

MINUTES OF THE MEETING
OF THE MIDDLETOWN TOWNSHIP, DELAWARE COUNTY SEWER AUTHORITY
HELD ON SEPTEMBER 20, 2021

The regular monthly meeting of the Middletown Township Sewer Authority was held on Monday, September 20, 2021, at 7:00pm at the Township Administration Building located at 27 N. Pennell Road.

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

Authority Advisors James Flandreau, Esquire, Solicitor, Walter Fazler, Engineer, John Ibach, Manager, and Francis 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 7:00pm and led the recitation of the Pledge of Allegiance to the Flag.

- **APPROVAL OF MINUTES OF THE MEETING HELD ON AUGUST 16, 2021**

Mr. Scholz made a motion to approve the August 16, 2021, minutes. Mr. Hanna seconded the motion. The motion was carried with a vote of 4-0.

A. Manager's Report

1. **MTSA 2020-2021 Audit Presentation (J. Nepo)**

Mr. Nepo, Marcum LLP, presented a detailed summary of the 2020-2021 MTSA draft Audit. The Audit will be finalized once the pension information is received from PMRS. It is anticipated MTSA will receive the necessary documents from PMRS by no later than December 2021. Mr. Ibach will post the draft version of the Audit on the EMMA website until the final audit is completed. The posting of the Audit on EMMA is due by the end of October to comply with the terms of the Bond Issue Continuing Disclosure requirements.

2. **Bortondale Road Pump Station**

Mr. Ibach stated that Mr. Sullivan and Mr. Scholz attended a meeting with 2 members of the Upper Providence Township Sewer Authority (UPTSA) regarding the construction/upgrade of their Bortondale Road Pump Station. UPTSA was seeking an unspecified contribution from MTSA towards the construction of this pump station. Based on the first meeting with UPTSA, Mr. Sullivan suggested they convene again in a week after having time to review the original contract between the two Authorities. During the second meeting with the UPTS board members, Mr. Sullivan informed everyone present that UPTSA was not charged a tapping fee at the time of connection and was also offered a three-year old pump station (servicing Chipmunk Lane, Indian Lane, Arrowhead Road and Church Road area). In return, UPTSA would own and operate this PS. During these meetings, Mr. Sullivan also learned that UPTSA was sending 238 EDUs while only being billed for only 231 EDUs by MTSA (based on gallons per EDU since there is no metering). This was confirmed during a conversation with SWDCMA who was billing them for 238 EDUs in conveyance fees prior to connecting to MTSA's newly constructed Chester Creek Interceptor (2018). Mr. Sullivan informed UPTSA that the MTSA was not willing to provide any financial assistance towards the upgrade of the PS. During the meeting, MTSA did offer UPTSA assistance in procuring a necessary easement for an intermediate pump station. MTSA additionally had Mr. Fazler study the PS design at MTSA's expense. Since the UPTSA conveyance fee payments to SOUTHWEST stopped upon diverting the flows into MTSA's CCI, Mr. Sullivan asked Mr. Ibach to draft a letter to UPTSA informing them MTSA will be requesting conveyance fees in addition to a plan confirming the exact number of EDU's that are sending flows into the PS. The letter would address the billing discrepancy (238 EDUs versus 231 EDUs)

and the non-payment of conveyance fees to MTSA. Both payments would be made retroactively. Mr. Sullivan added that it is difficult to verify how many homes are sending flows to the Bortondale PS in the Upper Providence Township Sewer Authority Treatment area and he would like to obtain this information. Mr. Flandreau will be working on amending the original contract between UPTSA and MTSA(1997) to reflect the required changes to modify the treatment plant changes (DELCORA/SOUTHWEST) as well as discussing the implementation of flow metering for both UPTSA and MTSA.

In addition, Mr. Ibach stated that he was in touch with DELCORA regarding the service and drainage areas around the Rose Valley Pump Station (RVPS). DELCORA will be sending MTSA Auto Cad files of the RVPS drainage areas. As part of preparing for the above-mentioned meetings, Mr. Sullivan had reviewed the agreement with DELCORA regarding the decommissioning of the Rose Valley Treatment plant and diverting flows to MTSA's system. The agreement reads that MTSA is entitled to a tapping fee for any new home sewer connections. This will also be reviewed more closely in the future.

3. Dombroski 5K Run Sponsorship

Mr. Ibach brought this event to the Board's attention as to whether they would like to contribute to this cause. Mr. Flandreau wasn't certain if MTSA's charter allows Philanthropy gifts. The Board decided to make personal contributions. Mr. Ibach will work with the Board and Mr. Flandreau and Mr. Fazler in obtaining the donations.

4. Fran Niermann's on the Job Injury

Mr. Ibach informed the Board the hatch of the King's Mill syphon that Mr. Niermann was checking became unlatched and hit him on the head. As a result, Mr. Niermann received a contusion on the head and Mr. Ibach took him to Riddle Hospital to make sure he was concussion free. Mr. Niermann was given a clean bill of health. Mr. Ibach also contacted MTSA's insurance provider to report a workman compensation injury. Mr. Flandreau commended Mr. Ibach for his coordinating efforts with the insurance company.

B. Treasurer's Report

1. Payment of Operating Expenses

Mr. Hanna presented a list of paid invoices for the period of August 16, 2021, through September 17, 2021, totaling \$98,555.79. The largest invoice is for payroll (\$23,307.32). The second largest is to KBX/WRE (\$19,715.15). Mr. Hanna made a motion to approve these paid invoices. Mr. Bailey seconded the motion. The Board approved with a vote of 4 - 0 with one abstention by Mr. Hanna solely for the payment of the KBX/WRE invoice.

2. Payment of Capital Expenses – Bond Redemption and Improvement Fund

Mr. Hanna reported Capital Expenses totaling \$102,531.16 for September 20, 2021. The largest invoice is to McKenney Construction (\$58,535.20) as first payment towards their work on the Darlington Valley PS. Mr. Hanna motioned to approve these expenses. Mr. Scholz seconded the motion. The Board approved with a vote of 4-0 with one abstention by Mr. Hanna solely for the payment of the KBX/WRE invoice (\$23,345.48).

Misc. – Mr. Hanna suggested to the Board to have Mr. Ibach reach out to PLGIT to see if he can obtain better interest rates considering the amount of money invested with them. He also stated that MTSA has reached 52% of the sewer rent budget for 2021.

C. Solicitor's Report

1. DELCORA/AQUA Acquisition

No change since last month. It is still in a holding pattern.

2. Arbor's Deed of Dedication

All required documents have been received from the developers' engineer and attorney. Mr. Flandreau is asking the Board to accept dedication of the improvements in this subdivision subject to final legal and engineering reviews and payment of all outstanding invoices. Mr. Hanna made the motion to approve this deed of dedication including its final reviews. Mr. Scholz seconded the motion. The Board approved with a motion of 4-0.

3. Convery Developers Agreement

This developer's agreement has been completed and executed by the Developer's Counsel. Mr. Ibach will be passing it to Mr. Sullivan to have it signed this evening. Mr. Scholz motioned to approve the execution of the Convery Developer's Agreement and the Improvement Security Agreement. Mr. Bailey seconded the motion. The Board approved with a motion of 4-0.

4. PA-1-Call Indemnification

Mr. Flandreau has handed the draft of the Indemnification Agreement for Bradford Engineering to Mr. Ibach for his review and the Board's review and approval/execution by November's Board meeting.

D. Engineer's Report

1. Darlington Valley Pump Station (DVPS)

Mr. Fazler stated the work is 95% complete. The generator start-up and testing took place today September 20, 2021 to make sure the on-site generator is operating accordingly. The startup of the new magnetic flow meter, pump station and variable frequency drives will be scheduled with the manufacturer soon. He is hoping to announce that DVPS is complete and fully operational at November's Board meeting despite some relays that have not yet been received.

2. DELCORA I & I Program

The contractor has completed the initial televising work. Mr. Fazler has reviewed the data and presented the Board with three different lists of items that require repair. He is hoping that the contractor will provide MTSA with a fair estimate to do these repairs so the Authority would not have to go out to bid for some of these repairs. These repairs will be covered by DELCORA within the allotted money as outlined in the contract terms. Mr. Fazler stated that 95,000 linear feet of pipe and 1,100 laterals from mains to traps were televised. Additional smoke testing may be warranted in certain high inflow areas after the necessary repairs are complete.

3. Overview of Planning for Dutton Mill Interceptor

Mr. Fazler has reviewed the televising from the Sweeney Landfill to the Chester Creek Interceptor and is working on options to relieve capacity issues for this interceptor. He has identified some problematic areas that will need repair. Mr. Fazler is leaning towards lining the whole pipe from the landfill to the Interceptor if the decision is made to keep the interceptor at its current location.

4. Chrome Run Interceptor Relocation/Replacement

Mr. Fazler is waiting for the annual foliage to drop to get a better idea of where the relocation will be. This will be a winter project.

5. Baltimore Pike Collector Connections

Mr. Fazler is still evaluating the future location and cost of the sewer mains that will cross under

Baltimore Pike and connect into the existing Baltimore Pike Collector. Mr. Fazler has set up a zoom meeting with all the utilities for September 22, 2021, to determine their crossing requirements, especially for Verizon who has a major fiber optic internet line that services the entire Northeast running along the shoulder of Baltimore Pike. Mr. Fazler hopes to have more information at November's Board meeting.

6. Confined Space Entry Abandonment

Mr. Fazler has gathered most as-built drawings for the pump stations except for Country Village Way. He will draft the scope of work for this project to go out to bid in October.

7. LPSS for Convery Project

Mr. Fazler did a final design for this project and is hoping it is under the monetary threshold for bidding purposes. He is waiting to receive bids from 3 contractors and will provide more information at November's Board meeting.

QUESTIONS FROM THE AUDIENCE

Mr. Irving was in attendance. No questions were posed.

ADJOURNMENT

Upon motion by Mr. Sullivan, the meeting was adjourned at 8:32 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. Ibach and transcribed by Ms. Tierney.

Approved: _____

John Ibach

Date: _____

10/28/21