

MINUTES OF THE MEETING
OF THE MIDDLETOWN TOWNSHIP, DELAWARE COUNTY SEWER AUTHORITY
HELD ON DECEMBER 21, 2020

The regular monthly meeting of the Middletown Township Sewer Authority was held **virtually** via Zoom, on December 21, 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, 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 7:30pm and led the recitation of the Pledge of Allegiance to the Flag.

Instructions for the public to attend the Board meeting were advertised and no public requests were received by the Sewer Authority.

• **APPROVAL OF MINUTES OF THE MEETING HELD ON NOVEMBER 16, 2020**

Mr. Scholz made a motion to approve the November 16, 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. North Branch Chrome Run Additional Repairs

Mr. Ibach reported the emergency PADEP permit was obtained by Mr. Fazler on 11/13. Mr. Ibach has met with Mr. Swartz and Mr. Mayer (302/306 Mystic Lane) to let them know MTSA will need access through their property to perform the repair. In exchange, Mr. Ibach offered to install a black top berm along the front of their property. The berm would help divert surface water from draining off Mystic Lane and onto their property. Mr. Fazler will supply Mr. Ibach with a drawing showing the location of the proposed easements to share with the homeowners for their review and signatures. Mr. Ibach also met with the owners of 176 Glen Riddle Road to inform them MTSA will need to obtain additional easement area to access a lateral repair. The lateral in need of repair is located behind Mystic Lane. Additionally, the MTSA contractor will be doing some stream bank restoration and rock swale repairs. In exchange for the additional easement area, Mr. Ibach offered to repair and repave this homeowner's driveway. Mr. Ibach solicited quotes for the driveway repair and presented the Board with the lowest bid of \$4,500. Further discussion took place as to whose responsibility it would be regarding the black top berm if damaged by snowplows. Mr. Ibach will be discussing this with Mr. McMullan, Township Manager, in further detail and will report back to the Board via email or at the next Board Meeting.

2. Engineer & Solicitor Proposals

Mr. Ibach stated that a copy of both proposals is included in Board's packets for review.

3. 2021 MTSA Meeting Dates

Mr. Ibach stated that a copy of the proposed 2021 MTSA meeting dates is included in the packets. Mr. Sullivan inquired if the meeting time could be changed to 7pm as opposed to 7:30. All members agreed. Mr. Sullivan also stated that the meeting will be held on a Tuesday in the months of January and February due to legal holidays. Mr. Ibach will amend the time schedule and advertise it in the Daily Times prior to January 1, 2021.

4. 2021 DELCORA Rates

Mr. Ibach received an email from DELCORA stating that the 2021 sanitary sewer treatment rate is changing from the current rate of \$3.50/1,000 gallons to \$3.85/1,000 gallons (10% increase) based on a flow of 602,250 gallons. The 2021 projected sewer budget would be \$2,318,663.00. The Board discussed the proposed DELCORA treatment rate and Mr. Sullivan asked Mr. Ibach to respond back to DELCORA informing them that MTSA would like to set up a meeting to discuss the proposed rates.

5. Pension Plan Funding

Taking into consideration the current low interest rates on investments, Mr. Hanna recommended to the Board to use an installment payment plan of \$40,000.00 per year over the next 5 years to replenish the pension plan fund deficit. Mr. Hanna motioned to approve this recommendation. Mr. Scholz seconded the motion. The motion was carried with a vote of 5-0.

6. Darlington Valley Pump Station Fence

Mr. Ibach is awaiting one more quote from a different vendor before presenting it for the Board's decision at next month's meeting.

7. Citibank 3-year CD called

Due to low interest rates, this CD was called in the month of November. The funds are currently in a Money Market account (LPL account). Mr. Ibach will be transferring \$245,000.00 to MTSA's operating account with Republic Bank where it will earn the most interest considering the current low rates.

B. Treasurer's Report

1. Payment of Operating Expenses

Mr. Hanna presented a list of paid invoices for the period of November 17 through December 18, 2020, for a total of \$163,594.06. The largest invoice was to KBX Golden (\$56,532.39). Mr. Hanna motioned to approve these invoices and Mr. Scholz seconded.. The Board approved with a vote of 4 -0 with one abstention by Mr. Hanna solely for the payment of the KBX invoice (\$56,532.39).

2. Capital Expenses – BRI and Construction Fund

Mr. Hanna reported Capital Expenses totaling \$400.00 for December 21, 2020. This expense was to Paul, Flandreau & Berger, LLP (\$400.00). Mr. Hanna motioned to approve these paid expenses. Mr. Bailey seconded the motion. The Board approved with a vote of 5-0.

Mr. Hanna reported Capital Expenses totaling \$444,935.22 for December 21, 2020. The

largest expense was to PACT One including the three change order requests (\$432,259.68). Mr. Hanna made a motion to approve these paid expenses. Mr. Scholz seconded the motion. The Board approved with a vote of 4-0 with one abstention by Mr. Hanna solely for the KBX expense (\$4,984.00).

As a separate topic, Mr. Hanna inquired about SEPTA's status on the payment of their tapping fees and obtaining building permits. Mr. Flandreau stated that there will be no permits issued until MTSA receives SEPTA's tapping fees. Mr. Ibach is monitoring this and is in direct contact with both SEPTA and Middletown township.

C. Solicitor's Report

1. DELCORA/Del. Co. Lawsuit

Mr. Flandreau reported that all documentation has been received by the courts regarding this lawsuit and that Judge Dozer should have a ruling by mid-January. This ruling could lead to opportunities for appeals. Mr. Sullivan commented that in the past, there had been discussion about a possible settlement rather than a ruling by the judge.

D. Engineer's Report

1. CCIP3 Construction and storm damage

Mr. Fazler reported there is one minor punch-list item to be dealt with, and that he and Mr. Ibach will be meeting with Mr. Graham to rectify this issue. Mr. Fazler is confident an agreement will be reached, and he will have a recommendation for the Board as to what the amount of the final payment should be.

2. CCIP1 Chrome Run Bridge Repairs

Mr. Fazler stated that this project is 100% complete. He will have a final request for payment to be presented at January's Board Meeting.

3. Darlington Valley Pump Station (DVPS)

Mr. Fazler stated he had the pre-construction meeting with McKinney and Cedar Electric. He is in the process of reviewing shop drawings, schedules of values, and schedule of completion. Mr. Fazler and Mr. Ibach will be jointly managing communication between both contractors to make sure all work is well coordinated and goes smoothly. Mr. Ibach stated that the VFDs (Variable Frequency Drives) will be delivered to the Township building during the week of December 21st.

4. DELCORA I & I Program

Mr. Fazler stated the project is progressing nicely despite recent weather delays. The contractor is about to begin lateral and manhole inspections. Mr. Fazler stated that there are a few issues they have encountered and will need further investigation.

5. Overview Planning for Dutton Mill Interceptor

Mr. Fazler stated the ACT 537 plan public comment period expired on 12/17. No public comments were received. He will be compiling the ACT 537 plan and forwarding it to both the Middletown Township Planning Commission and the Delaware County Planning Commission for their review. The 537 Plan is on schedule to be adopted by Middletown Township council around March 2021.

6. Baltimore Pike Collector

Mr. Fazler stated the Collector has been fully activated. The temporary pumps for the State Police Barracks and Wawa have been disconnected and their sewer flows are discharging into the Collector. Discussion for the remaining lateral installations (Wawa Dairy, Granite Run Farms and Rocky Run YMCA) will take place with the developer soon. Mr. Ibach stated that Toll Brothers Construction company will also be connecting approximately 30 homes to the Baltimore Pike Collector.

7. Chrome Run Interceptor Relocation/Replacement

Mr. Fazler is awaiting an estimate from a surveyor to prepare a topo plan of the Chrome Run Interceptor to evaluate how the interceptor relates to the physical location of Chrome Run. He will update the Board at next month's meeting.

• **QUESTIONS FROM THE AUDIENCE**

None.

ADJOURNMENT

Upon motion by Mr. Sullivan and seconded by Mr. Hanna, the meeting was adjourned at 8:34 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: _____

