

Minutes of Paradise Township Sewer Authority

May 5, 2025

The Board of Paradise Township Sewer Authority met at the Paradise Township Municipal Building, 2 Township Drive, Paradise, Lancaster County, Pennsylvania, on May 5, 2025.

The following members of the Board were present: Bryan Stoltzfus, J.B. Stoltzfus, Dave Bowman, Brian Groff and Kaitlyn Jones. Susan P. Peipher of Appel Yost LLP, solicitor, and Abraham King and Aaron Dewald of Rettew Associates, Inc., consulting engineers, were also present.

It was moved by Dave Bowman, seconded by Kaitlyn Jones, that the minutes of the April meeting be approved as submitted. The motion carried unanimously.

CORRESPONDENCE: None.

PUBLIC COMMENTS: None.

ACTION ITEMS: The Board took action on the following items:

1. Mill Bridge Village and Camp Resort - Ed and Jeanna Linzy were present at the beginning of the Board meeting and discussed with the Board the status of the sewer lines that have been installed to connect an additional 17 campsites. The Authority's solicitor and consulting engineers reviewed for the Board the background of the discussions to date with East Lampeter Sewer Authority concerning the result of the on-site inspection that took place last month and the need for certain corrective actions by the landowners.

Mill Bridge would be required to prepare construction plans addressing the areas of construction that do not have sufficient coverage over the pipe. These areas will need to be replaced with appropriate pipe materials to support loading due to the lack of coverage. PTSA and ELSA will need to approve the plans prior to any further construction taking place. It is proposed that Mill Bridge will submit a sewage planning mailer to DEP. Upon completion of construction, PTSA and ELSA will witness pressure testing. Mill Bridge will provide CCTV data of the newly constructed sanitary sewer facilities. ELSA will schedule an inspection of the pump station with the owner to review deficiencies and corrective actions. Finally, similar to the terms of the original agreement, after one year of operation, if it is determined that flows exceed the allocated 12 EDUs, additional tapping fees would be assessed for any excess usage at the current tapping fee rate. Mill Bridge would then be required to complete sewage planning in accordance with DEP guidance.

The Linzys expressed significant concerns about the costs associated with the proposed list of actions. They also expressed their frustration with prior communications with Township officials. The Linzys indicated that they were not willing to expend additional funds and would simply abandon their efforts. The Linzys then left the meeting.

The Board continued its discussion about the status of the discussions with ELSA. It was agreed that the solicitor will ask ELSA for flow data for Mill Bridge for the past 10 years so the Board can better assess the amount of EDUs that may be subject to additional charges. The solicitor will also follow up with counsel for the Linzys as to their intentions with regard to the newly constructed facilities. To the extent the Linzys are interested in keeping those in place and using them, the solicitor will set up a meeting with ELSA for later this week to finalize the Second Addendum to the Agreement between PTSA and ELSA. The Board discussed the \$5,000.00 escrow deposit made by the Linzys. To the extent the owners abandon the connections, the Authority will release the deposit back to the owners. If, however, the Linzys are proceeding, the deposit will be retained and used to reimburse the Authority's expenses subject to a formal escrow agreement. On a motion by Brian Groff, seconded by J.B. Stoltzfus, the Board approved an escrow agreement with Let's Go Camping, LLC in the amount of \$5,000.00. The motion carried unanimously.

2. On a motion by J.B. Stoltzfus, seconded by Dave Bowman, the Board approved a contract with Mull's Electric for semi-annual maintenance and repairs. The motion carried unanimously.

ENGINEER'S REPORT: Abraham King and Aaron Dewald of Rettew Associates, Inc. reported on the following:

1. A discussion was held with the Board about the use of escrow agreements. The Board's general consensus is that Rettew should proceed with amending the specifications to specifically name the Sewer Authority as the holder of any escrow deposits and to list the standard escrow deposit at \$2,500.00. Amended specifications will be presented to the Board at a future date for adoption.

2. They reviewed the Discharge Monitoring Report (DMR) for the month of March as prepared by the plant operator, Clean Water, Inc., a copy of which is incorporated into these minutes. The DMR indicated that the average daily flow for the month of March was 118,940 g.p.d., with a maximum daily flow of 131,960 g.p.d.

3. They reviewed the quarterly pump run hours report and the flow versus rainfall graphs.

4. They reported that Rettew and representatives of Clean Water, Inc. attended a site walkthrough on April 3, 2025 with DEP to close out past notices of violation.

5. They discussed the status of the claim advanced by Lobar. A meeting with Lobar is scheduled for Monday, May 12, 2025, with counsel. It is anticipated that Bryan Stoltzfus and Brian Groff will attend that meeting. They also reviewed with the Board the fact that punch list items are not being completed in a timely manner. The deadline for final completion was April 25, 2025. Rettew will draft a notice to Lobar regarding the assessment of liquidated damages as a result of the delay.

6. They reviewed with the Board ongoing issues with the damage to the common header pipe connecting the post-anoxic pumping tanks to the membrane bioreactor due to excessive movement and inadequate restraint.

7. They reviewed with the Board the updated construction cash balance sheet showing the percentage of completion for each contract, amounts paid, retainage and the outstanding balances on each.

8. They reviewed with the Board the biological issues that are being experienced at the Waste Water Treatment Plant. In particular, the ammonia levels have been significantly high since February. The Board authorized having Clean Water, Inc. sample and track possible sources for the discharge into the system through the pump stations. Additionally, Rettew will work to review the Authority's regulations to actions taken related to prohibited discharges.

9. With regard to Vintage Business Park, the developer's engineer supplied as-built drawings; however, those need to be revised and reviewed again.

10. They reviewed the monthly pay requisitions for payment from the Authority's Construction Fund:

- a. Construction Fund Requisition WWTP-060 payable to Pumping Solutions, Inc. for Contract #2, Payment Application #11, in the amount of \$10,782.50.
- b. Construction Fund Requisition WWTP-061 payable to Pumping Solutions, Inc. for Contract #3, Payment Application #5, in the amount of \$4,042.50.

A motion was made by Dave Bowman, seconded by Brian Groff, to approve the requisitions as presented. The motion carried unanimously.

SOLICITOR'S REPORT: Susan Peipher had no other items to report to the Board other than the earlier discussion regarding Mill Bridge. She confirmed that Kevin French, Esquire, a litigation attorney in her office, is working with Rettew on the Lobar claims.

TREASURER'S REPORT: Kaitlyn Jones delivered the following report:

1. The Board reviewed the list of bills for the month of March paid from the administrative checking account.

2. The Board reviewed the balance in the administrative checking account with Truist as of March 31, 2025 which was \$361,659.42. A motion was made by J.B. Stoltzfus, seconded by Dave Bowman, to approve the Treasurer's report and payment of all bills as presented. The motion carried unanimously.

3. The Board had a further discussion about the need to change the signers on the Truist account. The Board Members will find time next week to visit the branch in

Gap to make those changes. Kaitlyn is waiting to get online access to the Truist account to review the latest statement before making a determination as to how much money to transfer to the new S&T account.

4. A discussion was had concerning whether Rettew invoices and invoices from Kline's should be properly payable from the Construction Fund. Any construction-related charges going forward, including those from Rettew, will be subject to formal requisitions. The ability of the Board to reimburse itself from the Construction Fund will be revisited once the timing of the receipt of the grant from DCED is known.

OLD BUSINESS: Bryan Stoltzfus reported on the replacement of the fence at the Kinzers Pump Station which was damaged in a motor vehicle accident. Two sides of the fence are being replaced. The costs of the Authority are being borne by the Authority's insurance company, subject to a \$1,000.00 deductible.

There being no further business, the meeting was adjourned upon motion made by Dave Bowman, seconded by Brian Groff, and unanimously approved at 8:55 P.M. to meet again in regular session on Monday, June 2, 2025, at 7:00 P.M.

(Asst.) Secretary

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