

# **BENNER TOWNSHIP WATER AUTHORITY**

## **REGULAR MEETING**

**February 18, 2025**

### **ATTENDANCE:**

**AUTHORITY MEMBERS PRESENT:** Thomas Eby  
Timothy Edkin  
James Lanning  
Jerrold May

**OTHER ATTENDEES:** Will Barton – SBWJA  
Kelly Gill – SBWJA  
Brian Shura, P.E. – Stiffler McGraw  
Michael Levandoski, Esq. – MKC Law  
See Attached Guest List

### **CALL TO ORDER:**

The February 18, 2025, Regular Meeting of the Benner Township Water Authority was called to order at 6:30 P.M. by Jerrold May, Chairman.

### **ROLL CALL:**

Timothy Edkin, Secretary, took Roll Call, recording four members present. Mr. Swales was excused from the meeting. Mr. May, 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 January 21, 2025 regular meeting were presented for review. **Mr. Edkin moved, seconded by Mr. Lanning to approve the Minutes of the January 21, 2025 Regular Meeting as presented.** 4 ayes, 0 nays, 1 absent. **The motion carried.**

### TREASURER'S REPORT:

Mr. Edkin reviewed the Treasurer's Report as presented. Mr. May asked the Board if there were any questions or comments regarding the Paid Checks or Bills by Vendor submitted for approval. Mr. Eby noted the income received from SCBWA was approximately 50% higher than typically and asked if they provided details with the payment. Mrs. Gill stated they provided a spreadsheet identifying each location and the number of gallons used as they do every year. Mr. Eby stated he would like to see the spreadsheet and Mrs. Gill indicated she would email it to the entire Board. **Mr. Edkin moved, seconded by Mr. May to approve the Treasurer's Report as presented, the Paid Checks in the amount of \$6,681.71 and Bills by Vendor in the amount of \$9,560.66.** 4 ayes, 0 nays, 1 absent. **The motion carried.**

### SBWJA REPORT:

**January System Overview** – Mr. Barton provided an overview of the work completed for the Benner Township Water Authority (BTWA) for the month of January.

**System Maintenance** – Mr. Barton informed the Board of a small leak within the Grove Park water system that was fixed in early January. There will be some restoration work that will need completed in the spring such as topsoil, seed and the replacement of two blocks of sidewalk. The generators at Hampton Hills and Grove Park were serviced. The prep work associated with the 2025 analytical testing requirements was completed. The annual inventory was completed. To recognize cost savings, we switched to Suburban Testing Labs which has recently opened a laboratory in State College.

**Analytical Testing** – In January samples were obtained from both water systems to complete bacteria testing. A sample was also obtained from the Grove Park water system to complete nitrate/nitrite testing.

**PA One Calls** – There were two (2) PA One Calls located in the month of January.

**Grant Work** - Mr. Barton informed the Board that the radio telemetry work is mostly complete, and we are currently receiving alarms from both systems. Some additional adjustments need to be made such as delay timers and antenna adjustments.

**SOLICITOR'S REPORT:**

**Grove Park Nitrate Removal System Condemnation for Right-of-Way for Discharge to Sewer** – Mr. Levandoski indicated at the last meeting the Authority Board voted to proceed with the condemnation of the properties located at 110 and 122 Teasel Way for the discharge of the waste stream from the nitrate removal system. The engineer has provided the necessary drawings (easement plats) and the declarations of taking are prepared. Mr. Levandoski indicated we are ready to proceed once a deed search is completed to determine any outstanding liens because we are required to notify any lien holders of the filings. Mr. Levandoski stated we should be able to file the declarations of taking by the end of this week.

**ENGINEER'S REPORT:**

**Grove Park Nitrate Removal System-** Mr. Shura stated the equipment has been purchased by the Authority and is currently sitting at the vendor's facility waiting to be picked up for installation.

**GUESTS:**

**Rick Weyer (Walnut Grove Estates)** – Mr. Weyer introduced himself and indicated he lives in Walnut Grove Estates (WGE). Mr. Weyer stated that recent news articles and he's heard through other channels that the Benner Township Water Authority (BTWA) has been in contact with the Pennsylvania State University (PSU) and PSU has offered to help get a public water line into WGE. Mr. May stated that the information is incorrect, the BTWA has not been in conversations with PSU. Mr. Eby stated that PSU contacted him directly and he spoke to them on two different occasions. Mr. May stated that Mr. Eby was acting on his own accord and was not representing the BTWA Board during those conversations. Mr. Weyer asked what the BTWA Board intends to do with that information and Mr. May stated the BTWA Board doesn't intend to do anything with that information because the BTWA cannot afford to take on such a project. Mr. May continued by stating the BTWA Board made that decision over one year ago. Mr. Weyer then asked if the BTWA Board has no intention of building a water line into WGE, regardless of PSU's assistance. Mr. May stated not at this time. Mr. Weyer then asked if that is a yes, no or a maybe. Mr. May stated his answer would be no. Mr. Weyer thanked Mr. May and stated that they need to know this as a community so they can determine how to proceed.

**Kathy Evey (Benner Township Resident & Benner Township Supervisor)** – Mrs. Evey asked if Mr. May could explain why the BTWA would not take help and assistance from PSU to give the residents of WGE public water. Mr. May stated that there has been no indication from PSU to the BTWA that they are willing to do that. Mrs. Evey asked Mr. May if he had read the article in the newspaper because the article is an indication that PSU would be willing. Mr. May stated he has not read any articles. Mrs. Evey then referenced the consent order and agreement (COA) between the PA DEP and PSU and asked why the BTWA Board did not respond at all to the COA. Mr. May stated that it was discussed at BTWA's public meetings and the BTWA Board was waiting for the Benner Township Supervisors to provide their response, once drafted by their attorney, so the BTWA Board could add to the letter and submit a response. Mrs. Evey then asked why BTWA is not working with PSU and Mr. May stated that the BTWA has not been approached by PSU. Mrs. Evey asked why the BTWA wouldn't reach out to PSU directly. Mr. May explained that currently the BTWA has customers that they are responsible for and reiterated that the BTWA cannot afford to take on such a project, especially the continued operation and maintenance costs of such a system. Mr. May indicated that just prior to the meeting he received an email from Mr. Swales, BTWA Vice-Chairman, outlining a list of requirements that the BTWA would need from the Benner Township Supervisors before they could even consider this project or any other project in the township. The list is as follows:

1. Benner Township Supervisors must declare that BTWA's service area includes all of Benner Township and all water distribution/service requests must come through the BTWA.
2. With item 1 above being clarified, Benner Township Supervisors must enact a must-tap ordinance.
3. Benner Township Supervisors need to exercise whatever influence they have to help BTWA address the service agreement with SCBWA.
4. PSU and SCBWA have punted the issue of WGE to BTWA and the BTWA is hamstrung on addressing WGE because of items 1,2 and 3 above.
5. If BTWA would ever be involved with WGE, WGE would need to have a separate rate district and costs would be astronomical. The only way it could be reasonably controlled is if PSU would offer to pay for all water purchased through SCBWA to serve that area. Even then, the infrastructure installation, maintenance and monitoring would still be a large pill for many to swallow.
6. Benner Township Supervisors would have to require all WGE wells, except any that the state may want as monitoring wells, to be abandoned and isolated from any public water system installation.

Mrs. Evey asked if these requirements will be submitted to the Benner Township Supervisors and Mr. May stated they likely will be, but at this time the BTWA Board needs to focus on finding a new contractor to provide operation, maintenance and management services due to SBWJA terminating their contract with the BTWA. Mr. May stated that the BTWA cannot commit to anything until such services are located.

**Must Tap Ordinance** – Mr. Weyer asked if the BTWA would reconsider their stance if the Benner Township Supervisors passed a must tap ordinance. Mr. May stated that it would be just one of the requirements for this Board to reconsider. Mr. Shura stated he would like to clarify a few things pertaining to where the must tap requirement comes from. Mr. Shura informed the guests that a vast majority of the funding for such a project requires a must tap ordinance to be in place. Most of the avenues that were explored for a water line extension to WGE would require a must tap ordinance.

Mrs. Evey stated that without knowing how far the contamination has spread, it is difficult to determine who needs public water in the township; therefore, she would prefer to have everyone's water tested before considering such an ordinance.

**John Elnitski (Benner Township Resident)** – Mr. Elnitski addressed the WGE residents in attendance at the meeting and urged them to work directly with PSU for their public water needs. Mr. Elnitski stated in his experience, once multiple entities are involved, the process becomes stagnant resulting in long delays. Mr. Elnitski stated right now PSU should be held accountable to fix the problem by paying for a public water extension to WGE and then ultimately the system could be turned over to the BTWA, if the BTWA would accept it. Mr. Elnitski stated the public does not want a must tap ordinance.

**Tim Edkin (BTWA Secretary/Treasurer)** – Mr. Edkin stated there may have been some discussions going on back and forth, but in fact no one ever formally approached the BTWA Board about providing service to that area. Mr. Edkin indicated he was going to propose under New Business this evening that the Board consider conducting a survey to see who may be interested in public water. Before doing so, it would probably be best if we had an estimated cost for what it would cost a resident to tap onto the water system, which he was hoping to obtain from the engineer. Mr. Edkin stated if the survey identified few homes were willing to connect to the system and pay those fees, then the BTWA Board would know how best to proceed.

**Wes Reitz (WGE)** – Mr. Reitz introduced himself and indicated he also lives in WGE. Mr. Reitz stated he would be very surprised if PSU would pay for tapping fees to connect the homes to a public water system. Mr. Reitz requested the engineer design a system that requires less maintenance than what is being proposed and indicated the monies to build the system are currently available. Mr. Shura stated both engineering firms (SCBWA's and BTWA's) provided estimated costs for the operation and maintenance of the system and the costs were very similar. Mr. Shura stated there are fixed costs that cannot be avoided such as sampling requirements and the labor associated with daily visits to ensure compliance. Mr. Shura continued by stating the BTWA would have substantially more costs than the SCBWA due to having to purchase the water from the SCBWA and additional sampling/testing that needs completed due to being considered a consecutive water system to maintain regulatory compliance.

**Mark Toci (WGE)** – Mr. Toci introduced himself and asked if anyone knew the percentage of the township that is on well water. He then continued by stating that the reason he is asking is because he believes the contamination is more widespread than what anyone thinks and is not just a WGE issue. Mr. Toci then asked what it would take for the elected officials and corresponding groups to get together with PSU to find a way to provide public water to the area.

Mr. Edkin stated that he understands that SCBWA has decided not to participate in such a project; however, they have offered to provide water for purchase. Mr. Edkin continued by stating BTWA and its current customer base cannot afford to fund the design of such a project or the operation and maintenance of the project. Mr. Edkin stated that without a mandatory connection ordinance in place or knowing who may be interested in public water and the overall cost to each resident there is no guarantee of the number of homes that would connect to such a system. Mr. Edkin stated he would like to conduct a survey as stated earlier in the meeting and Mr. Toci agreed to help him with creating the survey for distribution to WGE.

**Rick Weyer** – Mr. Weyer stated that SCBWA punted the project to the BTWA; however, that was prior to PSU's involvement and willingness to pay for the water line. Mr. Weyer asked if that would change anything for SCBWA and stated that no one will know unless they sit down with PSU and the other entities to discuss things.

Mr. Edkin stated from his standpoint, the BTWA needs to know overall costs before they could consider involvement on their end.

**Robert Huffard (WGE)** – Mr. Huffard introduced himself and asked if the BTWA Board would be willing to meet with PSU to hear their side of things. Mr. Huffard stated he understands there was a meeting previously held, but Mr. Eby was there unofficially.

Mr. Eby indicated he would like to clarify that situation. Mr. Eby stated that PSU has called two (2) meetings in which they contacted Mr. Eby directly. Mr. Eby stated he only took information at those meetings and told them where the BTWA stands. Mr. Eby stated he told PSU that the BTWA does not have the funds and cannot afford to subsidize such a project. PSU accepted that response from Mr. Eby.

**Kathy Evey** – Mrs. Evey indicated there are other things to consider such as the maintenance cost associated with the point of entry treatment (POET) systems that were installed within the homes in WGE. Mrs. Evey stated she would like to know more about the expenses associated with maintaining such a system.

Mr. Weyer indicated the water needs tested two to three times per year. The filters will need changed every 1-2 years, depending on usage, and will cost approximately \$2,000 - \$3,000 to replace both filters. There is also an expense associated with the disposal.

**Dustin Houtz (WGE)** – Mr. Houtz introduced himself and stated one of his filters in his home has already failed and it hasn't even been a year. Mr. Lanning asked what may have caused that to occur and Mr. Houtz stated the first filter was full; therefore, the contaminant (PFAS) made it into the second filter.

**Tom Eby (BTWA Board Member)** – Mr. Eby stated the BTWA Board could talk with PSU and collect information but cannot commit to anything.

Mr. Weyer added that even if PSU is willing to fund the entire project, they cannot do it alone. They need cooperation from an Authority and if an Authority is not even talking to them then it's an impossible task.

Mr. Edkin again reminded everyone that the BTWA's number one priority at this time is to find a replacement for SBWJA who has terminated their contract with the BTWA. Mr. Edkin stated he understands how critical the water situation is in Benner Township.

#### **CORRESPONDENCE:**

**COA Response to PA DEP & PSU** – The BTWA received an email and a copy of Kathy Evey's comment letter to the PA DEP as it relates to the COA with PSU over the PFAS investigation in Benner Township.

**COA Response to PA DEP & PSU** – The BTWA received a copy of Benner Township Supervisors comment letter to the PA DEP as it relates to the COA with PSU over the PFAS investigation in Benner Township.

#### **OLD BUSINESS:**

**Local Share Account Grant Payment Request** – The Authority is ready to submit another request for reimbursement for its expenses associated with the Local Share Account grants that were awarded to the Authority for the installation of a VFD (variable frequency drive) and SCADA system at the Opequon well house and the high service pumps and SCADA system at the Grove Park well house. **Mr. Edkin moved, seconded by Mr. Eby to approve LSA Payment Request Form No. 07 for the Hampton/Opequon water system in the amount of \$17,149.50 and LSA Payment Request Form No. 07 for the Grove Park water system in the amount of \$22,197.50.** 4 ayes, 0 nays, 1 absent. **The motion carried.**

**Bank Signature Cards** – Mrs. Gill indicated the signature cards for First National Bank and Kish Bank will need updated to reflect the change in officers. The updated signature cards were presented at the meeting for signature.

**Contractor Services Letter** – Mr. May provided the Board with a contractor services letter that he prepared to be sent for operation, maintenance and administrative work for the Authority. Mr. May would like to obtain approval this evening so he can send out the notices. **Mr. Edkin moved, seconded by Mr. Lanning to propagate the contractor services letter prepared by Mr. May to operate and account for the water systems.** 4 ayes, 0 nays, 1 absent. **The motion carried.** Discussion was then held about where to send the requests and who to contact about the services.

**State Ethics Forms** – Mrs. Gill indicated there are a few outstanding State Ethics Forms for 2024 and reminded the board members to turn their forms in by March 31, 2025.

**Undefined Service Area** – Mr. May stated that the BTWA would like help from the Benner Township Supervisors to define the service area of the BTWA.

#### **NEW BUSINESS:**

**Possible Rockview Closure (Village of Peru Water System)** – Mr. May stated that he hasn't heard anything directly, but he understands SCI Rockview's water filtration plant and water system still serves SCI Benner; therefore, there should be no concerns pertaining to continued water service to the Village of Peru.

#### **ACTION ITEMS:**

1. Mr. May to send out the contractor services letter to the entities that were discussed, and Mr. Edkin to assist with contacting townships, boroughs, and authorities in Centre County to obtain information pertaining to these services.
2. Mr. Edkin to work with Mr. Toci to create and conduct a survey of WGE to determine an interest in public water.
3. BTWA Board to submit Mr. Swales questions/comments to the Benner Township Supervisors.

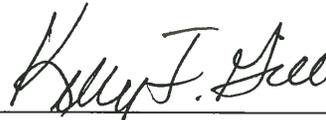
**Marshal Aloï (WGE)** – Mr. Aloï introduced himself and asked what happens to the Authority’s customers if the BTWA is unable to locate a contractor to provide the necessary services and is dissolved. Mr. May stated that it is an excellent question, and he doesn’t have an answer at this time. Mr. May continued by stating that SBWJA has agreed to work with the contractor through the transition; however, there has been no discussion about how to proceed if the BTWA is unable to locate a replacement contractor within the timeframe allotted.

**Next regular scheduled meeting is March 18<sup>th</sup> at 6:30 p.m.**

**ADJOURNMENT:**

**Mr. Edkin moved, seconded by Mr. Lanning to adjourn the meeting at 8:14 p.m. 4 ayes, 0 nays, 1 absent. The motion carried.**

Respectfully submitted,



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Kelly J. Gill, Recording Secretary

CC: Benner Township 03/19/2025

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

REGULAR MEETING  
February 18, 2025

GUEST LIST

**\*Please be sure to print your name on the lines below.**

1. JIM HINDRANT
2. Bethy Evey
3. Karen Hoover
4. RICK WEYER
5. MIKE PEINKEY
6. Mark Lucci
7. CARL HEITZ
8. MANSHAL ALOI
9. ROB HUFFARD
10. Dustin Hartz
11. \_\_\_\_\_
12. \_\_\_\_\_
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