

SPRING-BENNER-WALKER JOINT AUTHORITY

REGULAR MEETING

November 12, 2024

ATTENDANCE:

AUTHORITY MEMBERS:

Spring	Joseph Galbraith Rodney Maney Christie McMurtrie
Benner	Brian Book Willis Houser, Jr. William Hughes
Walker	Dennis Brown Dennis McDowell

GUESTS: Christopher Gibbons – Concord Public Finance
Meagan Olson – 222 Fishburn Hill Road

CONSULTING SOLICITOR: Robert Mix, Esq.

EXECUTIVE DIRECTOR: N. Warren Miller

EMPLOYEES: Will Barton, Tasha Dutton & Kelly Gill

CALL TO ORDER:

The November 12, 2024, Regular Meeting of the Spring-Benner-Walker Joint Authority was called to order at 4:00 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:

Willis Houser, Jr., Secretary, took Roll Call, recording eight members present. Mr. McKee 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.

PLEGE OF ALLEGIANCE:

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

APPROVAL OF MEETING MINUTES:

Mr. McDowell asked the Board if there were any questions and/or changes to the October 28, 2024 meeting minutes as presented. **Mr. Galbraith moved, seconded by Mr. Maney to approve the Minutes of the October 28, 2024 Regular Meeting as presented.** 8 ayes, 0 nays, 1 absent. **The motion carried.**

CORRESPONDENCE:

Melinda Cain - We received a letter of resignation from Melinda Cain indicating that November 15, 2024 will be her last day of employment with SBWJA.

1659 Zion Road/Robin Catherman – We received an email from Robin Catherman, Executrix of the Victor F. Lutz estate, requesting formal notification that public sewer is available to Tax Parcel No. 13-004-,023-,0000 located at 1659 Zion Road in Spring Township. *Ms. Catherman was provided with an email on October 29, 2024 indicating the Spring Benner Walker Joint Authority is capable of providing public sewer service to Tax Parcel No. 13-004-,023-,0000 located at 1659 Zion Road, Bellefonte, PA via the sewer main located within S.R. 550.*

Glenn O. Hawbaker, Inc. – We received a letter from Tim Kessler providing us with an official notice to proceed and authorization to enter upon the highway right-of-way to perform the required adjustments or relocation of our sewer affected by the bridge replacement project on Railroad Street over Buffalo Run in Bellefonte Borough. The Authority will be required to have the adjustments made to the sewer prior to March of 2025.

APPROVAL OF PAYMENTS:

Approval of Requisitions:

Revenue Fund Requisition 2020-108– Mr. McMurtrie presented the Board with Revenue Requisition #2020-108 in the amount of \$565,255.07. Mr. McDowell asked if there were any questions regarding the presentation of Revenue Fund Requisition 2020-108. **Mr. Brown moved, seconded by Mr. Book to approve Revenue Requisition 2020-108 payable to SBWJA in the amount of \$565,255.07.** 8 ayes, 0 nays, 1 absent. **The motion carried.**

GUESTS:

Christopher Gibbons-Concord Public Financial Advisors, Inc. – Mr. Gibbons indicated Concord Public Financial Advisors, Inc. is an independent municipal finance advisory firm and their fiduciary responsibility would be to SBWJA. Concord Public Financial Advisors would be able to assist in structuring funding opportunities for SBWJA's future projects. A list of representative services and financial strategies were presented to the Board along with an example of a financing schedule. It was noted that Concord does not have conflict of interest which exists with banks and bond underwriters when obtaining funding for projects. Mr. Gibbons stated he believes Concord is capable of obtaining a better proposal due to their contacts. The professional services offered by Mr. Gibbons would cost the Authority approximately \$19,500.00 and will be discussed at a later date.

Christopher Gibbons exited the meeting at 4:30 p.m.

Meagan Olson/222 Fishburn Hill Road – Ms. Olson indicated she recently purchased 222 Fishburn Hill Road and prior to closing she was informed she would be required to connect the home to public sewer within 60 days of the property closing. Ms. Olson stated she looked into the legal aspects of being required to connect to public sewer and had found Mr. Miller was correct about SBWJA's legal stance on enforcing the connection. Ms. Olson stated she has come to the Board to request a waiver from connecting to public sewer. It was noted that Benner Township enacted the connection ordinance that directs SBWJA to enforce the connection.

Ms. Olson stated the majority of their property is densely wooded and is not easily accessible with an excavator. A written quote to have the sewer lateral installed has not been provided; however, Ms. Olson was given verbal quotes of approximately \$100,000.00. Ms. Olson indicated she has been approved for a \$25,000.00 loan at a 20-year term and that Pennvest would pay the remainder for the sewer lateral installation; therefore, financing the project was not a problem and her biggest issue was decimating her property to have the sewer lateral installed. The Board stated they were unable to provide a waiver and that she would need to approach Benner Township Supervisors with her request.

Meagan Olson exited the meeting at 4:46 p.m.

EXECUTIVE DIRECTOR'S REPORT:

Candlewood Hotel/Car Wash – The developers for the Candlewood Hotel and proposed car wash located at the intersection of Benner Pike and Amberleigh Lane have indicated they are interested in gravity sewer service. Mr. Miller stated the owners are currently obtaining quotes to cross the Benner Pike and extend the sewer mainline to our existing manhole, BP-3. The mainline will run along the west side of 2943 Benner Pike, which will require the developers to obtain a right-of-way from the property owner. Mr. Miller indicated this extension could provide gravity sewer service to Klaban's at 2942 Benner Pike, which is currently served with a grinder pump. This extension could also eliminate a portion of the force main that serves the Penn State Federal Credit Union at 123 Amberleigh Lane and five (5) surrounding homes. Mr. McDowell asked who will be financially responsible for installing the sewer mainline that will serve the hotel and car wash. Mr. Miller stated the developers will be financially responsible and that they have agreed to split the cost for this extension. Mr. Miller stated the highway occupancy permit for the Benner Pike crossing will be placed in the SBWJA name; however, there will not be a cost to the Authority.

SOLICITOR'S REPORT:

Rules & Regulations (Section 2- Sewer Rentals or Charges) – Mr. Mix provided the Board with his written opinion on the sewer rentals or charges that were discussed at the October 14, 2024 board meeting. The Board had inquired whether it may change its current rate structure as it applies to small business owners with multiple businesses located within one (1) commercial building, which utilizes the same sewer lateral. This inquiry was prompted by customer requests for a more equitable rate structure for small businesses, since they may have only one (1) or two (2) employees and their metered water usage may indicate that they use significantly less than 1.00 EDU, the minimum currently assessed against a business. Mr. Mix indicated if the Authority wishes to change its rate structure for small businesses, that he would suggest that they do so in a manner that would not indicate it is based on their metered water use. Mr. Mix's opinion is, once the Authority charges one (1) customer on that basis, it opens itself to the argument that, to be uniform, all customers should be charged on that basis. An option the Authority may wish to consider is an amendment to Section 202.1 1 (A) which would assess a business with one (1) or two (2) employees at a rate less than 1.00 EDU. An Authority may make different classifications of customers as long as the rate structure is applied evenly to each customer in that class. Mr. Mix believes the Authority would be able to justify a lower EDU assessment based upon the number of employees in each classification. The Board reviewed the information presented to them and decided it would be best not to revise the rules and regulations at this time.

ENGINEER' S REPORT:

Mr. Miller indicated Mr. Johnson and Mr. Gibson were unable to attend the meeting due to prior commitments; therefore, Mr. Gibson provided Mr. Miller with information on a few topics, which he presented to the Board.

Chapter 105 Permitting – Gwin Dobson & Foreman (GD&F), and SBWJA had a conference call with PA DEP on November 5, 2024 to discuss their preliminary comments on the Chapter 105 permit reviews for the Shiloh Road Sewer Extension project. Mr. Miller indicated GD&F will address the deficiencies and provide responses to PA DEP.

Land Development Plan – The Land Development Plan for the Shiloh Road Sewer Extension project was submitted to Centre County Planning and Penns Valley Code Enforcement Agency. A Land Development plan is required for the construction of pump stations involved with our sewer extension.

PennDOT Highway Occupancy Permit – GD&F will be submitting the highway occupancy permits to PennDOT the week of November 11th. It was noted that PennDOT will not require a preapplication meeting due to construction of the project having minimal impact with the state right-of-ways.

Shiloh Road Sewer Extension Easements – GD&F are making final revisions to a few remaining easements and are expected to be finished by the end of this week. Mr. Miller stated the completed easements will be provided to Mr. Mix and he will then distribute them to the property owners.

Rockview Forestry Pump Station #6A Upgrades – GD&F will be scheduling a time to complete survey work for the upgrades at Rockview's Forestry Pump Station #6A later this month.

Act 57 Study Update - Mr. Miller recommended it may be a good time to update the Authority's Act 57 Study which establishes the tapping fees for new connections. The Act 57 Study assists in establishing the maximum amount that we can charge for tapping fees. Mr. Miller stated the last Act 57 Study was updated approximately 20 years ago. It was noted the Authority may be able to increase our tapping fees significantly. Mr. Miller spoke with GD&F regarding the cost associated with an updated Act 57 Study being completed and they verbally quoted \$15,000.00. The Board indicated it would be a good financial decision and asked that GD&F present a proposal for discussion and possible approval at the November 25, 2024 meeting.

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

NEW BUSINESS:

2025 Tentative Budget - Mr. McDowell referenced the 2025 Tentative Budget that was provided for the Board's review and asked if there were any questions.

Mr. Miller stated this is a fairly large budget compared to our typical annual budget mainly because the Shiloh Road project and Rockview Pump Station upgrades to Forestry which adds a significant amount. Mr. Miller stated that the budget proposes using \$3,000,000.00 of system reserve income for the funding of the Shiloh Road project and that the remainder of the project would be financed through a bank loan or municipal bond.

#51201 (Rockview Usage & Treatment) – Mr. McDowell commented on the substantial increase to the Rockview Usage & Treatment category. Mrs. Gill indicated our increased debt service payments and the prison's higher flows are a big contributor to the increase.

Mr. Miller reviewed the list of capital improvements that will be included in the 2025 budget. Mr. Galbraith questioned the Clean Burn Waste Oil Burner for \$15,000.00. Mr. Miller stated there are pin holes in the fire box of the waste oil burner being utilized in the back shop; therefore, he feels it's time to replace it. The \$15,000.00 will cover the cost to purchase a new waste oil burner.

Mr. Book moved, seconded by Mr. Maney to approve the 2025 Tentative Budget in the amount of \$7,959,900.00 as presented. 8 ayes, 0 nays, 1 absent. The motion carried.

Walker Meadows POA - Shady Lane Estates Right-of-Way Agreement – Mr. Miller stated Walker Meadows POA is granting Shady Lane Estates access through their utility right-of-way. **Mr. Book moved, seconded by Mr. Hughes to approve the Right-of-Way Agreement for Shady Lane Estates as presented. 8 ayes, 0 nays, 1 absent. The motion carried.**

QUESTIONS FOR THE EXECUTIVE DIRECTOR: There were no questions asked of the Executive Director.

EXECUTIVE SESSION – Mr. McDowell recessed the Board for an Executive Session at 5:51 p.m. to discuss contracts and legal matters. The meeting reconvened at 6:05 p.m.

COMMITTEE REPORTS:

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

Facilities Committee: Mr. Houser had nothing to report.

Financial Committee: Mr. McMurtrie had nothing to report.

ADJOURNMENT:

Mr. Book moved, seconded by Mr. Brown to adjourn the meeting at 6:06 p.m. 8 ayes, 0 nays, 1 absent. The motion carried.

Respectfully submitted,



Willis Houser, Jr., Secretary


Tasha L. Dutton, Recording Secretary

CC: Benner Township _____
Spring Township _____
Walker Township _____