

# **BENNER TOWNSHIP WATER AUTHORITY**

## **REGULAR MEETING**

**March 19, 2019**

### **ATTENDANCE:**

**AUTHORITY MEMBERS PRESENT:** Tom Eby  
Steve Lanich  
Jerry May  
Andy Swales

**OTHER ATTENDEES:** Warren Miller – SBWJA  
Kelly Gill – SBWJA  
Brian Shura, P.E. – Stiffler McGraw  
See Attached Guest List

### **CALL TO ORDER:**

The March 19, 2019, Regular Meeting of the Benner Township Water Authority was called to order at 6:33 P.M. by Tom Eby, Chairman.

### **ROLL CALL:**

Jerry May, Assistant Secretary, took Roll Call, recording three members present. Mr. Edkin was excused from the meeting and Mr. Swales entered the meeting at 7:15 p.m. Mr. Eby, Chairman, noted that with a quorum present, the Benner Township Water Authority was permitted to conduct business under the laws of Pennsylvania.

### **APPROVAL OF MEETING MINUTES:**

The Minutes of the February 19, 2019 regular meeting were presented for review. **Mr. Eby moved, seconded by Mr. May to approve the Minutes of the February 19, 2019 Regular Meeting as presented. 3 ayes, 0 nays, 2 absent. The motion carried.**

### **TREASURER'S REPORT:**

Mr. Lanich reviewed the Treasurer's Report as presented. Mr. Eby asked the Board if there were any questions regarding the Paid Checks or Bills by Vendor submitted for approval. **Mr. Eby moved, seconded by Mr. May to approve the Treasurer's Report as presented, the Paid Checks in the amount of \$968.87 and Bills by Vendor in the amount of \$3,784.59. 3 ayes, 0 nays, 2 absent. The motion carried.**

**SBWJA REPORT:**

**Bio-solids Legal Fees Expense** – The legal fees expense associated with the bio-solids appeal incurred to date are \$117,228.58.

**Fracture Trace Analysis** – Mr. Miller informed the Board that Dr. Parizek provided a draft fracture trace analysis for the Hampton/Opequon water system, which included some additional questions. Dr. Parizek was provided with answers to his questions on February 27, 2019 and Mr. Miller is hoping to have a final copy soon. Once the fracture trace analysis is finalized it will be provided to Mark Stephens of the PA DEP to be incorporated within the Authority's Source Water Protection Plan.

**New Source Development** – On March 5, 2019 raw water samples were taken of the private wells near the potential sites for a new water supply and analyzed for nitrate, nitrite, total coliform and e coli. The private well at 684 Seibert Road had a nitrate level of 12.50 mg/l and the private well at 623 Buffalo Run Road had a nitrate level of 5.225 mg/l. Due to the high nitrate levels these areas do not seem to have the potential that the Authority had hoped for. Discussion was held about other potential sites which Mr. Miller will contact the current property owners to obtain permission to complete analytical testing of their private wells.

**Monitoring Waiver Renewal** – The Authority applied to the PA DEP for a monitoring waiver in the 2017-2019 compliance period for Dioxins and PCBs at Grove Park and Dioxins at Hampton/Opequon. Mr. Miller reported we recently received notification that the monitoring waivers have been approved.

**SOLICITOR'S REPORT:**

**Municipal Lien** – Mrs. Gill informed the Board that a municipal lien has been filed against the property located at 364 Meadow Flower Circle, Bellefonte due to non-payment of the invoice for repairs to the damaged curb box/stop in October 2018. The water was terminated at the curb last year and payment for these repairs has not been made.

**ENGINEER'S REPORT:**

**Benner Township Zoning Ordinance** – Mr. Shura stated that he was recently contacted by Mr. Miller requesting assistance with the proper wording/language to be incorporated within Benner Township's draft zoning ordinance.

Mrs. Gill informed the Board that Benner Township contacted the Authority indicating they want to make sure there is wording incorporated within the new zoning ordinance that if a developer installs a water system serving multiple homes that it is installed to the Benner Township Water Authority's specifications as well as having the proper inspections while installation occurs. Mr. Shura indicated he believes the wording would be better served in a Subdivision and Land Development Ordinance (SALDO), which he believes Benner Township, does not currently have.

Through recent discussions with the Centre County Planning Office, Mr. Miller confirmed Benner Township does not have their own SALDO; therefore, they fall under the County's SALDO administered by the Planning Office. The Centre County Planning Office indicated Benner Township could pass an ordinance that would define minimum water system design standards for new developments. The County's SALDO does have a requirement that developers must contact the public water system if the proposed development is constructed near the public water system. A formula is used to determine the distance which requires them to make contact with the public water system.

**Mr. Swales entered the meeting at 7:15 p.m.**

Mr. Shura indicated through discussions with legal counsel (not BTWA's solicitor), that he believes wording in the zoning ordinance may not be enforceable. After a lengthy discussion, the Authority Board authorized Mr. Shura to work with Benner Township's solicitor in developing language to address both the Township's and this Authority's concerns with water service as it relates to future development. The Authority Board expressed their appreciation with the Benner Township Supervisors willingness to reach mutually agreed upon language to address these concerns.

**GUESTS:**

**John Kostas** – Mr. Kostas informed the Board that he heard that Pennsylvania State University's Applied Research Lab (ARL) may be looking for water at the current site of the test tract near the intersection of Rock Road/Seibert Road. He suggested the ARL may be interested in purchasing water from this Authority depending on the location of the proposed new source. Mr. Miller indicated they would be more likely to purchase water from the State College Borough Water Authority due to the close proximity of their Alexander well field.

**David Roberts** – Mr. Roberts took a moment to make the Authority Board aware of the Spring Creek Watershed Commission’s Action Plan update report and asked if anyone had the opportunity to review the plan. The Authority Board members stated that none of them have been provided with a copy of the plan.

**CORRESPONDENCE:**

**Right-to-Know Law Request** – The Authority received a Right-to-Know Request form from James Moore, Ph.D of the Energy Research Council requesting the following information:

- Current electricity contracts for all facilities under our jurisdiction
- Executed electricity contracts for future terms that commence after the current contract expires
- Any contract with a third party energy broker/consultant
- Copies of the most recent electricity bills for each account from a single month

The requested information was provided electronically to Dr. Moore on March 7, 2019.

**McCamley Hydrogeology LLC** – The Authority received an email from McCamley Hydrogeology providing an overview of a recent telephone discussion with Mr. Miller regarding the relatively high nitrate-nitrogen concentrations in the private wells sampled and the recommendation on how to proceed with developing a new water source.

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

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

**ACTION ITEMS:**

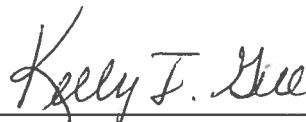
1. Mr. Miller to contact additional property owners to obtain permission to complete analytical testing of their wells.
2. Mr. Shura to contact Benner Township's solicitor to discuss incorporating language into their draft zoning ordinance and/or SALDO.
3. Key Points of BTWA 03/19/2019 meeting to be submitted to Benner Township Supervisors.
  - a. Due to the high nitrate levels detected at potential land areas for new source development, further analytical testing will be completed to aid in identifying possible locations for the new water source.
  - b. BTWA's engineer will be contacting the Township's solicitor to discuss incorporating language into their draft zoning ordinance and/or SALDO.
  - c. Dr. Parizek has provided a draft fracture trace analysis which is currently being modified and will be incorporated within SWP plan then submitted to the PA DEP.
  - d. Appreciate the Benner Township Supervisors and Planning Commission's willingness to work with the BTWA in addressing future development needs for potential public water.

**Next regular scheduled meeting is April 16<sup>th</sup> at 6:30 p.m.**

**ADJOURNMENT:**

**Mr. Eby moved, seconded by Mr. May to adjourn the meeting at 7:39 p.m. 4 ayes, 0 nays, 1 absent. The motion carried.**

Respectfully submitted,



---

Kelly J. Gill, Recording Secretary

CC: Benner Township 04/17/2019

**BENNER TOWNSHIP WATER AUTHORITY  
1224 BUFFALO RUN ROAD  
BELLEFONTE, PA 16823  
(814) 355-4778**

**REGULAR MEETING  
March 19, 2019**

**GUEST LIST**

1. David Thomas Roberts, 1995 Valley View Rd
2. Yenee Swanner
3. John Koster
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_