

**MINUTES OF REGULAR MEETING  
OF THE BOARD OF THE  
PLUM CREEK MUNICIPAL AUTHORITY**

A regular meeting of the Board of The Plum Creek Municipal Authority was held on March 15, 2022, at the Plum Creek Municipal Authority Business Office Building, South Manheim Township, Schuylkill County, Pennsylvania.

Board members present at the meeting were Jim Ridderhoff, Jerry Weiss, Matt Gruber, and Ryan Achenbach. Also, in attendance were Joe Zerbe, Nancy Wesner (PCMA Office), Joe Clemas (PCMA Plant), Carl McGrady (PCMA Plant), Matthew Crump (SES – Select Environmental Solutions), and property owners Joe Haggerty, Jason Krause, Jim Krause, Richard Hardy, and David Mengel.

Jim Ridderhoff called the meeting to order at 6:00 p.m.

The minutes for the February 2022 meeting were accepted by motion of Matt Gruber, seconded by Ryan Achenbach, carried by all.

The Treasurer's report for February 2022, was reviewed and accepted by motion of Matt Gruber, seconded by Ryan Achenbach, carried by all.

Matthew Crump (SES), submitted a written manager's report to the Board prior to the meeting:

- Copies of the following information has been submitted by SES to PA DEP on the authority's behalf and are viewable via PA DEP website via the eDMR.
  - Discharge monitoring report and Discharge monitoring report supplemental report

In water operations, Matthew Crump (SES) reported that:

- On February 7<sup>th</sup>, a water main leak repair was completed at lot 308/309, and a leak in the service line at 1870 was also repaired.
- On February 10<sup>th</sup>, SES staff performed quarterly 334 testing on the chlorine meters.
- On February 28<sup>th</sup>, SES staff completed the Consumer Confidence Report (CCR) and submitted it to the PCMA Office for distribution in the next billing cycle.
- The Water Audit was just completed and submitted today.
- Two wells (1 & 3) are currently running in February.
- Booster Station: All pumps operational and rotating on monthly basis.

In sewage operations, Matthew Crump (SES) reported that:

- Normal operations continue and plant ran well for February 2022.
- 32 septic pumps in the backlog.
- Staff pulled rags out of the aeration tank and clarifier valves/inlets.
- There were 46 pumps done (19 Holding Tank Pumps, 27 Septic Pumps) for February 2022.

Matt Gruber asked if the Mack pump truck was fixed. Joe Clemas said it is still over at Trans Edge. Joe said they had an issue getting the part and it has been a month. The part was ordered as of last week.

Jim Ridderhoff welcomed the Krause's who had asked to be put on tonight's agenda. Jason Krause introduced himself and his father, Jim Krause, and said they are from 242 Mohave Drive. They are in the process of building a garage on the property - it is going to add onto the house. Jason said somewhere in November he reached out to Plum Creek and Joe Clemas (Plant) responded and came to the house.

Jason Krause said we talked to them because we knew about a water line that ran through the property and just so we could have some preliminary conversations about it. We walked through the property, walked on the road where the valve box is, talked about where our garage location was going to be, and where we thought the water line might be. At that time, Joe (Plant) pointed out to us some things we didn't even realize about the property that there is a possible water line in the middle of it not on the property line. Jason said Joe talked about some of the water lines being in transite pipe and it makes it very difficult to locate. We talked about some ways of trying to isolate where that water line goes and make sure it is not in the way of the garage that they were planning to build. Jason said Joe said he was going to take it back to his bosses and talk about it. We talked about locating it with a backhoe or digging it up but instead the PCMA Board decided to write a certified letter to his parents. Jason said nobody on the Board put forth that they can't build or that they can't proceed with building on their property. Jason said we all know what a certified letter looks like when you receive it in the mail. It is a method used by lawyers and attorneys to shift liability and he does not like the tone of the letter. Jason said he disapproves the letter. He wanted to play ball with the Board of the water company. Jason said before they even made a PA One Call – they reached out – let's find this water line and let's figure out where it needs to be. Jason said they can do a lot of different things on their property to put this garage at a fair location if the water line is in the middle of the property which he still believes it is. This gentleman (Jason pointed to Matthew Crump, SES) was out and did a field marking. Jason said he now has a PA One Call that shows a field marked and that shows it on a property line which is well away from their garage. Jason said he is sitting here today, and he is going to say that Matthew is wrong. Jason said he feels that is not where the water line is. Jason said there is no method he knows of other than ground penetrating radar. He feels the old school way of using a set of wires. He guarantees it is not springs but feels it is the water line. Joe (Plant) said the stumps were the issue not the garage itself.

Jim Ridderhoff said at the last meeting this issue came up. We discussed it at length and we, as a Board, were hard put to understand why a water line would go through the middle of a property instead of being on easements. We talked to Matthew Crump (SES) and said can you locate the lines. Jim said Matthew indicated he had trouble locating the lines because of the transite. Matthew said he was not able to use the locating equipment to follow the pipe. Jim said the discussion we had was that if those water lines were indeed in a place where you were going to be pulling stumps out and they were damaged you would be liable for the water lines, and we recommended that you grind the stumps and leave the roots there. Jim said that was the intent of our discussion and he was sorry that intent did not get passed across to you. Jim said it was not the Board's intention to throw the whole ball of wax in your ballpark but the first step we must do is locate the water line. Jason Krause said that responsibility does not fall on him or his father that falls on the facility owner to locate their line. Jason said his job was to let the Board know his intentions and he did that, he followed up with a PA One Call and received a response back that it was field marked, and he is sitting here telling you that he feels like that is wrong.

Ryan Achenbach said he wanted to address the certified letter because that got us off on the wrong foot. The reason we chose to do that at the meeting is because there is no supervisor on site - so the directors that you see sitting at the table work elsewhere or retired. There is nobody here at the home base to give calls or an alert or anything like that. We opted with the certified letter so we would have verification that the letter got to you. Ryan apologized because he can see Jason's side as to how a certified usually is not good news. Ryan said at the same time he hopes the Krause's can understand that we found that to be the best way to ensure that the letter did not get lost. Ryan said we were looking to meet in the middle and not dig the trees up and risk anything. Any trees that are in the area if you just grind the stumps instead of pulling them out, we do not have to approach the issue of any damage.

Matthew Crump (SES) said his markings are based off the map. Ryan Achenbach said his question is where do we find ourselves legally if our water mains are not in the easement where it is supposed to be. Joe Zerbe said that is a good question. Ryan said if he is not mistaken the deed restrictions are from the origination of the development. Joe Clemas (Plant) said if the water line is where Jason Krause thinks it is and he thinks it is there too - the best thing is to have us dig it up. Jamie Lorah (SSM) said she has two recommendations: 1) have Dave Bonkovich, somebody who listens to the pipes, and he might be able to locate it that way, 2) if it is in the wrong place and not in the easement it would be better to relocate it. Matthew said to add onto what Jamie said you could bring in someone who is able to locate and if not, you could bring in a vacuum truck, spot dig and see if you find the pipe.

Ryan Achenbach said first we should find the line and then figure out a solution. Ryan asked Matthew Crump (SES) to handle it and make sure the task gets done. Jim Ridderhoff said Matthew should get the someone in to dig and find the line at our cost.

In legal matters, Joe Zerbe said other than writing the certified letter for 242 Mohave Drive and having a conversation with Jason Krause and suggesting he comes to the meeting to talk about it -he had nothing else to report.

Jim Ridderhoff said that himself, Jerry Weiss, and Jamie Lorah (SSM) went to a meeting about two weeks ago in Wilkes-Barre with DEP and Scott Novatnak was there. Jim said what Rob Stermer told us three years ago was overturned completely by Mr. Novatnak. Scott is supposed to report back to us within 30 days of our meeting with some written comment.

In engineering matters, Jamie Lorah (SSM), said the meeting was held on March 1<sup>st</sup>. We had representatives from both townships, someone from the Senator Argall's office, Scott's boss, Bharat Patel, was there. Mr. Novatnak started out by asking Jamie to give an introduction. He made a note to the fact that he has yet to review the Act 537 plan in any length. It has been with the department since August 4<sup>th</sup>. He took a quick look at it in December and decided it was missing a sealed resolution (the original) and decided to reset the clock. So, we are now looking at potentially May for his full review, but we did ask in that meeting that he provide us with some sort of preliminary review letter, so we know how to proceed. Mr. Novatnak asked us to present to him what our thoughts are for what the Act 537 plan entailed. Jamie said she gave him a background on what the alternatives analysis consisted of and that was from 2017. Jamie said he is taking the stance that both townships have not adequately updated their Act 537 plans in thirty years or more and so they need to be revisited and he is putting that notice on the PCMA Board. That being said he is only asking for that to really be conducted for the lake and do a what is called a "Needs Analysis" on the sewer side for the lake community.

Jamie Lorah (SSM) said we went into depth about the holding tanks versus septic tanks and DEP's concerns about both. Jamie said Mr. Novatnak, she thinks, would prefer that you have a centralized sewage system here. We discussed that in terms of cost it is not really feasible in comparison to either eliminating the plant entirely or doing any other work to the plant. Ryan Achenbach asked what his response was regarding the fact that has been studied from over a decade ago and the cost was astronomical then and it would be more now. Jamie said his words were that what we presented, as in terms of an engineering study, it was an update to what was submitted twice before in 1993 and before that time. Both times it was found to be not cost effective and not really feasible for here because you would need seven or eight pump stations, you would need low pressure sewers, a lot of infrastructure, plus a wastewater treatment plant that could serve 400,000 gallons per day or more versus your existing 32,500 gallon per day plant.

There is no where to put a new plant on property that is owned by PCMA. Jamie said we into that at length with him.

Jamie Lorah (SSM) said he felt it was not adequate to take old studies and update numbers. He felt a full out analysis must be completed once again. Jamie said in the past there have been many studies done. Also, the number of lots served hasn't changed astronomically. There have been annexations, there has been combination of lots, etc. that are not reflected in tax parcel mapping, and he discussed that at length with us and that the mapping wasn't updated. Jamie said we went back and got the most up to date parcel map that we could find from the county, and it is county data. Jamie said he is saying that he needs the office of Lake Wynonah to provide boundary lines for every property to show how many vacant lots there are and how many may actually have the need for a system in the future. Because what he wants is a Needs Analysis for the system and how many more lots are going to be served in the future based on an actual property boundary lines and actual vacant properties. Jamie said they did produce a map and the Board has it in their hands. Jamie said they would like to take that map and it is updated from a couple of years ago, the parcel data, but it is still not reflecting some of these annexations that apparently had happened, whether they were not filed with the county, or the deeds did not make it to mapping, she does not know. But he is saying that it needs to be reflected. Because right now we are showing potentially six hundred vacant properties on the map, and we are talking maybe two hundred buildable lots remaining and that is even on the high side. The map will show vacant properties in one color, obviously they don't have a system on them, and we know from the tax data that they are vacant and have not built upon.

Jamie Lorah (SSM) said we do not have a review letter from Mr. Novatnak, so she is hesitant to move any further with any studies till we have the review letter. But, preliminary, what he had said to us in the meeting is he would like a Sewage Needs Analysis. A Needs Analysis requires door-to-door surveys, actual sites surveys, of 15% of the lake, to look for on-lot systems and whether or not they are showing signs of malfunctions (confirmed malfunction or suspected malfunction). That must be performed by an SEO (Sewage Enforcement Officer) and the SEO would have to visit the site and do that work. If you are talking 15% of occupied and unoccupied properties it could take months to do.

Jim Ridderhoff said Mr. Novatnak mentioned about soil testing. Jamie Lorah (SSM) said he gave us a guidance document to follow for the Needs Analysis and there is zero information in here about soil testing. Soil sampling and soil testing is addressed at all in this Needs Analysis document. Jamie said she read it front to back and what it does talk about is sampling of sites. So, when he said sampling of sites, she thinks we took it to mean soil samples but what he means is sampling for the survey. One thing you do in a Needs Analysis in addition to the door-to-door surveys is you would typically take water samples to make sure there is no contamination because you have a public water supply and that is not necessary here in this case. There is also information about stream sampling nearby to see if there is any contamination. Jamie is not sure if he is going to require that.

Jamie Lorah (SSM) said Mr. Novatnak is going back to square one and he wants PCMA to do a full out study that was not required. That was not something that Stermer (DEP) ever talked about or that we ever understood to be part of this. Jamie said we had information from Stermer that it was only these components that needed to be provided. Jamie said Scott Novatnak said that is a road map and he (DEP) has the right to change it at any time.

Jamie Lorah (SSM) said Mr. Novatnak talked quite a bit at length about the potential for sewerage every property on the lake that would ever want sewage service and providing him with a study that would show that you could provide sewer service to every property on the lake. Jamie does

not know what he is going to require with that and what that entails, but he made it sound like you would need to put in centralized sewer for the holding tank properties if they can not perk.

Jamie Lorah (SSM) said she does not know how far he is going to go with this or where it is heading at this point but that is a lot of what he talked about.

Jamie Lorah (SSM) said when we talk about soil sampling, she thinks what he wants us to do is, and we already created maps for this, to look at the soils and the geology and the slopes on the vacant properties and tell him which properties won't be developed because of the topography of the soils. There are soils that can't perk and that needs to be indicated in mapping. If we think there are properties that can perk and be built upon that also must be provided with all the mapping and also in the Needs Analysis.

Ryan Achenbach said couldn't almost every property do a cut and fill. Jamie Lorah (SSM) said there was discussion about that, and he made it sound like you just don't do that even though it has been allowed forever.

Jamie Lorah (SSM) said when we get the review letter we can talk about the next steps on where the Board would like to go. Jamie said she is recommending that Berks Envirotech or another SEO be brought in to do the Needs Analysis. Jamie thinks the fact that Berks Envirotech is local to the area, and he is an SEO, and he was going to be your SMP Administrator, eventually, he would be a good candidate for that work.

Joe Zerbe asked who went with to the DEP meeting from the Senator's office. Jim Ridderhoff said it was Christine Verdier. Jamie Lorah (SSM) said Rob Sax (DEP), the local liaison, she feels is more the public relations side of things, but he was very understanding of things.

Jamie Lorah (SSM) said Bharat Patel (DEP), Novatnak's boss, made a couple of blanket statements. He discussed the treatment plant a little bit and the fact that it is in compliance. He talked about the need for an Alternative Analysis (which we already included), we need to have a plan for the developable lots, and discussing how many lots are left, the cost for building a new treatment plant (which we already provided in the study). They are escalated pricing from previous studies, but they are also based on bidding information from recent projects we have done of the same size.

Jamie Lorah (SSM) said his concern was how this can be economically positive for the whole lake. Jamie said if you are asking us to sewer the whole lake and you are asking those who have a new septic system to now go on a public sewage system, where they are then going to be paying \$150 a month or whatever, and where they have now constructed a \$15,000 system and you want to talk about people being angry. It goes from the holding tank owners being angry to potentially 1200 customers being angry.

Jamie Lorah (SSM) said the townships went to bat for Plum Creek and they are very supportive of this whole thing. Jim Ridderhoff said Jack Brennan and Stan Fidler were at the DEP meeting.

Jamie Lorah (SSM) said she is hoping that by April 1<sup>st</sup> we will have a review letter of some sort. At that point, we can move forward, or we can wait till May 1<sup>st</sup> or later, when he might have a non-approved plan. Jamie said she had written down that he talked about swale sampling, but she is questioning what he is looking for. The only way you are really going to know is a probe test. They would have to dig a pit and how are you going to get approval to go on these properties that are

owned by someone to do that digging. Jerry Weiss said he also said it should be in your deed restrictions and you should be able to do that.

Ryan Achenbach said does he realize we are two separate entities. He has a lot of requirements for the Lake Wynonah Office to step in and do and they are not even connected.

Jamie Lorah (SSM) said Scott's (DEP) biggest fear is litigation and he basically said that at the meeting. If he approves it there would be litigation against the department. Jerry Weiss said there was a letter already constructed about that. Jamie said it was from an attorney hired by the Property Owners' Association. Jamie said Scott Novatnak took the letter very personally because he sees that as a potential litigation for the department later. Jamie said Scott has dealt with that attorney before. Joe Haggerty said he was a DEP attorney.

Jamie Lorah (SSM) said one thing he did mention in the meeting was that the Authority cannot hire a sewage program administrator it has to be the townships.

Ryan Achenbach asked if he had any issue in regard to the rationality for the course as to why we wanted to close the plant in the first place with all the issues on the sewage side. Jamie Lorah (SSM) said Scott understood but he went back again to his concern that if he approves it there could be possible litigation. Ryan Achenbach said is he adamant about this remaining open. Jamie said his words were keep it going, use all the band-aids, rubber bands, and duct tape needed to keep it going or construct a new one. Jamie said he is very adamant against what was put here but there is nothing we can do to change what happen in the past. All we can do is try and plan for the future.

Jamie Lorah (SSM) said Scott also said that he recommended increasing fees for holding tanks. He thinks that the pump outs should reflect what they cost to run the plant versus the septic tank pump outs. Jim Ridderhoff said Scott said the sewage portion of the Authority should be billed properly. Jamie said water side should not be subsidizing the sewage in his mind.

Jim Ridderhoff said at next month's meeting the Board will review the sewage fees. Jim said to raise the sewage rates appropriately we should have a cost analysis for what it really cost us for the sewage part. Jamie Lorah (SSM) said in 2017 Dave Bright (SSM) did a study. Jim said at the present time we do not have a sewage management fee because we are doing it ourselves.

Carl McGrady (Plant) said the road that comes out of the pump truck garage it is holey and needs to be fixed as soon as possible. The Western Star pump truck will need some body work done to it because the lights are falling out the back of the truck. The tank on the Western Star pump truck will need to get checked out because it has a rust spot on it.

Joe Clemas (Plant) said to increase our dumping, so we can do more pumps, the two equalization tanks should be cleaned out and get the grit off the bottom. Jim Ridderhoff asked Jamie Lorah (SSM) if it is possible to partially empty those equalization tanks without going all the way to the bottom. Jamie said she doesn't even know if you can break that stuff up in the bottom. Jamie said there is some contractors that she can put us in touch with – JG Environmental. They will pump out whatever is in the tanks as far as they can. They will put some high-pressure water in to them to break up what they can without damaging the tanks. Ryan Achenbach said can we get up to 60 pumps a month – that would be 3 a day on a 20-day cycle. Joe said he doesn't know if we ever did 60 a month. Jamie said there is a frac tank that could be brought in and used for portable storage. She can get costs for it and let the Board know. Jamie said if there is a way to set it up that we can get it to drain by gravity into the plant. Jamie said they are steel containment tanks, they bring

them on site, small ones are 6,000 gallons, and the bigger ones are 20,000 gallons. Dave Mengel asked what the grit is. Jim said they catch the sediment from the septage receiving area. Jamie said when they looked at the costs of replacing the equalization tanks it didn't make sense to do that if we were getting rid of the plant.

Jerry Weiss said if we are going to go that way then we might as well look at the whole thing. His concern is band-aids, after a while, are going to burst and that stuff is going to go into the creek. Who is in charge if the creek gets contaminated? Jamie Lorah (SSM) said you are talking about the plant. Jerry said yes. Jamie said Scott said then it is an emergency, and you can go to other pumpers temporarily.

Joe Haggerty said it sounds like you could be well in to six figures on what he is asking you to do. If that is true you almost have to rethink what you are going to do here. Jamie Lorah (SSM) said we would get a proposal from Berks Envirotech for doing a Needs Analysis. Jamie said there are reimbursements we can go after through for the Act 537 planning and that is always an option and try to apply for a grant for these studies. Jerry Weiss said he was told the grant goes to the townships. Jamie said it can be an Authority – you are a government entity. Jerry said he was always told, by many people, that because we are a private community, we were not allowed any grant money. Matt Gruber said that is what he was told. Joe Zerbe said it is probably the average income in the lake is fairly high compared to the rest of the area. Jamie said there funds currently available through RUS (Rural Utilities Services) for communities with less than 10,000 people. The grant through RUS could be for equipment and construction work and other projects may be eligible.

Ryan Achenbach said so when we are all done with this, and we dumped a fortune in to improving the plant here, and our rates go through the roof, and we exceed the market rate for the outside - some people will have to own that too. Any disruptions to this course where we could have had this done in an efficient amount of time – trust me that will be publicized.

Jim Ridderhoff said Lot 937 Wynonah Drive the owner called and said the driveway was cracked on the edge after the pump truck left. Jim said it looks minor and as an Authority we are not responsible if the driveway does not hold it. Matt Gruber asked how far away is the tank from the road. Joe Clemas said about 25 feet. Matt said next time don't go down the driveway. Joe Zerbe said you don't have a liability to do anything about it but in the past you have. Joe Zerbe said you are probably exempt on governmental immunity.

Upon motion by Ryan Achenbach, seconded by Matt Gruber, and carried by all, the Board approved to provide crack sealer (at our convenience) for repairs to Lot 937 for minor damage incurred during a pump out. A letter will be sent to the homeowner. Folk Paving will do the repair when they are in doing other repairs in the development.

Jim Ridderhoff said the next thing on the agenda is about the driver's medical cards / CDL license that pertains to Joe Clemas (Plant). Joe said he has an appointment on March 18<sup>th</sup>. Joe said he has tried to get a letter from this doctor to take for his medical card three times and three times he has been denied it. So, he is going to go to a different doctor and on Monday he should be able to go to the physical place and get his medical card back. Joe Zerbe said didn't we determine that he doesn't need the medical card. Ryan said all the correspondence was that he didn't need the medical card and the insurance company said as long as the Board said he can drive we are

covered. Joe Zerbe said Corby Lewis gave him the information and Joe researched it and it seems to be an exemption for municipal bodies.

Ryan Achenbach said he has talked about increasing our pumps. He has looked all the way back to July. If we only do about 46-47 pumps, which is what we are doing, then we get nowhere with the backlog. Ryan said typically as people know that he is on the Board the questions he gets asked are: 1) what the status of PCMA is, 2) is that they call and get on the list and then they feel that they are on the list forever.

Ryan Achenbach said if we can get grinding on this and get us caught up to where there is no backlog. Carl McGrady said the problem he sees with that is when they try to get caught up then they get ten more. Joe Clemas said since he has been here there has also been 20 in the backlog. Carl said he is the only pump truck driver, as of right now, and the other option is to get a part-time driver. They could do one side of the lake and he could do the other side of the lake. Ryan said we have two drivers. Ryan asked Matthew Crump (SES) how many pumps can we handle a day. Matthew said probably 4-5 pumps a day. Ryan said so we meet in the middle with 3 pumps a day over the span of twenty days that is 60 pumps per month. We are on top of the backlog in two months.

Joe Clemas (Plant) said if Matt Gruber could look at the driveway going up to the pump truck garage. Waste Management said they have about one or two more times of going up to the dumpster and then they won't go up anymore to empty our trash. Matt said he would get the stone for the driveway.

Joe Clemas (Plant) said he called and is waiting to hear back from Josh Krammes (DEP) regarding the creek out here. If you look at our fence - the post that was in the ground at one point is hanging and has cement on it. The last couple of storms it is eroding the whole thing away. Joe said he wanted to know who is responsible for it. Corby Lewis said the township is not responsible for it.

Matt Gruber said in the next month or so we should get the truck looked at if the lights are falling out in the back.

Jim Ridderhoff said at the DEP meeting he asked Scott Novatnak what happens if our wastewater treatment plant breaks. He said you get your outside haulers, but it is a temporary thing.

Joe Clemas (Plant) said Pine Grove is no longer excepting sludge and grease. So, we must find a place to take our sludge.

There being no further business, Matt Gruber motioned for adjournment, Ryan Achenbach seconded the motion, carried by all. Jim Ridderhoff adjourned the meeting at 7:55 p.m.

Meeting minutes were taken, prepared, and submitted by Nancy Wesner.