

**EPHRATA BOROUGH AUTHORITY  
MINUTES – FEBRUARY 13, 2023**

A meeting of the Ephrata Borough Authority was held on Monday, February 13, 2023, at 8:00 AM in the Council Chambers of Borough Hall, 124 South State Street. In attendance were Chairman Ralph Mowen; Vice Chairman Gary Snavely, Treasurer Gil Ochs; Assistant Treasurer Gail Bare; and Members Bruce Leisey and Greg Zimmerman.

Also present were Isaac P. Wakefield, Esq., Solicitor; Dan Becker, Becker Engineering; Nancy Harris, Borough Manager; Karen Gerhart, Director of Finance; Steve Morrison, Director of Utilities; Jamie Willwerth, Wastewater Manager; and Stephanie Fasnacht, Recorder.

The following visitors were in attendance via video conference:

- John Harris, GHD, Inc.
- Charles Winslow, GHD, Inc.

**Call to Order**

Chairman Mowen called the meeting to order at 8:00 AM.

**Adoption of Agenda**

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
2. The meeting agenda included a listing of each matter of Authority business that will be or may be the subject of deliberation or official action at the meeting.
3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

Chairman Mowen asked if there were any requests to add a matter of Authority business to the meeting agenda. Seeing none, Chairman Mowen asked for a motion to accept the meeting agenda as posted. Ms. Bare moved and Mr. Leisey seconded to approve the meeting agenda as posted. Motion carried unanimously.

**Approval of Minutes – January 9, 2023**

Mr. Snavely moved and Mr. Zimmerman seconded to approve the minutes of the January 9, 2023 meeting. Motion carried unanimously.

**Public Comments**

With no visitors in attendance wishing to address the Board, Chairman Mowen moved onto the discussion of the Financial Reports and Payment of Bills.

**Financial Reports**

After a brief discussion of the financial reports, Mr. Zimmerman moved and Mr. Snavely seconded to receive and file the financial reports. Motion carried unanimously.

**Payment of Bills**

After a brief discussion of the payment of the bills, Mr. Snively moved and Mr. Ochs seconded to ratify the payment of the bills. Motion carried unanimously via roll call vote.

**Action Items****a. WWTF No. 1 Biosolids Project****1. Update on WWTF No. 1 Biosolids Project**

Charles Winslow, GHD, Inc., provided the following update in reference to the WWTF No. 1 Biosolids Project:

- ◆ Change Order No. 1 to increase the amount allotted for “Unforeseen Conditions” from \$40,000 to \$140,000 is being brought before the Board for approval.
- ◆ Construction Schedule Update:
  - ◆ All biodryers and pertinent equipment (minus paralysis equipment which has been delayed until July) have been delivered.
  - ◆ Project’s substantial completion date is by September 2023.
  - ◆ Project’s final completion date is by December 2023.
  - ◆ Hopeful to have further clarity on timeline of project by Board’s March meeting.
  - ◆ Construction going very well; getting ready to pour slab for biodryer building.
  - ◆ As discussed at a prior meeting, “dropping” the equipment on the slab prior to completion of the building is no longer an option due to delay of the delivery resulting in Lobar’s notification of additional costs to move the equipment into the completed building which is not included in the original bid.
  - ◆ Bioforcetech received more competitive pricing for that task with discussions to allow them to take ownership of that part of the project unless the Board objects.
  - ◆ Mr. Becker commented that there should be a credit from Lobar and no additional cost to the Authority for this task; in which, Mr. Winslow clarified Lobar would still have work to complete after the moving of the paralysis equipment and does not believe there will be a credit issued.
  - ◆ Mr. Winslow stated that Bioforcetech will be taking care of any additional costs due to moving the equipment from one area to another.
  - ◆ Mr. Becker advised if items and/or tasks are being removed from the original documents, it should be documented within a change order. Mr. Becker further advised that one of the change order items (referencing Change Order No. 1) is due to Bioforcetech’s delay in delivery of the paralysis equipment.
  - ◆ Mr. Winslow advised that GHD is keeping track of these additional costs which may cause an adjustment in the final amount due to Bioforcetech.

- ◆ Solicitor Wakefield inquired if there are any additional change orders other than what is included on the meeting agenda that have not been seen by the Engineer; in which, Mr. Winslow advised there are not. Solicitor Wakefield then inquired if there are any time-oriented claims; in which, Mr. Winslow advised there were not.

## 2. **Fulton Bank Requisition No. 12**

- a. **GHD, Inc., Invoice #380-0025725 - \$18,711.78**
- b. **Bioforcetech Corp., Invoice #XB10\_03 - \$1,107,000.00**
- c. **Lobar, Inc., Application for Payment No. 8 - \$300,955.47**
- d. **Becker Engineering, Invoice #24295 - \$1,092.75**
- e. **American Testing Laboratories, Invoice #22-2187 - \$2,365.00**

Prior to the vote, Mr. Becker requested Mr. Winslow review the items included on Requisition No. 12; specifically, an explanation regarding the Bioforcetech payment. Mr. Winslow advised the payment to Bioforcetech is 20% of the contracted amount which is being recommended for approval based on the fabrication and delivery of the four biodryers on site which are significant to the project. Mr. Winslow further advised that GHD feels comfortable that the \$2.9 million in remaining funds are sufficient to purchase additional equipment if the paralysis unit is not produced by Bioforcetech. Mr. Winslow note Pyreg is a sole supplier and source of the paralysis equipment and could be contacted directly.

After a brief discussion of the information shared by Mr. Winslow, Ms. Bare moved and Mr. Snavelly seconded to approve the processing of Fulton Bank Requisition No. 12 for the WWTF No. 1 Biosolids Project. Motion carried unanimously via roll call vote.

## 3. **Proposed Change Order Request to Increase “Unforeseen Conditions” Allotment to \$140,000**

Mr. Becker advised that the original allotted amount of \$40,000 has been spent and this increase of the line item is being proposed in order for Staff and GHD to be able to quickly “move things forward.” In concluding his comments, Mr. Becker noted that all Change Orders will go before the Board for their approval.

Mr. Snavelly moved and Mr. Leisey seconded to approve the request to increase the “Unforeseen Conditions” allotment to \$140,000. Motion carried unanimously via roll call vote.

## b. **Key-Aid Pump Station: Ratification of Staff’s Actions Regarding an Unbudgeted Emergency Maintenance Repair**

Ms. Harris referenced an email she sent to the Board on Friday, January 27, 2023, regarding an issue that was discovered at the Key-Aid Pump Station resulting in an unbudgeted emergency maintenance repair.

“This week a major issue was discovered at the Key-Aid Pump Station located along West Main Street. This is the last pump station in the series of pump stations that brings all the flow from Clay into the gravity sanitary sewer system. There are two pumps located at this facility. The wet well at the one pump was drawn down for evaluation. Once the water levels dropped, major pumping failures were observed. The pump has been taken out of service out of fear of a catastrophic failure. The corrosive environment has damaged the submerged piping beyond repair. The piping for the second pump was evaluated and while it is not in ideal condition, it should be usable for another year. We are currently operating one pump at a two pump facility. We have removed the redundancy. One pump is doing the work of two.”

Mr. Willwerth advised that Blooming Glen Contractors, Inc., (COSTARS vendor) completed the repair work at a cost of \$50,000. Mr. Willwerth commended Eric Lees, Maintenance Technician, for the excellent job he did to resolve this issue. Mr. Willwerth advised due to the station being a dual pump station, he will be including in the 2024 budget a project to replace the remaining piping.

Mr. Snavely moved and Mr. Zimmerman seconded to ratify the actions taken by Staff regarding the unbudgeted emergency maintenance repair at the Key-Aid Pump Station totaling \$50,000. Motion passed unanimously via roll call vote.

**c. Resolution No. 2023-01: To Establish a Schedule of Attorney Fees Incurred in Municipal Claims and Liens**

Mr. Snavely moved and Mr. Leisey seconded to adopt Resolution No. 2023:01: To Establish a Schedule of Attorney Fees Incurred in Municipal Claims and Liens. Motion passed unanimously.

**d. WWTF Primary Clarifier Valve Project**

Mr. Becker advised due to the high costs of the proposed change order, Staff and Becker believe the most cost effective way to complete the project is to bid it as a standalone project in 2023. Mr. Becker advised it is his recommendation that the Board authorize public bidding of the project. Mr. Willwerth commented currently there are two tanks out of service due to the issue with the valves.

Ms. Bare moved and Mr. Zimmerman seconded to authorize public bidding of the WWTF Primary Clarifier Valve Project. Motion passed unanimously.

**e. Ephrata National Bank, 31 E. Main Street, Ephrata: Relief of Charge for Increase in Sewer Usage**

Ms. Harris advised that sewer flows are evaluated annually for commercial customers; and if the customer’s usage exceeds their purchased capacity, they are issued a letter advising they need to purchase additional capacity. Ms. Harris stated in 2022, Ephrata National Bank was billed for additional sewer capacity associated with 31 East Main Street – their main office. Ms. Harris further advised while ENB paid their bill, they are now requesting relief even though they are not able to provide a reason as to why their usage was so high in 2021. Ms. Harris noted that ENB’s usage did drop in 2022 to rates consistent with their usage prior to 2021. Ms. Harris concluded her comments

advising ENB is requesting a refund of the additional tapping fees they paid totaling \$12,962.59.

Ms. Bare moved and Mr. Leisey seconded to refund Ephrata National Bank for their payment of additional tapping fees in the amount of \$12,962.59. Motion passed unanimously via roll call vote.

**f. Zimmerman Residential Subdivision – 660 E. Main Street, Ephrata Borough: Sanitary Sewer Capacity Request – Collection, Conveyance and Treatment**

Mr. Snavelly moved and Mr. Ochs seconded to approve the collection capacity for an additional 475.2 gallons per day or 2 HVU's and conveyance capacity through the Gross Run Pump Station and treatment capacity at its Wastewater Treatment Facility #1 for an additional 719.10 gallons per day or 4 HVU's to serve the proposed residential subdivision without causing a current hydraulic or organic overload or a projected 5-year hydraulic or organic overload. Motion carried unanimously.

**g. Diehm & Sons, Inc.: Hackman Subdivision Project Relief Request**

Mr. Zimmerman moved and Mr. Leisey seconded that the Board table taking action on this request until additional information is received. Motion carried unanimously.

**Discussion Items**

**a. None.**

**Engineering Report**

Mr. Becker, in referencing the Engineering Report submitted with the meeting packet, specifically highlighted the following items which are in progress:

- Rules and Regulations: Meeting with Solicitor Wakefield and Assistant Solicitor McManus after February 13, 2023, Board meeting to discuss draft documents.
- Remote Pumping Station Capacity: Received wet well drawdown testing results from Staff and will provide a draft report to the Authority by March 2023 meeting.
- Non-Residential Waste (NRW) Program: Meeting with Don Keen on February 14, 2023, to continue discussions.
- Landis Road Sanitary Sewer Matters: Meeting with Jai Howard and Nick Thomas on February 14, 2023, to continue discussions.

**Operations Report**

**Plant 1**

- Average Flow at Plant 1 for January was 2.3 MGD (Design Flow = 3.8 MGD).
- The Plant recorded 2.5 inches of rain for the month.
- Sludge Hauled in January – The Plant had 35 pulls at an estimated cost of \$11,040.00 for Eagle Disposal to transport to the landfill. The cost for LCSWMA is \$25,500.00 for a total sludge disposal cost of \$36,540.00.
- Process Control – The SVI (Sludge Volume Index) monthly average is 47. Ammonia Nitrogen average was 0.92 mg/l (2.0 mg/l). Total Phosphorus average is 0.60 mg/l (2.0 mg/l). Well within DEP's compliance levels.
- Dewatering Project – Daily work is ongoing and progress remains steady.
- Submitted requisitions for P.O.'s for Capital Projects slated for 2023 for both facilities.

**Plant 2**

- Average Flow at Plant 2 for January was 1.5 MGD (Design Flow = 2.3 MGD).
- The Plant recorded 3.5 inches of rain.
- Process Control – The SVI (Sludge Volume Index) monthly average is 102. Ammonia Nitrogen average was 0.54 mg/l. Total Phosphorus average is 0.94 mg/l. Well within DEP’s compliance levels.
- Continuing training for two new employees – both are doing well with their training:
  - Matt Haag - Plant 1
  - Michelle Bachman – Plant 2

**Next Meeting**

The next meeting date is Monday, March 13, 2023.

**Adjournment**

Mr. Snavelly moved and Mr. Zimmerman seconded to adjourn the meeting. The meeting was adjourned at 9:25 AM.

Respectfully submitted,

Nancy E. Harris, P.E.  
Secretary

SJF