Contract	\$90.00 Ck#452
Barrasso Excavation, Inc. Groff Park AFP #1	\$146,347.87 Ck#453
Voganville Masonry Wall Repair at Green Space	\$3,060.00 Ck#454
Becker Engineering Groff Memorial Park Sewer	\$4,211.23 Ck#455
Metzler Landscaping Wall at Towne Centre Green	\$1,500.00 Ck#456
Becker Engineering Groff Memorial Park Sewer	\$3,616.19 Ck#457
Barrasso Excavation, Inc. Groff Park AFP #2—Final	\$7,702.52 Ck#458

There being no further business or public comment, the meeting was adjourned at 9:17 a.m.

April 19, 2016
Date Approved