

SPRING-BENNER-WALKER JOINT AUTHORITY

REGULAR MEETING

January 27, 2025

ATTENDANCE:

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

GUESTS: Jerrold May, Timothy Edkin, Larry Lingle, John Kostas

EXECUTIVE DIRECTOR: N. Warren Miller

EMPLOYEES: Will Barton & Kelly Gill

CALL TO ORDER:

The January 27, 2025, 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 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, 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 January 13, 2025 meeting minutes as presented. **Mr. Galbraith moved, seconded by Mr. Hughes to approve the Minutes of the January 13, 2025 Regular Meeting as presented. 9 ayes, 0 nays. The motion carried.**

CORRESPONDENCE:

Kathy Evey/Right-to Know Request – We received a Right-to-Know Request from Kathy Evey of 604 Buffalo Run Road, Bellefonte on January 20, 2025. Mrs. Evey requested an audio recording of Spring Benner Walker Joint Authority’s January 13, 2025 Board meeting and meeting agenda, if amended. *The requested information was provided to Mrs. Evey on January 23, 2025.*

PA Department of Environmental Protection – We received a letter from Steven S. Putt, PA Department of Environmental Protection (PA DEP), indicating they received the Authority’s written request for an extension to provide the necessary information to address the technical deficiencies regarding the Shiloh Road Sewer Extension Project. The written request was received on January 9, 2025 and PA DEP granted an extension date of March 22, 2025.

FINANCIAL REPORTS:

Treasurer’s Report: Mr. McMurtrie reviewed the financial reports for the period ending 12/31/2024. Mr. McDowell asked if there were any questions regarding the Treasurer’s Report. **Mr. Galbraith moved, seconded by Mr. Book to approve the Treasurer’s Report as presented. 9 ayes, 0 nays. The motion carried.**

APPROVAL OF PAYMENTS:

Approval of Requisitions:

Revenue Fund Requisition 2020-112– Mr. McMurtrie presented the Board with Revenue Requisition #2020-112 in the amount of \$77,411.72. Mr. McDowell asked if there were any questions regarding the presentation of Revenue Fund Requisition 2020-112. **Mr. Book moved, seconded by Mr. Brown to approve Revenue Requisition 2020-112 payable to SBWJA in the amount of \$77,411.72. 9 ayes, 0 nays. The motion carried.**

Mr. McDowell turned the meeting over to Mr. Book.

CONFERENCE CALL WITH PENN STATE & TOM EBY – Mr. Book apologized for speaking prior to the Guests, but indicated it was important for him to make everyone aware of a meeting he was requested to be part of. Mr. Book contacted Mr. Miller last week to inform him of what had occurred.

Mr. Book indicated he received an email from the Pennsylvania State University (PSU) Office of Government and Community Relations requesting his attendance at a meeting about water. Mr. Book responded to the email requesting additional information since he's involved with many water utilities and was informed the meeting was in regard to Walnut Grove Estates. Mr. Book stated a conference call was held among Tom Eby (Benner Township Water Authority (BTWA)), Michael Stefan (PSU) and himself.

During the hour-long conference call, discussions were held about the BTWA, Walnut Grove Estates and this Authority's Shiloh Road Sewer Extension project. Mr. Book stated he is unsure of why he was asked to be involved other than to ask if our Authority would consider delaying its Shiloh Road Sewer Extension project so both the sewer and water lines could be constructed at the same time. The only other reason he could think of would be because Mr. Book was the BTWA's engineer in the 1990s through the early 2000s.

Mr. Book indicated a lot of different topics were discussed, but it seems as though PSU has a vested interest in making sure the water issue in Walnut Grove Estates is remediated. At one point, Mr. Eby stated there was a water utility that was going to provide service. After additional investigation it turns out that the State College Borough Water Authority (SCBWA) was willing to sell BTWA bulk water, but any downstream bulk customer would have additional water testing requirements by the PA DEP, which becomes very expensive. During the conference call Mr. Eby stated that if BTWA were to purchase bulk water from SCBWA to provide public water service to Walnut Grove Estates, there would probably be about \$30,000 in annual operating costs for approximately 30 customers. Mr. Book stated it appears as though SCBWA is not interested in providing service to Walnut Grove Estates as a direct customer.

Mr. Book stated that at one point in the conference call it was mentioned that not all of the residents of Walnut Grove Estates are interested in having public water (as per Tom Eby) and without a mandatory connection ordinance in place by Benner Township Supervisors, this would make an extension even more difficult. Mr. Book understands that Benner Township Supervisors are not interested in enacting a Township wide mandatory connection ordinance.

Mr. Book stated that near the end of the conference call he suggested that PSU consider an extension of their own water line near the State College Airport along Black Bear Lane. Mr. Stefan indicated that was a great idea and mentioned looking into that option as well. Mr. Book stated that is where the meeting ended.

Mr. Book thanked the Board and Guests for allowing him to discuss the conference call prior to any discussions relating to the BTWA.

Mr. McDowell welcomed Mr. May and Mr. Edkin to the meeting and indicated they could now proceed with addressing the Board.

GUESTS:

Jerrold May (BTWA) – Mr. May introduced himself to the Authority Board and indicated he has been elected as the new Chairman of the BTWA. Mr. May indicated that the BTWA Board was not aware of the conference call that Mr. Book discussed this evening involving Mr. Eby. Mr. May stated that Mr. Eby has been doing a lot of things on his own that the BTWA Board doesn't hear about until after the fact. Mr. May indicated that is part of the issues surrounding the agreement between the BTWA and SBWJA.

Mr. May stated that about a year ago the BTWA Board discussed providing public water service to Walnut Grove Estates; however, due to the operating costs associated with such a project, the BTWA Board decided against the project. That is when the BTWA Board deferred the project to the SCBWA. Since then, the SCBWA declined and has deferred the project back to the BTWA, which Mr. May indicated isn't going to happen because the BTWA can't afford it. Mr. May expressed concern with Mr. Eby going out on his own to try to get Walnut Grove Estates public water without discussing it with the entire BTWA Board. Mr. May understands that is part of the reason for the BTWA receiving the contract termination letter from SBWJA.

Mr. May informed the Board that after receiving the notice of contract termination, discussion was held about how to proceed and the BTWA Board has indicated they are not aware of any other entity that provides services similar to those of SBWJA. Mr. May stated the purpose for attending tonight's meeting is to request an extension of the contract end date (perhaps six months) to allow the BTWA Board to figure out which direction to go. Mr. May also added that there have been changes made to the BTWA Board structure to address some of these concerns.

Mr. McDowell stated that the SBWJA Board and staff will not leave the BTWA's customers hanging because they are also SBWJA sewer customers. Mr. McDowell continued by stating this Authority is tired of the drama surrounding Benner Township, which he does not wish to be part of.

Timothy Edkin (BTWA) – Mr. Edkin introduced himself to the Authority Board and indicated he is the Secretary/Treasurer of the BTWA. As Mr. May mentioned earlier in the meeting, the BTWA Board has been restructured for 2025 which includes the election of a new Chairman. Mr. Edkin stated they understand the concerns with what the former Chairman was doing; however, they were unaware that these things were going on. Mr. Edkin stated it wasn't until November of 2024 that he became aware of some of the things the former Chairman was doing on his own. Mr. Edkin stated that he had hoped that a change in BTWA Officers would alleviate some of the SBWJA's concerns. Mr. Edkin continued by stating that it will take some time for the BTWA Board to find someone that can help support them the way that SBWJA has and he can't imagine finding someone doing things better than the SBWJA staff.

James Lanning (BTWA) – Mr. Lanning introduced himself to the Authority Board and indicated he is a member of the BTWA Board. Mr. Lanning stated he agrees with everything that was just discussed.

Mr. Book indicated if he understands properly the BTWA Board members are asking to work out the contract or if that's not an option, they are asking for an extension of time to be able to locate someone to complete these services. The BTWA Board members concurred. In full disclosure, Mr. Book stated he knows a lot of people in the water/sewer industry and it's his understanding that BTWA's solicitor, Miller, Kistler & Campbell, has reached out to Musser Septic and Sewer to potentially pick this up. Mr. Book stated that he doubts Musser Septic and Sewer could take this work on next month, but perhaps we can ask our Executive Director and our Administrative personnel if they can continue providing this service for a couple more months to give the BTWA Board more time. Mr. McDowell stated he'd be willing to discuss that.

Mr. Miller stated he believes that was the plan—that we continue to work with Benner Township and the BTWA to ensure a smooth transition with whatever path they decide to take. Mr. Miller continued by stating that he was asked to make a point tonight that was brought up by Mr. Eby at last week's BTWA meeting, which he wasn't in attendance at. Mr. Miller stated that it's his understanding that Mr. Eby made the comment that a snap decision was made to terminate the contract. Mr. Miller stated this was far from a snap decision and the entire SBWJA Board has been involved with discussions pertaining to staff's concerns for at least six or eight months. The recent lawsuit that Benner Township is now faced with, among Supervisors, only added to the decision. This Authority does not want to be associated with that as we have experienced something similar in the past. In meetings with other elected and/or appointed officials, Mr. Miller stated that it was recognized that the things happening with the Benner Township Water Authority are not normal Authority operations and certainly not how this Authority operates. Mr. Miller simply wanted to make it clear that the decision to terminate the contract with the BTWA was not a snap decision and this Authority as a whole has been contemplating on how to address the concerns/issues for many months. Mr. Miller stated he has a lot of respect for Mr. May and Mr. Edkin and fully recognizes the changes in the BTWA Board structure which he believes to be a big improvement; however, he doesn't feel as though that alone will make the SBWJA Board change its decision. There are Board members of the SBWJA that have been concerned about staff doing the work for the BTWA all along and had mentioned on numerous occasions over the years about wanting to get away from performing that work, but Mr. Miller and Mrs. Gill spoke strongly about continuing to do what's best for the customers. For the past 18 years we have been recognized as BTWA's water people and we are happy to continue working with the BTWA throughout the transition to ensure success. As expressed in the past, Mr. Miller believes some changes need made during the planning process when new water systems are built in Benner Township. This would include oversight of the developer to ensure infrastructure is properly built.

Mr. Book referenced the contract termination letter dated January 16, 2025 and indicated the letter stipulates the 30-day notice commences on January 21, 2025, but doesn't provide a contract end date; therefore, he doesn't believe any formal action needs taken by the SBWJA Board today to allow staff to continue to complete work for the BTWA. Mr. Miller stated yes, as long as the SBWJA Board is in agreement with that action. Mr. Galbraith stated he is okay with that, but he is hung up on the liability issues with everything going on in the Township. Mr. Galbraith said his opinion would be to extend the contract termination date for three months, but he really doesn't want to go any longer. If the BTWA is making progress in locating another entity to complete the work, but not quite ready by three months, then he would consider revisiting an extension.

Mr. McDowell stated what upsets him the most is a member of the BTWA Board going to meetings with PSU and discussing SBWJA's sewer extension project. Mr. McDowell stated that needs to stop and the BTWA Board needs to see that it's stopped. The BTWA Board members concurred.

Larry Lingle (Benner Township Supervisor) - Mr. Lingle stated he appreciates everything that the SBWJA Board is doing right now, especially since he understands the Authority doesn't have to and he knows Mr. May and Mr. Edkin are appreciative as well. Mr. Lingle stated they are looking to their Solicitor to see what options may be available. Mr. Lingle doesn't know what the solution will be, but again he appreciates everything the SBWJA Board is doing. Mr. McDowell stated this Authority will work with them.

Mr. Miller informed the Guests they are welcome to stay for the remainder of the meeting, but they aren't obligated to do so. All of the Guests vacated the meeting.

RECAP OF SYSTEM OVERVIEW REPORT (2024):

Will Barton, Maintenance Crew Leader, provided a recap of the work completed on the sanitary sewer system for 2024.

PA One Calls – We responded to 1,890 PA One Calls for SBWJA and 41 for the Benner Township Water Authority in 2024.

In-Home Inspections – There were 389 in-home inspections completed in 2024.

Sewer Lateral/Water Service Line Inspections – We completed 191 sewer lateral inspections and three (3) water lateral inspections in 2024.

Callouts – The maintenance department responded to 56 callouts for SBWJA and one (1) for the Benner Township Water Authority in 2024.

Sewer Permits – A total of 192 sewer permits were purchased in 2024 for a total of 240.09 EDUs.

Developments added in 2024 – Mr. Barton indicated three (3) new developments were added to the sewer system in 2024. These included Logan Greene Phase 1B, Elizabeth Dale Townhomes and Shady Lane Estates, Phase 1. Of those three (3) projects, our Authority invoiced for 380.00 man-hours of inspection services.

Video Truck/Vactor Truck Footages - The maintenance staff cleaned 180,665 feet of sewer mainline and video inspected 184,877 feet of mainline in 2024.

Jet/Video Work – Mr. Barton reported that today and as weather permits, the maintenance department began completing jetting and video work through farm fields and areas that are usually wet, but are frozen right now. Mr. Houser referenced a problem area where he recalls there being a sag in the mainline, backlot of Walker Meadows, that he wanted to make sure Mr. Barton was aware of. Mr. Barton reported that a 100' section of that mainline was replaced a few years back and the sag has been eliminated.

In-Home Inspections – Mr. Miller asked if we keep a running track of how many of the 389 in-home inspections completed in 2024 resulted in violations and/or corrections. Mrs. Gill indicated that information will be determined when the annual Chapter 94 report is compiled next month. Discussion was then held about revisiting some homes in the Pleasant Gap area where there were known issues with sump pumps during previous inspections. We are noticing an increase in flows during wet weather in our Logan Branch interceptor.

EXECUTIVE DIRECTOR'S REPORT:

Shiloh Road Sewer Extension Project (Easement Compensation) – Mr. Miller informed the Board that last week one of the homeowners of Walnut Grove Estates stopped by the Authority office with their right-of-way agreement and spoke to the ladies requesting additional compensation. Mrs. Gill stated that she spoke with the homeowners directly and they stated that an email was recently received from their attorney indicating the easement compensation was on the low side and suggested they ask for more compensation. When asked by Mrs. Gill if the attorney was Christine Line, the resident answered yes and indicated a mass email was distributed among their group. The homeowner in question provided a counteroffer of approximately double the original amount of compensation. This right-of-way required a permanent and temporary easement.

With all of the delays and additional costs that this Authority has had to experience with the continuous challenges by a particular group, Mr. Miller suggested the Board may want to consider instituting a special district tap fee or special rate district to recoup monies expended. Mr. Miller stated it's unfortunate that a handful of people are going to cause this Authority to implement a special district tap fee or special rate district which ultimately affects everyone involved. Mr. Book stated he would rather see a special district tap fee instituted.

Mr. McDowell suggested starting to make the homeowners aware of what the Authority is considering due to the requests for additional compensation.

Candlewood Hotel/Car Wash – Mr. Miller informed the Board that he received a call earlier today from Penn Terra Engineering indicating a right-of-way has been obtained by the owner of 2943 Benner Pike to allow for gravity sewer service to the Candlewood Hotel and proposed car wash located at the intersection of Benner Pike and Amberleigh Lane. As previously stated, this extension could also provide gravity sewer service to Klabans at 2942 Benner Pike, which is currently served with a grinder pump. The extension would also eliminate a significant portion of the force main that serves the Penn State Federal Credit Union and five (5) surrounding homes.

Benner Commerce Park (Warehouse) – Mr. McDowell inquired about the status of the warehouse that's to be constructed within Benner Commerce Park. Mr. Miller indicated that they are getting ready to complete blasting work and its our understanding it will be an Amazon warehouse.

OLD BUSINESS:

Revisions to Rules & Regulations (Section 11306 – Package Pumping Stations) - Discussion was held at a previous meeting about amending the rules and regulations where it pertains to emergency generators for new development. It was recommended that a developer may be required to provide a payment of a fee in an amount equal to or lesser than the cost of a new tow behind generator in lieu of providing a new tow behind generator to the Authority. **Mr. Book moved, seconded by Mr. Brown to approve the revisions to the Rules and Regulations, Section 11306 – Packaged Pumping Stations (Emergency Generators) as presented and made a part of these official meeting Minutes. 9 ayes, 0 nays. The motion carried.**

Overview of Services Provided to Benner Township Water Authority (BTWA) - The Authority Board was provided with a detailed description of the maintenance labor (hours) provided and equipment used/billed to the Benner Township Water Authority for the 4th quarter of 2024. Mr. McDowell asked if there were any questions regarding the information provided.

Office Clerk/Secretary Position – Mr. Galbraith inquired about the status of the interviews for the Office Clerk/Secretary position. Mrs. Gill stated that two (2) interviews are scheduled later this week and earlier today we received a resume from another potential candidate.

NEW BUSINESS: There was no New Business presented for discussion.

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

COMMITTEE REPORTS:

Personnel & Community Relations Committee:

PMAA Board Member Training – Mr. Galbraith indicated the Board was provided with a flyer regarding PMAA’s annual Board Member training in Camp Hill on March 27, 2025 and urged attendance at the training.

Facilities Committee: Mr. Houser had nothing to report.

Financial Committee: Mr. McMurtrie had nothing to report.

ADJOURNMENT:

Mr. Brown moved, seconded by Mr. Hughes to adjourn the meeting at 5:20 p.m. 9 ayes, 0 nays. **The motion carried.**

Respectfully submitted,



Willis Houser, Jr., Secretary



Kelly J. Gill, Recording Secretary

CC: Benner Township _____
Spring Township _____
Walker Township _____

- b. Automatic switch-over system with scale
- c. Two 150 pound cylinder supply / two-ton cylinder supply
- 3. Chlorine Detector
 - a. Manufactured by Regal Chlorination
 - b. Signal SCADA and radio telemetry alarms
- 4. Booster Pump (if required)
 - a. Manufactured by Aurora Pumps
- 5. Alarm System
 - a. Local – Exterior light and horn, interior annunciator
 - b. Remote – by radio telemetry
 - c. Deactivate ventilation system

2.14 PUMP STATION SITE

- A. Pump station site shall contain an area large enough for vehicular access and turnaround.
- B. Access roads shall have a plowable surface, preferable paved.
- C. Sites with structures shall have paved roadways and parking area.
- D. All pump stations shall be enclosed by site fencing.
 - 1. The site fencing shall enclose ample area for vehicular access and turnaround.
 - 2. Site fence shall be a minimum of 8' high chain link with three strands of barbed wire on top. Site fencing shall be PVC coated.
 - 3. Swing gates shall be provided for vehicular access.
- E. Pump station sites shall be adequately lighted.

2.15 EMERGENCY GENERATORS

- A. All pump stations shall be equipped with an emergency generator.
- B. Submersible Pump Stations
 - 1. One tow behind generator shall be supplied for each submersible pump station. In lieu thereof, the Authority may, at its sole discretion, require payment of a fee in an amount equal to or lesser than the cost of a new tow behind generator.
 - 2. Furnish and install double throw transfer switch for use with a tow behind emergency generator.
 - 3. Furnish and install a weatherproof exterior-mounted receptacle for connection of a tow behind emergency generator. Provide heavy duty plug to match receptacle.
 - 4. Manufacturer
 - a. Onan
- C. Suction Lift Pump Stations
 - 1. One emergency generator shall be installed inside the structure.
 - 2. Function:
 - a. When the normal power supply fails on any phase at the automatic transfer switch, the system shall automatically crank up and provide power to equipment deemed necessary by Authority.
 - b. After load is removed from system, it shall run 5 minutes before automatic shutdown.
 - c. System shall be capable of producing its standby rated horsepower continuously for the duration of each power failure.
 - d. Fuel tank capacity must sustain twenty-four (24) hours of continuous operation.
 - 3. Manufacturers
 - a. Onan
 - b. Caterpillar