

Red Lion Municipal Authority
Meeting Minutes
Wednesday, January 27th, 2021

Members present

Mike Poff, Chairman
Skip Missimer, Vice-Chairman
Dennis Klinedinst, Secretary
Chris Minnich, Asst. Sec/Treasurer
Kelly Henshaw, Treasurer

Others present

Keith Kahwajy, Superintendent
Jeff Beard, Asst. Superintendent
Andy Miller, Solicitor (Zoom)
Jason Reichard, Engineer (Zoom)
Stacy Myers, Recording Sec'y (Zoom)

Visitors

Tony Musso
Dianne Price (Zoom)
Cindy Barley (Zoom)

1. The meeting was called to order @ 7:00p.m., followed by the pledge to the flag. Mr. Missimer welcomed Kelly Henshaw as the newest Board member to the Red Lion Municipal Authority.
2. Mr. Klinedinst made a motion to approve the December 15th, 2020 Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **WATER USAGE REPORT**—7.1” of rainfall was received since last meeting. Keith reported usage this month was slightly higher than usual due to several leaks in Red Lion’s system & a few major leaks in Dallastown-Yoe’s system, which caused significant operational issues to Red Lion’s system but no interruption of service to customers.
4. **CONNECTIONS REPORT**—0 new connections since last meeting.
5. **VISITORS**—no one was present to address the Board. Mr. Missimer had invited Jeff Herrman to tonight’s meeting to present him with a plaque for his years of service to Red Lion Municipal Authority from 2014-2020. Jeff did not attend tonight’s meeting, but Keith will be sure he receives his plaque. Jeff served on the Board, completing his father, Henry Herrman’s term, then continuing to serve another 4-year term. We appreciate Jeff’s service.
6. **TEN-YEAR OPERATING REPORT**—Mr. Missimer thanked staff for this report which offers very valuable information on water & chemical usage as well as distribution reporting. Keith requested one change be made on the “Red Lion Water Yearly Operating Report 2020”. In the last column for usage of Ortho Phosphate reads “64,402”, this should read “21,102”.
7. **WATER AND SEWER—OLD BUSINESS**
 - **Solicitor’s Report**—Andy reported:
 - **Wise Avenue Easements**—due to the Springvale Water Extension Project, easements have been prepared for the installation of a water line in Wise Avenue. Once the bids for the Springvale project were opened, discussion was held on the easements. Easements are needed from four properties for this project; some are temporary construction easements & some are regular easements. Jeff Beard reported 3 of the 4 property owners have received them. Mr. Poff made a motion to approve the Easements & authorize the Chairman to sign them once received from the property owners; Mr. Minnich seconded. All were in favor; motion carried. Andy said because this paper street was never opened as a public street by the Borough, the right-of-way is owned by the adjacent property owners. They own to the center of the street, but if any property owners refuse right-of-way, the Authority could exercise eminent domain.

- **DYWA Bulk Sales Agreement**—this will be discussed in Executive Session later tonight.
- **Deed recording/Library Subdivision**—the deeds transferring and/or changing lot lines for a portion of Borough property to the Authority & confirming the lot lines for the Authority’s reconfigured lot have now all been recorded.
- **Question from Kelly Henshaw**—In tonight’s bills for approval is a payment to L/B Water Service & Kelly’s daughter works for them. He inquired whether his vote on that would be a conflict. Andy said tonight’s bill list can be approved, but it can be noted in these minutes that Kelly has abstained (particularly on that bill).
- **Engineer’s Report**—Jason reported:
 - **Springvale Road Water Main Extension**—a bid opening was held yesterday, 1/26. Although many contractors showed interest & picked up bid packets, 9 bids were received, all of them below Jason’s & staff’s estimation of near \$700,000. Low bidder was Doli Construction (located north of Philadelphia) with a bid of \$388,789; 2nd lowest was Barrasso Excavation with a bid of \$421,850. After review of the quotes, nothing stood out to Jason, Keith or Jeff as reason or concern for the low bids; however, Doli Construction completed a project for RLMA in 2013 which didn’t go well. There were conflicts with field personnel & early on, the contractor requested a Change Order for restoration work. Being that there were several hassles involved with that whole project & working with Doli Construction, the Board & staff are reluctant to award them another project. Considering the 2nd bidder’s quote is still well under Jason’s estimate, the Board wondered if the project could be awarded to Barrasso, although they’re not the lowest bidder. Staff has been very pleased with past projects completed by Barrasso Excavation. There was one minor issue noted, but it was resolved & everyone was satisfied. Andy stated the Authority adopted competitive bidding regulations in 2011 that offer criteria to assess the lowest responsible bidder. RLMA can consider the following factors:
 - a. the quality of the bidder’s previous work
 - b. the bidder’s record for completion of work on time
 - c. the bidder’s history of payment to subcontractors & suppliers
 - d. the maintenance of the bidder’s principal place of business
 - e. the adequacy of the bidder’s equipment, work crew & principal place of business to conduct the work
 - f. credit history & financial background of bidder
 Previous & current discussions about Doli Construction focus mainly on Factor “a” from above list. Jason said details on Doli’s work history with RLMA can be found in his bid/project documents & most likely, is noted in past Meeting Minutes. Andy said this should be satisfactory to establish, in writing, the Board’s decision to award the bid to the 2nd bidder & not the low bidder. If the Change Orders (mentioned above) were for things that should’ve been captured in the bid, that could help with RLMA’s argument to deny Doli’s bid. If the Change Orders were the result of something outside of the contractor’s control, that would not qualify as a reason for denying the bid. RLMA staff noted shoddy workmanship as one major issue with the 2013 project Doli Construction completed. 29 curb boxes (out of 50) were installed incorrectly, payment was withheld until those were corrected, which created some issues with the contractor. RLMA employees completed some of the work & billed Doli for it, which created other problems.

Keith referenced a 2014 email from Jason asking if they (Keith/Jeff) wanted to give Doli Construction notice that RLMA would no longer accept bids from their company. Andy had responded in that email stating he didn't think RLMA could disqualify Doli forever, but rather reject a bid in each separate occasion that they submit one.

With the problematic factors in mind, the Board's consensus was to award the bid to Barrasso Excavation. Mr. Klinedinst said he would be in favor rejecting all the bids & rebidding the project, but Keith is afraid contractors will already have their workloads scheduled for the year & RLMA won't get favorable bids on a 2nd bid request. Mr. Klinedinst agreed. Even with the additional \$33,000 in Barrasso's bid, the project is still under staff's estimate. Andy said the 2nd bid is not far off from the 1st & clearly there is a problematic history with the 1st bidder.

Mr. Henshaw made a motion to award the Springvale Water Main Project to Barrasso Excavation with the quote of \$421,850; Mr. Minnich seconded. All were in favor; motion carried. Prior to sending the Notice to Award, Jason will be in touch with Andy to ensure RLMA's desired language is included.

Edgewood Tank Project—an onsite meeting was held with RLMA staff, first at the Edgewood Tank, then at the Treatment Plant to consolidate facts & existing conditions of the work. This was authorized as Phase 1 of the feasibility study. Contact has been made with York County Insurance Services Office & also DEP to discuss the level of permitting required with this project & notification to the Red Lion community. Communication with Windsor Township has been made to evaluate any necessary Variances for a new tank. A preliminary draft of the findings has been created & a full report will be distributed to Board members before the February meeting.

- **Cabin Creek Dam**—the 2020 Annual Safety Inspection has been completed & the corresponding inspection report has been submitted. Things are in good shape with the dam structure itself & RLMA staff continue to perform routine maintenance of the facility & anything identified by the annual inspection. The most significant repair work involves the deterioration of the exposed section (above water surface) of the intake structure. CSD will work with RLMA staff to create a scope of work & recommend removal of the delaminated concrete & repair in 2021. Jason predicts the work may be pricey due to accessibility to the intake. Of note, this is the old intake structure, not the new intake. The old intake is no longer used, but it still provides structural support for some valves & piping underneath. The valves should still be exercised sometimes even though it's not used often.
- **Superintendent's Report**—Keith reported:
 - Shut offs for unpaid water bills will be February 17th, 2021.
 - Execution of chemical contracts have been signed
 - RLMA staff repaired several leaks since last meeting—a 2" galvanized line, 8" on Walnut St., 6" on S. Charles St., 6" on Ivy Dr., & a 6" on Faith Lane. There were a few major leaks in Dallastown-Yoe's system that were repaired with many hours' assistance from RLMA staff.
 - Clarifiers were cleaned at the Water Treatment Plant on January 13th & 14th.
 - A report was received from the company that did the review of the vegetative growth in the Cabin Creek reservoir & Keith distributed the report to Board members for review. There were a few options given to control the vegetation:
 - Grass carp, but it could take 2-3 years until they start eating the vegetation.
 - Using an advanced herbicide

- Biological control—unknown results (it may control growth or over-control it)
- To continue to live with the problem, but the growth will only continue to get worse

Brad Sprenkle & Keith agreed the use of an herbicide would be the best option & most of the Board agreed, but Mr. Missimer suggested contacting DEP & the herbicide manufacturer/supplier to see if any other municipal water system or company have used this chemical. Another reference may be the SDS (Safety Data Sheet) for this herbicide. Keith will research & report more at February's meeting.

8. WATER AND SEWER—NEW BUSINESS

- Election of officers for 2021
 - Chairman--Mr. Missimer nominated Mike Poff for Chairman. No other nominations were heard. All were in favor.
 - Vice-Chairman—Mr. Poff nominated Skip Missimer for Vice-Chairman. No other nominations were heard. All were in favor.
 - Secretary—Mr. Missimer nominated Dennis Klinedinst for Secretary. No other nominations were heard. All were in favor.
 - Treasurer—Mr. Minnich nominated Kelly Henshaw for Treasurer. No other nominations were heard. All were in favor.
 - Asst. Secretary/Treasurer—Mr. Minnich nominated himself, Chris Minnich for Asst. Secretary/Treasurer. No other nominations were heard. All were in favor.
- Consulting Engineer for 2021—Mr. Henshaw made a motion to appoint C.S. Davidson for Consulting Engineer for 2021; Mr. Missimer seconded. All were in favor; motion carried.
- Solicitor for 2021—Mr. Klinedinst made a motion to appoint MPL Law Firm as Solicitor for 2021; Mr. Missimer seconded. All were in favor; motion carried.
- Auditor for 2021—Mr. Henshaw made a motion to appoint Hamilton & Musser as Auditors for 2021; Mr. Minnich seconded. This firm has been used the past two years & staff is satisfied with their work. All were in favor; motion carried.
- Chapter 94 Report was submitted on January 7th, 2021.
- Safety Meeting was held on January 14th, 2021 & was the first safety meeting since before COVID. Of note, no Workers Compensation claims were filed for RLMA employees in 2020, which is great!
- April 5th, 2021 is the tentative date for flushing the water distribution system.
- Keith & Jeff met with CSD's structural engineer to look at two corners in the basin of the pre-treatment building that are cracking. He was not concerned with the interior condition; however, he suggested maintenance on the exterior which includes pressure washing the concrete, repointing some of the joints, etc.
- The old Filter Plant which was built in 1924-25, has been used for various things since 1988. Mr. Missimer & RLMA staff don't believe this old structure is needed any longer; however, an emergency sludge overflow area is necessary. This old building is deteriorating, leaking & isn't worth investing money in, but the Board should begin discussing what to do with it. Mr. Missimer suggested Board members visit the area so a proactive decision can be made concerning the building. His opinion is to tear it down which can be done relatively inexpensively & money can be budgeted for that.
- On January 13th, 2021, Tier II Chemical Storage forms were completed & submitted to Labor & Industry who then distributes them on County level. A meeting will then be held with the County.

- Of note, SDS (formerly MSDS) sheets on all chemicals are stored on a flash drive kept in a Knox Box at the WTP gate. That way emergency personnel would have necessary information in the event of an emergency.
 - Keith mentioned people working in water/wastewater had been in Phase 1B classification for the COVID-19 vaccine but have now dropped to Phase 1C. PA WARN is pushing to get these workers vaccinated as quickly as possible.
9. **Approval of bills & statements**—Mr. Missimer made a motion to approve bills & statements; Mr. Minnich seconded. All were in favor, motion carried with Mr. Henshaw abstaining from voting on Check # 615461 to L/B Water Service.
 10. **Authority recessed to Executive Session @ 8:07p.m.** for Andy to brief the Board members & discuss contract negotiations.
 11. **Authority reconvened @ 8:49p.m.** No decisions were made.
 12. **Adjournment**—RLMA Meeting adjourned @ 8:51p.m.
 13. **Next RLMA Meeting will be held Wednesday, February 24th, 2021.**

Respectfully submitted by:

Stacy Myers, Recording Secretary