

MINUTES OF THE MEETING
OF THE MIDDLETOWN TOWNSHIP, DELAWARE COUNTY SEWER AUTHORITY
HELD ON AUGUST 17, 2020

The regular monthly meeting of the Middletown Township Sewer Authority was held **virtually** via Zoom, on August 17, 2020, at 7:30pm. 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 7:30pm and led the recitation of the Pledge of Allegiance to the Flag.

Instructions for the public to attend this meeting were advertised. Mr. Bernardi and Mr. Wynne of Chester Creek Road joined in via Zoom

- **APPROVAL OF MINUTES OF THE MEETING HELD ON JULY 20, 2020**

Mr. Bailey made a motion to approve the July 20, 2020 minutes. Mr. Klodarska seconded the motion. The motion was carried with a vote of 5-0.

- **MONTHLY ACTIVITY REPORT**

A. Manager's Report

1. 8/4/2020 Isaias Microburst and 8/7/2020 Storms

Although this subject does not pertain to this month's meeting, Mr. Ibach wanted to update the Board on the extent of damage due to two recent storm events. These storms generated over 6" of rain on 8/4 and over 3" in one hour on 8/7. The storms caused significant damage to the CCIP3 project. In addition to pump and haul expenses, and extended power outages. At one point in time, half of MTSA's pump stations were left without power. Due to the excessive amount of I & I associated with the storm, MTSA experienced (2) SSOs. One SSO occurred at the Forge Road PS and the second at Wooded Lane near Knowlton Road PS. Mr. Sullivan inquired if Rose Valley I&I is related to the Wooded Lane SSO. Mr. Fazler replied in the negative and that it was purely related to the excessive volume of rain. Mr. Ibach stated that MTSA was very lucky to have Mr. Samsel in the vicinity of the Knowlton Road PS because he helped with damage control. Due to the heavy rains, the dry well was filling up with surface water. Mr. Samsel was able to mobilize a Vac truck to pump water out of the dry well. This prevented water from reaching the pump stations electrical control panel. As a result, Premium Power was mobilized to evaluate the electrical controls and they dried out some of the components. Mr. Sullivan inquired if a diversion swale would help prevent the surface water from entering this PS. Mr. Fazler agreed and stated that this will be part of the Knowlton Road PS upgrade in the future.

2. 17 Rampart East Sanitary Sewer Overflow (SSO)

Mr. Ibach stated that KBX's repair of the gravity sewer main and the Township's swale are 95% complete. Despite the repair not being fully finalized, the swale held up well during the two storms except for the little cleanup needed to be done by KBX. This project should be

completed by next month.

3. MTSA PS Back-up Power

Mr. Fazler and Mr. Ibach will be evaluating all existing MTSA pump stations that are not equipped with back-up generators. They will be providing the Board with a report of priority pump stations that will require the purchase of back-up generators by the September Board meeting. Mr. Ibach stated that Paul Lane is one of the first ones that will need a back-up generator because it receives flow from Darlington Valley PS which has a back-up generator. Prior to any significant storm, a portable generator is always placed at Paul Lane to keep up with the incoming flow from the Darlington Valley PS. Currently, MTSA has 2 portable generators and will soon have a third in circulation. The third generator was acquired from the recently dismantled Parkmount PS. The report will be presented at the September Board meeting. Board members commended Mr. Ibach for all his efforts in controlling damage during these last two storms.

B. Treasurer's Report

1. Payment of Operating Expenses

Mr. Hanna presented a list of paid invoices for the period of July 21, 2020, through August 14, 2020, for a total of \$620,679.29. The largest invoice was to DELCORA (\$526,968.75).

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

2. Capital Expenses – 2016 Bond Issue

Mr. Hanna reported the Capital Expenses totaling \$591.23 to Hydra-Numatic Sales. Mr. Hanna made a motion to approve payment of the Capital Expenses. Mr. Bailey seconded the motion. The board approved with a vote of 5-0.

Mr. Ibach stated that there is a balance of approximately \$1,000 remaining in the Construction fund and is working with MTSA's trustee to close this account soon.

3. Capital Expenses – Bond Redemption and Improvement Fund

Mr. Hannah reported Capital Expenses totaling \$95,327.24. The largest expense was to PACT One (\$63,293.75). Mr. Hanna made a motion to approve payment of the Capital Expenses. Mr. Scholz seconded the motion. The Board approved with a vote of 5-0.

4. Delaware Valley Regional Finance Association (DVRFA)

DVRFA approached Mr. Ibach about assisting MTSA on re-financing its 2016 Bond Issue. Mr. Ibach briefly explained the variable rate option that was being offered, and the associated risk of a defaulting participant in the consortium. This would mean that in case there is a defaulting party, the remaining participants would have to contribute a share of the defaulting party's payments. He also stated that there are no refinance opportunities during the length of the term. Both Mr. Hanna's and Mr. Fazler's experience has been positive with DVRFA with fixed low interest rates and no defaults. Mr. Sullivan suggested to start discussing options offered by DVRFA and PFM in early January to be able to make a wise decision by the expiry of the no-call phase of the 2016 Bond in April.

5. Miscellaneous

Mr. Sullivan posed the question that was discussed at the July meeting about whether the \$870,000 in the PLGIT account is covered by FDIC. Mr. Flandreau stated that it is not covered by FDIC. However, the account is invested in federal instruments that are backed by the

United States Government. Since then, the mix of instruments has changed, and some commercial papers have been added to the mix which could make it a little higher risk for defaulting. This risk is slightly higher than being invested solely in treasury bills, but it is still in very conservative instruments. The alternative option remains to invest in CDs with very low percentage interest rates.

Mr. Hanna stated that \$870,000.00 were transferred out of the LPL Financial account to PLGIT in July. This will be reflected in next month's packets to show the change and the interest rate.

Mr. Hanna and Mr. Ibach are meeting with Mr. Nepo on 8/18 to review the draft Audit report. They have been working on the MD&A report and will have some revisions to present to Mr. Nepo. There is one issue which involves the pension calculations which are not up to date because the responsible state agency is behind schedule due to Covid19. In the interim, Mr. Schlessinger, will post a draft of the MTSA audit on the EMMA website and will explain that once the final version is finalized, it will replace the draft copy.

C. Solicitor's Report

1. Cross Notice to MTSA/PACT

Mr. Flandreau stated that the tri-party agreement has been signed, distributed, and concluded. PACT has done a great job on the repair work on Mr. Cross' property and has paid the required settlement. Mr. Ibach stated that the Cross' next responsibility is to abandon the existing pump station and connect their lateral to the stub constructed by PACT. Mr. Ibach has made them aware to contact MTSA for inspection prior to connecting. Mr. Ibach will reach out to Mr. Cross to get a time frame of when this connection will take place and will update the Board at next month's meeting. Mr. Fazler stated that there are no health safety issues since they are connected to public sewer. Mr. Ibach also referred to the Westlake property that it is in a similar situation. Mr. Westlake must pay his tapping fee before connecting and abandoning the existing cesspool.

2. Riddle Memorial Hospital Developer's Agreement

Mr. Flandreau reported that this Developer's Agreement is complete from MTSA's side and it should be executable once RMH accepts the requirements that MTSA has insisted upon. This discussion should conclude and be ready for signatures this week. Mr. Ibach stated that he is waiting for replenishment of their escrow account which may take a few weeks to generate by RMH. He will update everyone at the next Board meeting.

3. DELCORA/Del. Co. Lawsuit

Mr. Flandreau stated that there will be two hearings in the upcoming months. He explained that the 9/23 hearing will be with Judge Dozer about the legality of the trust fund and the 10/21 hearing will be for claims and cross claims raised by the County, AQUA, DELCORA and the interveners. The first meeting is more meaningful to MTSA because the County is trying to have the trust fund monies barred by the court as an illegal trust fund. He also stated that the attorneys involved have all been very courteous and giving him information upon request.

4. Elwyn/Rocky Run LLC/Sleighton Development

Mr. Flandreau referred to a letter and a sketch in the Board's packets supplied by Mr. Riper for a projected development of the Elwyn/Sleighton property referred to as "Elwyn/Rocky Run". Mr. Flandreau and Mr. Fazler had a preliminary discussion with Mr. Riper. Mr. Fazler's view is that this project will be more involved than Mr. Riper projects as it will necessitate extensive regional planning by the two municipalities.

D. Engineer's Report

1. CCIP3 Construction

Mr. Fazler stated that all initial work was completed in late July. Both Lenni and Parkmount Pump Stations are now offline, and sewage is flowing into the Chester Creek Interceptor. Since these PS are offline, Mr. Fazler reviewed the flow data for the Glen Riddle Interceptor and noticed that the flow dropped by about 150,000 gpd. During the August storms, Glen Riddle's interceptor fared well. Under normal conditions, there would be an overflow at the lower manhole on Martins Lane. Since the change of flow direction, the levels were at a level expected after a significant storm. This does indicate that Parkmount had significant I&I issues and Mr. Fazler will need to work on this as his next CCTV project.

As reported previously by Mr. Ibach, the CCIP3 had significant damage during the last two storm events. In discussions with PACT, the initial clean-up work has been completed. There is additional work needed on the interceptor in the vicinity of Septa's property. This section of pipe was exposed due to erosion from the overflowing stream. This section of the interceptor will require excavation of the pipe and re-installation of the concrete encasement.. Mr. Ibach is hopeful that this work can be done in the next two months. Mr. Fazler stated that it could take longer because PACT thinks that it is SEPTA's issue to repair the exposed pipe. This discussion will be continued in executive session at the end of Board Meeting.

2. CCIP1 Chrome Run Bridge Repairs

Mr. Fazler stated that on August 12th bids were opened for the Chrome Run Bridge restoration project. The repairs consist of stone pointing, abutment wall repairs, reinforced concrete repair and installation of rip rap around the bridge foundation. The repairs are necessary to be able to support a loaded Vac truck. There were 4 bids received. The lowest bid was in the amount of \$39,806.40 (Solid Wall, LLC) and the highest was \$79,682.00. Because of the drastic price difference, Mr. Fazler checked Solid Wall's references. Penn Dot officials and Lower Merion's engineer highly recommended Solid Wall, LLC. Mr. Fazler is recommending the bid award to go to Solid Wall, LLC. Mr. Hanna inquired if this contractor has a history of change orders. Mr. Fazler replied in the negative. Mr. Scholz made a motion to accept the bid of \$39,806.40 from Solid Wall, LLC. Mr. Klodarska seconded the motion. The motion was carried with a vote of 5-0.

3. Darlington Valley Pump Station

Mr. Fazler stated that the plans and specs are complete. The project will be advertised for bids in the coming weeks. The bid opening will be at the planning meeting on September 16th. He hopes to have an award recommendation at the September Board Meeting.

4. Mission SCADA

Mr. Fazler reported that there has not been much progress made on the installation of the SCADA systems at the Meadowbrook and Yearsley Mill pump stations by KBX due to the severe storms in August. KBX is behind schedule and is currently taking care of pump station operation and maintenance.

5. DELCORA I & I Program

Mr. Fazler stated that the bid opening for the CCTV televising and repair work (Rose Valley Borough, Edgmont, and Middletown townships) took place last week. The lowest bid was submitted by Video Pipe Services of New Jersey. The work in Middletown is tentatively scheduled to take place in 2-3 months. Due to the large scope of work, the Middletown portion will take approximately one year to complete. There is approximately 98,000 linear feet of sewer main and 1,280 building sewers which will be televised. Mr. Fazler advised the group that DELCORA will be awarding the bid during their September public meeting.

6. Overview of Planning for DMI

Mr. Fazler stated that he will be advertising the amendment to the ACT 537 Plan for public

comments in the coming weeks. This amendment is for a special study of the McCall Heights area. Mr. Fazler and Mr. Ibach will then prepare a packet to present to Middletown Township's Council to adopt a Resolution at a future council meeting. Mr. Ibach will reach out to Mr. McMullan to coordinate putting this item on Council's agenda.

7. Baltimore Pike Collector

The final phase of the Collector construction (from the entrance to the Franklin Mint train station to the CCIP3) is still in a holding pattern with SEPTA and McKee. Mr. Fazler's original design was a jack and bore through the existing hillside. McKee's recommendation was to excavate the hillside. PADEP is still reviewing the permit due to the background levels of vanadium in the soil. Mr. Ibach asked Mr. Flandreau for an update from his weekly meeting with SEPTA and McKee's contractor. Mr. Flandreau anticipates that SEPTA and Walsh will be permitted to place the soil in the abandoned Weinrich quarry. They are also working on contractual issues pertaining to certificates of insurance. Mr. Flandreau will know more during his conference call scheduled for August 18th. When these issues are worked out, legal documents will circulate for signatures. Mr. Flandreau anticipates the construction of the Baltimore Pike Collector will be completed by the end of October.

8. PA State Police Sewer Connection

Mr. Fazler stated that the PA State Police building installed a temporary connection into the existing Franklin Mint force main. This is in accordance with the approved State Police Land Development Plans. This is a temporary arrangement until the Baltimore Pike Collector is activated. Mr. Fazler stated that any Certificates of Occupancy can now be issued for the project. Mr. Ibach explained that the State Police are using the previously allocated flows assigned to the McKee group and no additional tapping fees were paid to MTSA.

9. Riddle Memorial Hospital

Mr. Fazler stated that flows from the main RMH pavilion run into the east branch of the Chrome Run Interceptor. The three smaller buildings located in front of the main pavilion connect to the west branch of the Chrome Run Interceptor. All the flows from these buildings currently have open channel flow meters that measure both flows and I&I. The Rothman Institute has its own flowmeter which also connects into the west branch of the Chrome Run Interceptor. Mr. Fazler stated that there are four additional buildings on the campus that have water consumption meters (bathroom to the garage, garage building, Annex 2 building, tennis club). The flows generated from these units are minimal. The CUPS Building is their utilities building and houses the cooling system, cooling towers and boilers. This building will also be billed using the water meter readings. To move this project along, RMH agreed to temporarily use the water meter for invoicing the CUPS building. This will be revisited when the project is completed to decide whether it will keep this meter or switch to the open flow meter for invoicing purposes. Therefore, for MTSA quarterly billing purposes, there will be 3 open channel flow meters and up to 4 water consumption meters for Riddle Memorial Hospital. Mr. Sullivan inquired how MTSA would be receiving these meter readings. Mr. Ibach stated that although MTSA has access to these meters, RMH will be taking a photo of each meter monthly and will be sending it to MTSA at the beginning of each month (part of the agreement). Because MTSA has access to these meters, Mr. Niermann could spot check them at times.

10. Chrome Run CCTV

Chrome Run Interceptor is a high flow interceptor that was constructed in 1968. The interceptor was constructed through the base of a culvert which is located under SEPTA's rail tracks. Currently, the SEPTA contractor is installing culvert wing walls in the vicinity of the Chrome Run Interceptor. During construction of the wing walls, the Interceptor was undermined by recent storms. Walsh contacted Mr. Fazler offering to pour concrete around and under the exposed portion of the Interceptor. Mr. Ibach reported that approximately 15 yards of concrete were poured under the exposed Interceptor. Due to the age of the

Interceptor and while there is access, Mr. Fazler would like to have the pipe televised. Mr. Ibach contacted SEPTA's contractor to determine if MTSA can access its Interceptor through SEPTA's work site. This will permit KBX to televise the existing pipe. To complete the work, KBX will need to divert the flow from the interceptor through a bypass pipe. Mr. Fazler and Mr. Ibach are coordinating this work with KBX and the SEPTA contractor.

- **QUESTIONS FROM THE AUDIENCE**

Mr. Wynne had a question about the Duty to Connect Letter he had received from MTSA. He wanted to find out more information as to how long he had before the required connection. Additionally, he asked on how to proceed with the work. Mr. Ibach explained the required MTSA application processes. Mr. Flandreau stated that the letter Mr. Wynne received is a courtesy letter notifying all residents in his development of the Authority's future plans requiring homes located within 150 feet from a MTSA owned sewer line to connect. At some point in the future, MTSA will send out formal notices which will give homeowners 60 days to connect. Mr. Fazler offered to send Mr. Wynne a copy of the as-built plan for his review. Mr. Sullivan stated that the Authority will send a representative to measure the distance from their homes to the MTSA owned portion of the sewer main. Mr. Ibach will notify the homeowner prior to taking the measurement.

ADJOURNMENT

Upon motion by Mr. Sullivan and seconded by Mr. Hanna, the meeting was adjourned at 9:25 pm.

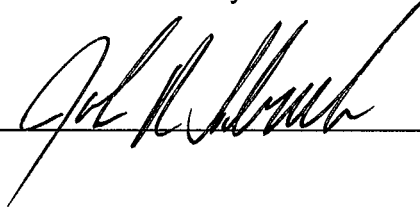
Respectfully Submitted,

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: _____

