



# Board of Directors | Meeting Minutes

**DATE:** October 20, 2023

**TIME:** 7:30 a.m.

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## Attendance

**BOARD OF DIRECTORS:** Becker, Brubaker, Deerin, Dzurik, Gordon, Rettew, and Weibel.

**STAFF:** Adams, Barnett, Cutarelli, D. Brown, Devaney, Gross, Henderson (Legal Counsel), Kohr, Manning, Marsh, Morris, Roy, Sultzbaugh, Youngs, and Zorbaugh.

**BOARD OF DIRECTORS ABSENT:** Blowers, Ulrich.

**ALSO PRESENT:** Dave Sharp from Covanta, Scott Snyder from Samaritan Consulting, and Dr. Leslie Osborne.

**NOTE:** This meeting of the Board of Directors was held in person and virtually. All individuals attending the meeting could hear, and be heard by, all other attendees.

## Opening

Chairperson Rettew requested a moment of silence followed by the pledge to the flag.

## Approval of Meeting Minutes

### Action Items

**1. BOARD ACTION NO. 1: APPROVAL OF MINUTES OF SEPTEMBER 15, 2023**

Chairperson Rettew asked for any additions or corrections to the meeting minutes. Being none, a motion was requested to approve the Minutes of September 15, 2023, as distributed.

**Motion:** J. Deerin

**Seconded:** M. Brubaker

**Adopted:** Unanimously

## Public Comment

None.

## Chief Executive Officer

Mr. Zorbaugh opened with an update on the Zoning Text Amendment submitted to Manor Township Supervisors, in which the amendment was viewed favorably and passed on to the Manor Township Planning Commission, and will be sent to with the Lancaster County Planning Commission for comment. The process continues and Mr. Zorbaugh said he will communicate updates.

Next, Mr. Zorbaugh touched on legislative action by the Pennsylvania Municipal Authorities Association (PMAA) House Bill 1607, a PA DEP recycling act focusing on covered devices. The current program places a burden on communities to collect and dispose of these devices. Mr. Zorbaugh provided highlights from the bill, e.g., including placing greater responsibility on producers and having the oversight of an advisory committee, in the hopes of improving the system.

Mr. Zorbaugh moved on to a performance review, including sound financials exceeding budget expectations, the significant progress on all capital projects, including the FFLF VE construction, successes with all environmental performance, and mention of the fall outage schedule at WTE, including the first installation of the new Low NOx technology.



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Mr. Zorbaugh noted the new trailer wrap reflecting LCSWMA's battery recycling campaign and he recognized the efforts of Karen Gross, Communications Manager, as well as the Battery Committee for their diligence with this marketing strategy.

In conclusion, Mr. Zorbaugh introduced and discussed the Consent Agenda items for board consideration, including the September 2023 Disbursements and a lease extension with T-Mobile with details as distributed.

## **Consent Agenda**

### **4. BOARD ACTION NO. 2: MOTION TO APPROVE/ADOPT:**

1. Motion to Approve September 2023 Disbursements as distributed in the Board packet in the amount of \$6,482,656.65.
2. T-Mobile Lease Extension

Chairperson Rettew opened the floor to the Board for a motion to approve the actions set forth on the Consent Agenda. Copies of the Board actions are attached.

**Motion:** S. Dzurik

**Seconded:** J. Deerin

**Adopted:** Unanimously

## **Chief Financial Officer**

Mr. Youngs touched on the highlights of his report to the board, as distributed.

Finally, Mr. Youngs commended Emily Patzer, Accounting Manager, for leading the bulk of the budget work, as well as Aaron Cutarelli for picking up the load during Ms. Patzer's maternity leave. In addition, Mr. Youngs recognized Cale Fetterolf for seamlessly managing a technological shift into a data warehouse

## **Chief Operating Officer**

Mr. Adams provided details on the waste business outlook, including a focus on year-to-date numbers vs. budget and the macroeconomic effects, impacted by high inflation on the tonnage decrease.

Lastly, Mr. Adams fielded questions from the Board before introducing two action items for Board consideration and approval. In addition, Mr. Henderson, General Counsel, provided background into the sales tax complexities involving municipal authority status exceptions around what is taxable vs. exempt. A copy of the board actions are attached.

### **3. BOARD ACTION NO. 3: MOTION TO AUTHORIZE AND APPROVE CHANGE ORDER NO. 1 TO KINSLEY CONSTRUCTION, INC. FOR THE FREY FARM LANDFILL (FFLF) MAINTENANCE BUILDING CONSTRUCTION PROJECT (GENERAL CONSTRUCTION).**

Chairperson Rettew asked for a motion to authorize and approve the change order.

**Motion:** D. Becker

**Seconded:** K. Weibel

**Adopted:** Unanimously

### **4. BOARD ACTION NO. 4: MOTION TO AUTHORIZE AND APPROVE FREY FARM LANDFILL VERTICAL EXPANSION (FFVE) STAGE 3 CONSTRUCTION QUALITY ASSURANCE (CQA) TESTING AND INSPECTION SERVICES.**

Chairperson Rettew asked for a motion to authorize and approve the board action.

**Motion:** E. Gordon

**Seconded:** K. Weibel

**Adopted:** Unanimously



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## **Chief Business & Compliance Officer**

Ms. Marsh began with details from her board report as submitted, including various updates on energy revenues and headwinds.

Ms. Marsh concluded by providing details on recordable safety incidents year-to-date and noted that the former Safety Committee had evolved into the Environmental, Health & Safety (EHS) Committee, including participants (Site Champions) from every site. Also, Ms. Marsh noted the soft launch of a new Learning Management System (LMS) to aid with employee training. She recognized Cris Altman, Safety Manager, Nicole Roy, Risk Analyst, Mike Devaney, Waste Division Director, and Amanda Manning, Human Resources Manager for their diligence and collaboration on safety and risk initiatives.

## **Budget Presentation**

The proposed 2024 Operating and Capital Budget summary was presented to the Board by the Executive Team, including overall philosophy highlights, a breakout on 2024 waste volumes, rates, revenues and expenses, and a summary of capital expenditures.

In addition, the Executive Team provided a 5-year plan and long-term financial outlook.

## **Adjournment**

Mr. Henderson, General Counsel, stated that an Executive Session would be held to discuss personnel matters, but no actions will be taken during or after the Executive Session. At the conclusion of the Executive Session, the Board Meeting adjourned at 10:56 a.m.

**APPROVED THE 17<sup>th</sup> DAY OF NOVEMBER 2023.**

A handwritten signature in black ink, reading "J. Scott Ulrich", is written over a horizontal line. Below the signature, the name "J. Scott Ulrich, Secretary" is printed in a standard black font.

J. Scott Ulrich, Secretary

# Board Action No. 2 (1.)

LCSWMA  
CHECK AND WIRE DISBURSEMENTS LISTING  
Sep-23

<u>CHECK #</u>	<u>PAYEE NAME</u>	<u>DATE</u>	<u>AMOUNT</u>
PAYROLL	INOVA	Various	\$618,917.30
PENSION	EMPOWER	Various	\$84,257.81
EFT	BAMBORA EXPENSES (CONCUR)	9/6/2023	\$4,932.87
EFT	BANK FEE - CHECKING ACCOUNT	9/15/2023	\$2,018.36
EFT	COLUMBIA BOROUGH	9/25/2023	\$4,168.00
EFT	COVANTA ELECTRIC FEE HARRISBURG	9/30/2023	\$97,060.86
EFT	COVANTA ELECTRIC FEE LANCASTER	9/29/2023	\$184,858.89
EFT	COVANTA PROFILED WASTE	9/29/2023	\$2,392.19
EFT	COVANTA SERVICE FEE - HARRISBURG	9/30/2023	\$1,300,293.69
EFT	COVANTA SERVICE FEE - LANCASTER	9/29/2023	\$1,601,904.39
EFT	HIGHMARK - HSA	Various	\$9,177.96
EFT	MERCHANT PARTNERS	9/5/2023	\$840.74
EFT	WORLDPAY	9/11/2023	\$20,049.37
EFT	PJM SETTLEMENT	9/15/2023	\$54.06
EFT	FULTON FINANCIAL BOND FEES	9/19/2023	\$43,000.00
EFT	COVANTA CAPITAL EXPENDITURES - WTE GRAPPLE TINE REPAIR	9/27/2023	\$2,130.00
1228686	AGILITY FUEL SYSTEMS INC	9/15/2023	\$475.40
1228646	AIRGAS USA, LLC	9/8/2023	\$61.27
1228568	AIRGAS USA, LLC	9/1/2023	\$79.61
1228697	AIRGAS USA, LLC	9/15/2023	\$808.02
1228759	ALLSPRING GLOBAL INVESTMENTS LLC	9/22/2023	\$1,722.88
1228577	ALLSPRING GLOBAL INVESTMENTS LLC	9/1/2023	\$1,737.91
1228617	ALS ENVIRONMENTAL	9/1/2023	\$4,942.60
1228681	ALS ENVIRONMENTAL	9/8/2023	\$5,770.00
1228799	AMA Resource LLC	9/22/2023	\$850.00
1228559	AMA Resource LLC	9/1/2023	\$29,282.75
1228767	AMAZON CAPITAL SERVICES, INC.	9/22/2023	\$104.93
1228657	AMAZON CAPITAL SERVICES, INC.	9/8/2023	\$635.31
1228709	AMAZON CAPITAL SERVICES, INC.	9/15/2023	\$1,028.67
1228588	AMAZON CAPITAL SERVICES, INC.	9/1/2023	\$1,380.46
1228668	AMBIENT AIR QUALITY SERVICES, INC.	9/8/2023	\$9,175.00
1228678	AMERICHEM INTERNATIONAL INC	9/8/2023	\$204.70
1228682	AN CONSULTATION & DESIGN LLC	9/8/2023	\$11,700.00
1228720	ARM GROUP INC	9/15/2023	\$33,563.57
1228683	ASCENDANCE TRUCKS LEASING, LLC	9/8/2023	\$7,583.70
1228731	ASCENDANCE TRUCKS PENNSYLVANIA, LLC	9/15/2023	\$105.13
1228776	ASCENDANCE TRUCKS PENNSYLVANIA, LLC	9/22/2023	\$832.04
1228556	ASCENDANCE TRUCKS PENNSYLVANIA, LLC	9/1/2023	\$5,880.03
1228560	BARLEY SNYDER	9/1/2023	\$3,465.00
1228742	BEILER HYDRAULIC INC	9/15/2023	\$904.45
1228684	BFPE INTERNATIONAL INC	9/8/2023	\$545.00
1228685	BRIMMER LICENSE SERVICE INC	9/8/2023	\$385.00
1228744	BUD'S SPRING & SUSPENSION INC	9/15/2023	\$119.68
1228561	BUD'S SPRING & SUSPENSION INC	9/1/2023	\$2,833.51
1228562	CAPITAL REGION WATER	9/1/2023	\$94,712.29
1228653	CARDMEMBER SERVICE	9/8/2023	\$18,317.54
1228604	CAROL A. NISSLY	9/1/2023	\$60.86
1228791	CINTAS CORPORATION	9/22/2023	\$1,233.09
1228647	CINTAS CORPORATION	9/8/2023	\$1,407.46
1228745	CINTAS CORPORATION	9/15/2023	\$1,636.25
1228563	CINTAS CORPORATION	9/1/2023	\$1,666.16
1228597	CITY OF LANCASTER	9/1/2023	\$926.37
1228564	CLEVELAND BROTHERS EQUIPMENT CO., INC.	9/1/2023	\$353.57
1228746	CLEVELAND BROTHERS EQUIPMENT CO., INC.	9/15/2023	\$5,600.34
1228687	COLLIFLOWER INC	9/15/2023	\$102.89
1228648	COLLIFLOWER INC	9/8/2023	\$332.48
1228565	COLLIFLOWER INC	9/1/2023	\$1,576.78
1228688	COLONIAL ELECTRIC SUPPLY CO, INC	9/15/2023	\$4,442.29
1228689	COMCAST	9/15/2023	\$137.13

1228566	COMCAST	9/1/2023	\$170.63
1228795	COMMONWEALTH PEST MANAGEMENT LLC	9/22/2023	\$250.00
1228690	COMMONWEALTH PEST MANAGEMENT LLC	9/15/2023	\$813.96
1228567	COMPUTER DESIGN & INTEGRATION LLC	9/1/2023	\$3,865.40
1228796	CONNECT HOLDING II LLC	9/22/2023	\$164.68
1228691	CONOY TOWNSHIP	9/15/2023	\$63,042.09
1228649	COTTAGE LANE LANDSCAPING	9/8/2023	\$2,850.00
1228692	COUNTY LINE QUARRY INC	9/15/2023	\$1,279.80
1228798	COVANTA ENVIRONMENTAL SOLUTIONS, LLC	9/22/2023	\$5,000.00
1228797	CPA PAVEMENT SERVICES, INC	9/22/2023	\$4,700.00
1228651	CRYSTAL SPRINGS	9/8/2023	\$98.82
1228693	CRYSTAL SPRINGS	9/15/2023	\$733.15
1228752	CRYSTAL SPRINGS	9/22/2023	\$878.09
1228753	CYCLE CHEM	9/22/2023	\$6,382.56
1228694	CYCLE CHEM	9/15/2023	\$9,421.00
1228569	DELL BUSINESS CREDIT	9/1/2023	\$14,843.68
1228652	DIXIE LAND ENERGY LLC	9/8/2023	\$2,729.62
1228695	DIXIE LAND ENERGY LLC	9/15/2023	\$28,074.71
1228570	DIXIE LAND ENERGY LLC	9/1/2023	\$28,402.21
1228754	DONCIN TRANSPORT INC	9/22/2023	\$2,935.00
1228571	D-S PIPE & STEEL SUPPLY LLC	9/1/2023	\$480.00
1228644	EAGLE DISPOSAL	9/1/2023	\$40,084.50
1228696	EDWARDS ELECTRIC & TELECOM INC	9/15/2023	\$1,905.68
1228572	EDWARDS ELECTRIC & TELECOM INC	9/1/2023	\$85,158.00
1228573	ELEMENT ONE INC	9/1/2023	\$910.00
1228698	ELEMENT ONE INC	9/15/2023	\$3,250.00
1228583	EM HERR FARM & HOME CENTER	9/1/2023	\$85.42
1228574	EMAXX CENTRAL PA, LLC	9/1/2023	\$768.00
1228755	EMAXX CENTRAL PA, LLC	9/22/2023	\$917.50
1228756	EMERGING COMPOUNDS TREATMENT TECHNOLOGIES, INC	9/22/2023	\$57,310.31
1228699	ERI ECONOMIC RESEARCH INSTITUTE, INC	9/15/2023	\$4,109.00
1228575	ESCO, INC	9/1/2023	\$521.00
1228701	F & B RUBBERIZED, INC.	9/15/2023	\$3,736.50
1228702	FREEHOLD CARTAGE INC	9/15/2023	\$1,250.00
1228576	FREEHOLD CARTAGE INC	9/1/2023	\$1,250.00
1228654	FREY LUTZ CORPORATION	9/8/2023	\$931.80
1228578	FREY LUTZ CORPORATION	9/1/2023	\$2,245.16
1228703	FREY LUTZ CORPORATION	9/15/2023	\$2,421.67
1228757	GABEL ASSOCIATES INC	9/22/2023	\$24,997.11
1228704	GARBER SCALE COMPANY	9/15/2023	\$1,692.50
1228655	GARBER SCALE COMPANY	9/8/2023	\$3,022.92
1228781	GENIE ELECTRONICS COMPANY INC	9/22/2023	\$2,449.00
1228579	GEORGE W KISTLER INC	9/1/2023	\$1,058.26
1228656	GEORGE W KISTLER INC	9/8/2023	\$3,260.63
1228705	GEORGE W KISTLER INC	9/15/2023	\$3,898.45
1228758	GEORGE W KISTLER INC	9/22/2023	\$4,469.08
1228580	GROFF TRACTOR & EQUIPMENT, INC.	9/1/2023	\$7,220.09
1228658	GROUND PENETRATING RADAR SYSTEMS INC	9/8/2023	\$4,075.00
1228581	HENRY D. HANK	9/1/2023	\$1,000.00
1228582	HERC RENTALS INC.	9/1/2023	\$525.00
1228630	HH GRAPHICS INC	9/1/2023	\$201.50
1228585	HIGHWAY EQUIPMENT & SUPPLY CO INC	9/1/2023	\$569.40
1228707	HIGHWAY EQUIPMENT & SUPPLY CO INC	9/15/2023	\$885.24
1228660	HIGHWAY EQUIPMENT & SUPPLY CO INC	9/8/2023	\$1,593.87
1228710	HILLYARD INC - LANCASTER	9/15/2023	\$223.61
1228586	HUNTER KEYSTONE PETERBILT	9/1/2023	\$1,322.07
1228589	IMAGEFIRST	9/1/2023	\$649.96
1228590	INTERGOVERNMENTAL INSURANCE COOPERATIVE	9/1/2023	\$158,765.50
1228711	JAXXON PROMOTIONS, INC	9/15/2023	\$4,720.90
1228712	JG ENVIRONMENTAL	9/15/2023	\$5,785.00
1228591	JONATHAN FREY BUILDING & REMODELING LLC	9/1/2023	\$80.00
1228592	JONATHAN FREY BUILDING & REMODELING LLC	9/1/2023	\$90.00
1228593	JRT CALIBRATION SERVICES	9/1/2023	\$390.00
1228594	KAUFFMAN'S SEPTIC SERVICE	9/1/2023	\$210.00

1228713	KINSLEY CONSTRUCTION INC.	9/15/2023	\$21,937.27
1228760	KINSLEY CONSTRUCTION INC.	9/22/2023	\$878,237.10
1228596	KI-WE CLEANING	9/1/2023	\$1,225.00
1228763	LANCASTER AREA SEWER AUTHORITY	9/22/2023	\$1,145.25
1228714	LANCASTER AUTO PARTS(NAPA)	9/15/2023	\$102.48
1228661	LANCASTER AUTO PARTS(NAPA)	9/8/2023	\$138.24
1228762	LANCASTER CHAMBER	9/22/2023	\$15,000.00
1228645	LANCASTER GENERAL HEALTH	9/1/2023	\$1,140.00
1228761	LANCASTER STARTER & ALTERNATOR INC	9/22/2023	\$1,275.00
1228782	Law Offices of Eric A. Shore	9/22/2023	\$9,402.00
1228662	LEADERSHIP LANCASTER	9/8/2023	\$2,350.00
1228764	LEAF	9/22/2023	\$2,327.00
1228765	LESHER MACK SALES & SERVICE INC	9/22/2023	\$1,598.42
1228715	LEZZER LUMBER	9/15/2023	\$2,400.00
1228598	LINDA M. GLADFELTER	9/1/2023	\$893.75
1228725	LINDE GAS & EQUIPMENT INC.	9/15/2023	\$128.86
1228599	LOWE'S	9/1/2023	\$476.20
1228716	LOWE'S	9/15/2023	\$703.15
1228663	LOWE'S	9/8/2023	\$827.23
1228766	LOWE'S	9/22/2023	\$1,235.02
1228600	MANHEIM HYDRAULICS LLC	9/1/2023	\$106.31
1228717	MANHEIM TOWNSHIP COMMISSIONERS	9/15/2023	\$19,217.76
1228718	MANOR TOWNSHIP	9/15/2023	\$115,435.47
1228719	MATTHAI MATERIAL HANDLING INC	9/15/2023	\$550.43
1228768	MATTHAI MATERIAL HANDLING INC	9/22/2023	\$794.80
1228601	MCI WORLDCOM	9/1/2023	\$54.67
1228769	MCNEES WALLACE & NURICK LLC	9/22/2023	\$2,850.00
1228602	MEADOW VALLEY ELECTRIC INC	9/1/2023	\$8,365.00
1228721	MET-ED	9/15/2023	\$49.92
1228770	MET-ED	9/22/2023	\$5,061.31
1228603	MID ATLANTIC STORAGE SYSTEMS, INC.	9/1/2023	\$9,285.70
1228722	MILLER OPTICAL COMPANY, INC.	9/15/2023	\$300.00
1228595	MOTOR TRUCK EQUIPMENT COMPANY	9/1/2023	\$3,875.06
1228664	NAPA OF HARRISBURG	9/8/2023	\$100.13
1228665	NEW PIG CORPORATION	9/8/2023	\$419.62
1228723	NEW PIG CORPORATION	9/15/2023	\$773.86
1228771	NIKOLAUS & HOHENADEL LLP	9/22/2023	\$3,795.96
1228772	NORFOLK SOUTHERN RAILWAY COMPANY	9/22/2023	\$5,623.97
1228650	NUTRIEN AG SOLUTIONS	9/8/2023	\$330.00
1228666	OAKTREE OUTDOOR ADVERTISING, LP	9/8/2023	\$17,000.00
1228667	OTIS ELEVATOR COMPANY	9/8/2023	\$100.00
1228605	PACTEC, INC.	9/1/2023	\$2,096.55
1228773	PENN WASTE, INC.	9/22/2023	\$129,573.60
1228606	PPC LUBRICANTS, INC	9/1/2023	\$1,087.10
1228724	PPL ELECTRIC UTILITIES - ALLENTOWN	9/15/2023	\$963.09
1228794	PPL ELECTRIC UTILITIES - ALLENTOWN	9/22/2023	\$1,196.48
1228669	PPL ELECTRIC UTILITIES - ST LOUIS	9/8/2023	\$307.01
1228609	PPL ELECTRIC UTILITIES - ST LOUIS	9/1/2023	\$5,802.80
1228670	PROFESSIONAL PETROLEUM SERVICE CO.	9/8/2023	\$1,130.00
1228774	PROFESSIONAL PETROLEUM SERVICE CO.	9/22/2023	\$16,645.00
1228610	PROVIDENCE ENGINEERING CORPORATION	9/1/2023	\$4,495.00
1228637	PROVIDENT LIFE & ACCIDENT INS CO	9/1/2023	\$197.00
1228611	PURE WATER TECHNOLOGY	9/1/2023	\$345.00
1228612	QED ENVIRONMENTAL SYSTEMS INC	9/1/2023	\$1,625.00
1228775	QUADIENT FINANCE USA, INC.	9/22/2023	\$1,000.00
1228613	QUADIENT INC	9/1/2023	\$291.00
1228619	R/W CONNECTION	9/1/2023	\$437.87
1228777	REPUBLIC SERVICES, INC.	9/22/2023	\$2,899.06
1228615	RESPOND FIRST AID SYSTEMS	9/1/2023	\$127.74
1228726	RISKONNECT INC.	9/15/2023	\$2,786.25
1228778	RKL LLP	9/22/2023	\$10,216.88
1228735	ROBERT K. SKACEL JR	9/15/2023	\$472.50
1228787	ROBERT K. SKACEL JR	9/22/2023	\$1,181.25
1228618	ROGO FASTENER CO., INC.	9/1/2023	\$260.73

1228727	ROGO FASTENER CO., INC.	9/15/2023	\$351.29
1228728	RW CONNECTION	9/15/2023	\$376.32
1228620	SAF-GARD SAFETY SHOE CO., INC.	9/1/2023	\$129.99
1228671	SALARY.COM, LLC	9/8/2023	\$4,800.00
1228779	SAMARITAN COUNSELING CENTER	9/22/2023	\$9,500.00
1228621	SCHAAD DETECTIVE AGENCY INC	9/1/2023	\$480.00
1228729	SCHAAD DETECTIVE AGENCY INC	9/15/2023	\$1,140.00
1228780	SCHEFFEY INC	9/22/2023	\$1,838.75
1228783	Scott Brinkman	9/22/2023	\$6,549.00
1228622	SECURITY ACCESS ETC	9/1/2023	\$202.50
1228672	SERVICE TIRE TRUCK CENTERS INC	9/8/2023	\$1,969.62
1228625	SERVICE TIRE TRUCK CENTERS INC	9/1/2023	\$26,446.40
1228626	SHANNON A SMITH INC	9/1/2023	\$16,603.20
1228673	SIDIUM SOLUTIONS, INC.	9/8/2023	\$1,010.96
1228627	SIKICH LLP	9/1/2023	\$380.00
1228628	STAPLES CONTRACT AND COMMERCIAL, LLC	9/1/2023	\$1,693.46
1228784	STEWART-AMOS EQUIPMENT CO	9/22/2023	\$839.10
1228629	SUN LIFE ASSURANCE COMPANY OF CANADA	9/1/2023	\$7,889.71
1228730	SUSQUEHANNA NATIONAL HERITAGE AREA	9/15/2023	\$7,083.33
1228785	SUSQUEHANNA REGIONAL POLICE DEPARTMENT	9/22/2023	\$1,949.84
1228557	SWANA KEYSTONE CHAPTER	9/1/2023	\$2,250.00
1228732	TANNER OF PA INC	9/15/2023	\$717.01
1228614	THE AYERS GROUP LLC	9/1/2023	\$50.00
1228786	THE BENECON GROUP	9/22/2023	\$29.25
1228733	THE STANDARD GROUP	9/15/2023	\$790.00
1228700	TODD ESHLEMAN	9/15/2023	\$4,613.57
1228631	TRANSTECK, INC.	9/1/2023	\$3,010.91
1228558	TRANSTECK, INC.	9/1/2023	\$60,316.00
1228734	TRIANGLE COMMUNICATIONS INC	9/15/2023	\$206.00
1228674	TRIANGLE COMMUNICATIONS INC	9/8/2023	\$1,436.00
1228632	TRIANGLE COMMUNICATIONS INC	9/1/2023	\$4,110.00
1228789	UGI CORPORATION	9/22/2023	\$1,951.20
1228788	UGI CORPORATION	9/22/2023	\$5,719.80
1228633	UGI CORPORATION	9/1/2023	\$36,767.75
1228736	UGI ENERGY SERVICES LLC	9/15/2023	\$16,684.98
1228634	UGI ENERGY SERVICES LLC	9/1/2023	\$54,212.57
1228635	ULINE	9/1/2023	\$654.21
1228737	UNITED PARCEL SERVICE	9/15/2023	\$77.88
1228636	UNITED PARCEL SERVICE	9/1/2023	\$113.68
1228790	UNITED PARCEL SERVICE	9/22/2023	\$144.62
1228675	UTILITY KEYSTONE TRAILERS, INC	9/8/2023	\$65.25
1228738	UTILITY KEYSTONE TRAILERS, INC	9/15/2023	\$272.56
1228739	VERIZON	9/15/2023	\$201.13
1228676	VERIZON	9/8/2023	\$1,946.71
1228638	VERIZON	9/1/2023	\$4,033.58
1228639	VISION BENEFITS OF AMERICA	9/1/2023	\$824.10
1228640	WALTERS PORTABLE TOILETS	9/1/2023	\$3,279.44
1228641	WEAVER FLUID POWER, INC.	9/1/2023	\$510.65
1228584	WILLIAM M. GROFF	9/1/2023	\$2,024.00
1228659	WILLIAM M. GROFF	9/8/2023	\$2,094.50
1228706	WILLIAM M. GROFF	9/15/2023	\$2,249.00
1228642	WINDSTREAM COMMUNICATIONS INC	9/1/2023	\$84.33
1228740	WIZARD LOCK & SAFE CO.	9/15/2023	\$19.75
1228677	YOE PARTS & EQUIPMENT INC	9/8/2023	\$466.04
1228741	YOE PARTS & EQUIPMENT INC	9/15/2023	\$486.52
1228643	YOE PARTS & EQUIPMENT INC	9/1/2023	\$1,110.49
1228743	YORK HOIST	9/15/2023	\$705.21
1228792	YOUR ESTATE SERVICE INC	9/22/2023	\$3,562.00
			<hr/>
			<b>\$6,482,656.65</b>

**SECOND AMENDMENT TO SITE LICENSE AGREEMENT**

This Second Amendment to Site License Agreement (the "**Second Amendment**") is effective as of the last signature below (the "**Effective Date**"), by and between Lancaster County Solid Waste Management Authority ("**Licensor**" or "**LCSWMA**"), and T-Mobile Northeast LLC, a Delaware limited liability company ("**Licensee**") (each a "**Party**", or collectively, the "**Parties**").

Licensor and Licensee or their predecessors-in-interest entered into that certain Site License Agreement dated October 12, 1999, as amended by First Amendment to Site License Agreement dated February 2, 2000 (the "**Agreement**") regarding the licensed premises ("**Premises**") located at 1911 River Road, Bainbridge, PA 17502 (the "**Property**").

For good and valuable consideration, Licensor and Licensee agree as follows:

1. The Agreement is in full force and effect and neither Licensor nor Licensee is in breach under the terms of the Agreement.
2. At the expiration of the Agreement, the term of the Agreement will automatically be extended for six (6) additional and successive five (5) year terms, each included as a Renewal Term, provided that Licensee may elect not to renew by providing Licensor at least thirty (30) days' notice prior to the expiration of the then current Renewal Term.
3. At the commencement of the first Renewal Term provided for in this Second Amendment, Licensee shall pay Licensor One Thousand Four Hundred Forty and 00/100 Dollars (\$1,440.00) per month as Fees, partial calendar months to be prorated in advance, by the fifth (5<sup>th</sup>) day of each calendar month. Thereafter, notwithstanding anything to the contrary in the Agreement, the Fees will continue to escalate by 12.5% on the first day of each Renewal Term. Where duplicate Fees would occur, a credit shall be taken by Licensee for any prepayment of duplicate Fees by Licensee.
4. All notices, requests, demands and other communications shall be in writing and shall be deemed to have been delivered upon receipt or refusal to accept delivery, and are effective only when deposited into the U.S. certified mail, return receipt requested, or when sent via a nationally recognized courier to the addresses set forth below. Licensor or Licensee may from time to time designate any other address for this purpose by providing written notice to the other Party.

If to Licensee:

T-Mobile USA, Inc.  
12920 SE 38th Street  
Bellevue, WA 98006  
Attn: Lease Compliance/ 2LA3159B

If to Licensor:

Lancaster County Solid Waste  
Management Authority  
1299 Harrisburg Pike  
Lancaster, PA 17603  
Attn: Executive Director

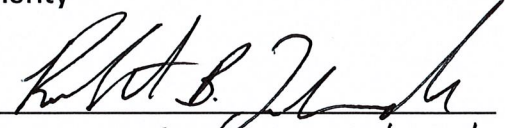


5. Licensee and Licensor will reasonably cooperate with each other's requests to approve permit applications and other documents related to the Property without additional payment or consideration.
6. Licensor will execute a Memorandum of Agreement at Licensee's request. If the Property is encumbered by a deed, mortgage or other security interest, Licensor will also execute a subordination, non-disturbance and attornment agreement.
7. Any charges payable under the Agreement other than Fees shall be billed by Licensor to Licensee within twelve (12) months from the date in which the charges were incurred or due; otherwise, the same shall be deemed time-barred and be forever waived and released by Licensor.
8. Except as expressly set forth in this Second Amendment, the Agreement otherwise is unmodified. To the extent any provision contained in this Second Amendment conflicts with the terms of the Agreement, the terms and provisions of this Second Amendment shall control. Each reference in the Agreement to itself shall be deemed also to refer to this Second Amendment.
9. This Second Amendment may be executed in duplicate counterparts, each of which will be deemed an original. Signed electronic, scanned, or facsimile copies of this Second Amendment will legally bind the Parties to the same extent as originals.
10. Each of the Parties represents and warrants that it has the right, power, legal capacity and authority to enter into and perform its respective obligations under this Second Amendment. Licensor represents and warrants to Licensee that the consent or approval of a third party has either been obtained or is not required with respect to the execution of Second Amendment. If Licensor is represented by any property manager, broker or any other leasing agent ("Agent"), then (a) Licensor is solely responsible for all commission, fees or other payment to Agent and (b) Licensor shall not impose any fees on Licensee to compensate or reimburse Licensor for the use of Agent, including any such commissions, fees or other payments arising from negotiating or entering into this Second Amendment or any future amendment.
11. This Second Amendment will be binding on and inure to the benefit of the Parties herein, their heirs, executors, administrators, successors-in-interest and assigns.

IN WITNESS, the Parties execute this Second Amendment as of the Effective Date.

**Licensor:**

**Lancaster County Solid Waste Management Authority**

By: 

Print Name: Robert B. Zorbaugh

Title: CSO

Date: 10/20/2023

**Licensee:**

**T-Mobile Northeast LLC, a Delaware limited liability company**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_







**Board Action No. 3**

**ISSUE:** Change Order No. 1 to Kinsley Construction, Inc. for the Frey Farm Landfill (FFLF) Maintenance Building Construction Project (General Construction)

**BACKGROUND:** A contract was awarded at the March 17, 2023, Board of Directors meeting to Kinsley Construction, Inc. for the Frey Farm Landfill (FFLF) Maintenance Building Construction Project (General Construction). The existing maintenance building will be demolished to allow for the construction of Stage 3 of the Frey Farm Landfill Vertical Expansion. The new maintenance building will be 17,000 square feet and incorporate two vehicle maintenance bays, a wash bay, parts and equipment storage, and an office area. The original contract price was \$4,146,969.00.

**DISCUSSION:** Change Order No. 1 will increase Kinsley’s current contract amount to include sales tax on certain components of the work.

**Kinsley Construction, Inc. Change Order No. 1**

Sales Tax	\$162,742.33
<hr/>	
<b>Change Order No. 1 Total</b>	<b>\$162,742.33</b>
Original Contract Amount	\$4,146,969.00
Change Order No. 1 Total	\$162,742.33
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<b>Final Contract Amount (including Change Orders)</b>	<b>\$4,309,711.33</b>

**RECOMMENDATION:** Staff recommends the Board of Directors approve Change Order No. 1 to Kinsley Construction, Inc. in the amount of \$162,742.33.

APPROVED BY THE BOARD OF DIRECTORS:

  
\_\_\_\_\_  
(signature)

\_\_\_\_\_  
October 20, 2023  
(date)



## Board Action No. 4

**ISSUE:** Frey Farm Landfill Vertical Expansion (FFVE) Stage 3 Construction Quality Assurance (CQA) Testing and Inspection Services

**BACKGROUND:** The FFVE Stage 3 project will increase the capacity of the Frey Farm Landfill with the construction of approximately 1,800 linear feet of mechanically stabilized earthen (MSE) berm and 2.8 acres of additional liner. The project will also include the installation of 12.5 acres of final cap system in Stage 1 and numerous leachate and landfill gas system modifications. The project is expected to take two years, with completion in October 2025. The Pennsylvania Department of Environmental Protection requires landfill construction projects to have engineering oversight, inspection, and testing to ensure they are constructed in accordance with regulatory requirements. An experienced third-party engineering and consulting firm will be utilized for these services due to the size and complexity of the project.

**DISCUSSION:** Staff worked with our existing landfill consultant, ARM Group of Hershey, to develop a scope for CQA services required for the FFVE Stage 3 Construction Project. ARM Group provided a proposal for the services with an estimated cost of \$839,620. ARM Group has completed all of the engineering, design, and permitting associated with the FFVE and is intimately familiar with the project. Staff feels ARM Group's knowledge of landfill design and construction, as well as their past experience with the Frey Farm Landfill and excellent working relationship with PADEP, make them uniquely qualified to complete these services.

**RECOMMENDATION:** Staff recommends the Board of Directors award the Construction Quality Assurance Testing and Inspection Services for the FFVE Stage 3 to ARM Group of Hershey, PA in the estimated amount of \$839,620.

APPROVED BY THE BOARD OF DIRECTORS:

  
(signature)

October 20, 2023

(date)