

MINUTES OF THE MEETING
OF THE MIDDLETOWN TOWNSHIP, DELAWARE COUNTY SEWER AUTHORITY HELD ON
JUNE 15, 2020

The regular monthly meeting of the Middletown Township Sewer Authority was held **virtually** via Zoom, on June 15, 2020, at 7:50pm. All Authority Members and Advisors participated in this meeting.

Present were Authority Members: Roland Bailey, John Hanna, Edward Klodarska, Robert Scholz, and Timothy Sullivan.

Authority Advisors James Flandreau, Esquire, Solicitor, Walt Fazler, Engineer, John Ibach, Manager, and Fran Niermann, I & I Coordinator were also present.

- **PLEDGE OF ALLEGIANCE TO THE FLAG**

Chairman Sullivan called the meeting of the Sewer Authority to order at 7:50pm and led the recitation of the Pledge of Allegiance to the Flag.

An executive session preceded the board meeting to discuss potential litigation. Once again, instructions for the public to attend this meeting were advertised and no public requests were received.

- **APPROVAL OF MINUTES OF THE MEETING HELD ON MAY 18, 2020**

Mr. Scholz made a motion to approve the May 18, 2020 minutes. Mr. Bailey seconded the motion. The motion was carried with a vote of 5-0.

- **MONTHLY ACTIVITY REPORT**

A. Manager's Report

1. Confined Space Entry Committee

Mr. Ibach reported the Confined Space Entry Committee met during the past month to discuss the draft of the MTSA Confined Space Entry Policy. Mr. Klodarska added that the group prepared a risk matrix to assess the various types of CSE encountered while working on the MTSA sanitary sewer system. Mr. Klodarska reported the draft Policy will be distributed to the Board for comments prior to the July MTSA meeting. The intent is to have the CSE Policy adopted at the July 20th MTSA meeting.

2. 17 Rampart East Sanitary Sewer Overflow (SSO)

As stated previously, the cause of this SSO is due to a storm water erosion problem in one of the Township swales. Mr. Ibach is in contact with Ms. Merino, interim Township Manager, to explain the problem and its urgency. Mr. Ibach emphasized that it is best for both repairs, sanitary and stormwater, to be done simultaneously., Mr. Ibach will hold a meeting this week with Ms. Merino and Mr. Janetka (MT Engineer), to familiarize them with the issue at hand. This will help the Township reach a decision about a long-term solution for repairing the stormwater swale. Mr. Ibach will report the results of this meeting at the next board meeting.

B. Treasurer's Report

1. Payment of Operating Expenses

Mr. Hanna presented a list of paid invoices for the period of May 19, 2020, through June 12, 2020, for a total of \$131,876.68 The largest invoice was to KBX Golden (\$31,224.84).

Mr. Hanna made a motion to approve the paid invoices. Mr. Klodarska seconded the motion. The board approved with a vote of 5-0.

2. Capital Expenses

Mr. Hanna reported the Capital Expenses totaling \$646,577.33. The largest expense was to PACT One (\$619,657.64).

Mr. Hanna made a motion to approve the Capital Expenses. Mr. Scholz seconded the motion. The board approved with a vote of 5-0.

Mr. Hanna also reported the Bond Redemption and Interest Fund expense totaling \$106,017.00. This payment was to Smith and loveless for upgrading pump stations.

Mr. Hanna motioned to approve this payment. Mr. Bailey seconded the motion. The board approved with a vote of 5-0.

3. Miscellaneous

Mr. Hanna reported the collection system maintenance cost was high this past month.

He also stated that two CDs will be maturing during the month of June. Mr. Ibach and Mr. Hannah will discuss CD rates further while paying close attention to FDIC cap since the balance in MTSA's LPL money market will be more than \$250,000.

C. Solicitor's Report

1. Franklin Mint Residential/Toll Tapping Fees

Mr. Flandreau reported that litigation with Toll Brothers has been resolved and the settlement agreement was executed. MTSA received payment for the tapping fees. He stated that Mr. Ibach was very diligent in facilitating the permitting process for Toll Brothers. Mr. Flandreau also commended Mr. Berger and Ms. Murray, his co-workers, who were very instrumental in working with MTSA and Toll brothers in reaching the settlement.

2. Cross Notice to MTSA/PACT

Mr. Flandreau has been working with Mr. Kodumal to finalize terms of the agreement for the lateral connection.

3. Riddle Memorial Hospital Developer Agreement

Mr. Flandreau reported that this agreement is progressing well. MTSA has received payment of the hospital's tapping fees and is awaiting Riddle's engineer's estimate and videos to be reviewed by Mr. Frazier. Riddle's engineer will be selecting a security method from the options MTSA has provided them. No construction will take place until the Developers Agreement is finalized.

4. DELCORA/Del. Co. Lawsuit

Mr. Flandreau stated he received updates from all concerned parties, except Delaware County, that everything will remain status quo until the September injunction hearings. Today, he also received a copy of Delaware County's own injunction report. He will review it this week and report back

to MTSA board members if he comes across any pertinent information. At this point, his role is to observe and monitor developments as they arise to avoid any undesirable effect on MTSA. MTSA is to remain neutral and not get involved in any pleadings. Mr. Sullivan commended Mr. Flandreau for his legal approach in this case because MTSA's main goal is to protect Middletown Township's residents' rates.

5. DELCORA Tapping Fees

Mr. Flandreau was unable to finalize the Agreement with DELCORA. To date, tapping fees in the amount of \$50,500 were collected on behalf of DELCORA. The tapping fee money minus an administrative fee will be transferred to DELCORA. The fee percentage is yet to be determined. Mr. Sullivan proposed to apply a 5% fee and send the remaining balance to DELCORA.

D. Engineer's Report

1. CCIP3 Construction

Mr. Fazler stated the work has reached Westlake property and is in its final stage. The completion date is still targeted for the end of June. Once completed, the demolition of Lenni and Parkmount pump stations will commence along with the manhole lining work for the entire stretch of the interceptor.

Mr. Fazler reported that, today, an unmarked Aqua water line that services a fire hydrant was hit on the Westlake property. The contractor was able to shut off the valve to the main until Aqua arrived for the repair. Mr. Sullivan inquired if this will be an add-on to the project costs. Mr. Fazler stated it would be minimal because it was addressed on the same day. Mr. Fazler is not recommending approval of any change orders currently. He stated that MTSA is aware and that the cost is under the allotted budget for add-ons. To date PACT has requested additional money for delay damages and rock encountered at the beginning of the project through the Franklin Mint site, the change to ductile iron pipe in the Wetlands area near the Chester Creek trail, the removal of the fuel tank from the Ahern property and the unmarked Aqua water line on the Container Research property.

2. Darlington Valley Pump Station

Mr. Fazler stated that the design work is complete, and he is in contact with PECO about providing gas service for the backup generator. A natural gas generator would be preferred over a diesel generator. MTSA has an existing easement on Stephen Drive and was hoping the natural gas line could be installed in the easement leading to the pump station. PECO's engineers came up with a much longer and costly alternate route along Azalea Court. Per Mr. Sullivan's suggestion, Mr. Ibach will call the MTSA public relations contact at PECO to challenge their planned gas route. Mr. Fazler and Mr. Ibach are putting a plan together to support MTSA accessing Stephen Drive and will have it sent to PECO engineers within the next two days. Mr. Ibach hopes to have an answer by next week. This may cause a delay in the bidding process if PECO does not respond in a timely fashion.

3. Mission SCADA

Mr. Fazler ordered the Mission SCADA system for Meadowhurst and Yearsley Mill pump stations and is currently working with KBX on their installation. He will report back at the July Board meeting with progress status.

4. DELCORA I & I Program

The design work has been completed and the contract documents are at 90% completion. Mr. Fazler will be meeting with DELCORA's engineers on 6/16 to review the project specifications. This project's bid opening is planned for July, but it is also dependent on DELCORA's schedule. It could be postponed to early August with bid award at DELCORA's August public meeting. Mr. Sullivan inquired if DELCORA's legal issues could disrupt this project. Mr. Fazler and Mr. Flandreau both agreed the I & I project work should begin in mid- September.

5. Overview of Planning for Dutton Mill Interceptor (DMI)

Mr. Fazler stated that he is continuing work on the DMI Act 537 planning. During his report, he provided a preliminary drawing to show the Board design options for this pump station. Currently, the McCall Heights subdivision has a gravity collection system that discharges into the Dutton Mill Interceptor. The Dutton Mill Interceptor presently cuts through an abandoned landfill and ultimately discharges into the Chester Creek Interceptor (CCI). The purpose of this project is to eliminate the flow from DMI to CCI and come up with a design for an alternate route. The alternate route will also require construction of a new sanitary sewer pump station. The options are to either encroach on existing wetlands and run through a paper street, or approach some of the homeowners from the McCall Heights subdivision to obtain an easement and then run a line up to a new pump station (PS). The force main from the new PS would follow DMI northbound along the access road to Christian Academy and to Old Middletown Road, to connect to the recently installed DMI force main. Mr. Fazler has contacted Matt Houtman to receive an updated land development plan for Christian Academy. The plans will assist Mr. Fazler in the design of the new pump station. Mr. Sullivan would like to receive a copy to review it in more detail.

6. Baltimore Pike Collector

Mr. Fazler stated that everything has been installed on the Baltimore Pike sanitary sewer collector from Manhole #3 (entrance to new Septa Train Station) to the old outdoor Franklin Mint sign. Mr. Flandreau reported that the Vanadium issue is progressing towards a possible solution. He reported that the NPDES permit for the McKee group should be received by the end of June (June 26th is the deadline for the issuance of this permit. If not, an extension must be filed). Septa is working on the draft agreement and changes to the MTSA ISA. Mr. Flandreau is continuing to work with Mr. McLaughlin and Mr. Musi to obtain the documents needed to finalize this work. Mr. Flandreau and Mr. Ibach will be having another meeting tomorrow on the status of the Collector and will report back at the July MTSA meeting.

7. Riddle Memorial Hospital

Nothing to report.

8. Chrome Run Bridge Repair Project

Mr. Scholz inquired on the status of this project. Mr. Fazler was reviewing this project earlier today and will have a recommendation for awarding the project at the August Board Meeting.

• QUESTIONS FROM THE AUDIENCE

None

ADJOURNMENT

Upon motion by Mr. Sullivan and seconded by Mr. Hanna, the meeting was adjourned at 9:00 pm.


Respectfully Submitted,

John Ibach, Manager

Cc: Authority Board and Advisors Township
Manager
S.W.D.C.M.A.
DELCORA

The minutes were recorded by Mr. Fazler and transcribed by Ms. Tierney

Approved: _____



Date: _____

