

WEST GOSHEN SEWER AUTHORITY
REGULAR MEETING
May 1, 2019
7:00 PM

The regular meeting of the West Goshen Sewer Authority was held on Wednesday, May 1, 2019 at the West Goshen Township Administration Building. Those present were:

<u>Authority</u>	<u>Unruh, Turner</u>	<u>Administration</u>	<u>HRG</u>
Theodore Murphy	Ross Unruh	Mike Moffa	Cory Salmon
Tina Smith (by telephone)		Dave Woodward	
Dan Tierney			
Phil Corvo			
Shaun Walsh			

1. The regular meeting of the Authority was called to order at 7:03 PM by Ted Murphy.
2. The Authority meeting minutes for the regular meeting of April 3, 2019 were motioned for approval by Phil Corvo. Seconded by Tina Smith. Approved 5-0.
3. Ted Murphy, Authority Chair, announced that
 - a. An Executive Session had been held at 6:00 pm to discuss legal matters.
 - b. The initial meeting of a joint Authority/Township Planning Committee to plan for financing of future capital projects has been scheduled for May 9th.

There were no other announcements.

4. Kevin Wiley from TD Bank described the banking relationship being offered for all the Authority accounts with the exception of the Bond Construction Fund.
 - The monthly cost for services, including the investment of Authority funds in CD's, is \$0
 - Interest is paid monthly and will vary depending on the Fed Funds Rate
 - The monthly average collected balance is used for the interest payment calculation
 - All deposits of the Authority over the \$250,000 FDIC limits will be collateralized by TD Bank using PA ACT 72
 - There are no one-time transfer or account set-up fees
 - The US corporate headquarters for TD Bank is in Mt. Laurel, NJ and TD Bank is the US operation of Toronto-Dominion Bank, Canada

Resident Dr. Doug White asked what the S&P rating is for TD Bank. Kevin Wiley advised the bank is currently rated A by S&P.

Dan Tierney motioned to transfer three existing Authority bank accounts (Checking; Money Market; CRIM investment) to TD Bank. Seconded by Shaun Walsh. Approved 5-0

5. Wastewater Superintendent Report for the month of April was presented by Mike Moffa.
 - a. The treatment plant operated in compliance with the NPDES permit.

There was an unannounced PA DEP inspection of the treatment plant on April 19th.
There were no violations or concerns found.
Treated 165 million gallons of wastewater. Average of 5.487 mgpd.
Pressed for disposal 300 tons of solid waste.
Average Total Phosphorous discharge concentration for April = 0.66 mg/L.
 - b. The line replacement and manhole lining/replacement work for the collapsed 14" gravity flow sewer line under 5-Points road that began on February 27th is well

advanced with 866 ft of pipe and one manhole having been replaced. Four manhole linings and three connection laterals to property boundaries remain to be completed.

- c. Replacement of electrical equipment continues at the Washington Street Pump Station. All equipment has now been installed including the PECO metering device. Awaiting a date from PECO for switchover to the new equipment.

6. Solicitor's Report was presented by Ross Unruh.

- a) The status of the Sewage Treatment Agreement with Westtown Township was discussed in the Executive Session. The Authority continues to work with Westtown to bring the Agreement language to a final conclusion. It is expected that the Agreement can be brought for approval to the June meeting of the Sewer Authority.
- b) Ross Unruh advised that efforts continue with Aqua with respect to the property parcel intended to be swapped by Aqua with the Sewer Authority at Downing Avenue Pump Station. Getting traction with Aqua is proving difficult.
- c) Legal effort continues with respect to the Complaint for Quiet Title to obtain an accurate deed for the Trinity Drive Pump Station.
- d) Ross Unruh advised that the developer for the Woodlands at Greystone would like to record their development plan by the end of May. The amount of the financial security was currently being reviewed by the Authority's Solicitor and Engineer, and is approximately \$1,060,180.

The Authority discussed the unlikely situation of a developer default and the resulting process for the Authority to complete any remaining work. Ross advised that since the financial security is a private source of funds, the Authority would have flexibility, if it took over the funds, to determine how best to finish the project.

Ted Murphy motioned to approve the financial security agreement for the Woodlands at Greystone development, subject to the final amount being approved by the Authority Solicitor and Engineer. Seconded by Phil Corvo. Approved 5-0

7. The Treasurers Report dated May 1, 2019 was presented by Dan Tierney (See report for details)

- a) Ted Murphy motioned to approve the final change order for Contract 17-5 (2017 Sanitary Sewer System Repairs) for a deduction in the amount of \$80,013.30. Seconded by Shaun Walsh. Approved 5-0
- b) Phil Corvo motioned to approve as Requisition #303 from the Bond Construction Fund, the Final Application for Payment for Contract 17-5 (2017 Sanitary Sewer System Repairs) in the amount of \$203,498.97 to Di Rocco Bros, Inc. Seconded by Dan Tierney. Approved 5-0
- c) Dan Tierney motioned to approve as Requisition #301 from the Bond Construction Fund, Application for Payment No. 16 as submitted by Eastern Environmental Contractors, Inc., in the amount of \$268,479.00 for work completed through April 15th, 2019 for Contract 17-3 (Anaerobic Digester Replacement – General Construction). Seconded by Phil Corvo. Approved 5-0
- d) Phil Corvo motioned to approve as Requisition #302 from the Bond Construction Fund, Application for Payment No. 8 as submitted by GEM Mechanical Services, Inc. in the amount of \$17,683.60 for work completed through April 17th, 2019 for Contract 17-7 (Anaerobic Digester Replacement – Mechanical Contract) Seconded by Dan Tierney. Approved 5-0

- e) Phil Corvo motioned to approve as Requisition #304 from the Bond Construction Fund, Application for Payment No. 3 as submitted by MOR Construction Services, Inc. in the amount of \$48,754.71 for work completed through April 12th, 2019 for Contract 18-2 (2018 Sanitary Sewer System Rehabilitation) Seconded by Dan Tierney. Approved 5-0
 - f) Dan Tierney motioned to approve for payment, as listed on the Treasurers Report, Requisitions #305 through #313 from the Bond Construction Fund; Tapping Fee Fund Requisitions (10 invoices) in the total amount of \$240,696.82; and Developers Invoices in the total amount of \$29,038.57 (check numbers 1621 to 1634). Seconded by Tina Smith. Approved 5-0.
8. Engineers Report dated April 26, 2019 was presented by Cory Salmon (See report for details).
- a. The Authority discussed the rejected change order request submitted by GEM Mechanical Services, Inc. and the need for the Authority to respond to the letter received from their legal counsel. Shaun Walsh motioned for the Solicitor to respond that the claim submitted by GEM Mechanical Services, Inc. is denied because the additional work for which the claim was made was due to the fact that the claimant had not properly coordinated the work sequence with the electrical contractor, and that the additional work was not approved by the Owner prior to proceeding, as required by the General Conditions of the Contract. Seconded by Ted Murphy. Approved 5-0
 - b. Cory Salmon advised that the safety issues described in the 2018 Consulting Engineer's Report (predominantly Pump Station related problems) were being addressed as part of both current and future planned project work scope. The Authority members expressed concern that these safety issues require a more detailed review to ensure appropriate prioritization and timeliness to correct deficiencies. Ted Murphy motioned to authorize **HRG to work with Township Staff** to review and develop a prioritized plan to address the identified safety concerns and to **report preliminary findings at the regular June meeting of the Authority**. Seconded by Phil Corvo. Approved 5-0
 - c. Shaun Walsh motioned for HRG to prepare and submit an application to the Commonwealth Financing Authority (assuming the Small Water & Sewer Grant Application process is re-opened by the State in May) for either the replacement of the Trinity Drive Pump Station or a 2020 Sanitary Sewer System Repair project. Seconded by Dan Tierney. Approved 5-0
 - d. The Authority had previously discussed at the April meeting the requested Written Amendment No. 1 for Contract No. PR-18-1 (Evoqua Water Technologies contract for the CoMag System) to make consistent that the Seller's total liability is not to exceed 100% of the Contract Price. HRG had confirmed that the term 'Contract Price' included all payments to be made to Evoqua and that Contract Price was not defined as a subset of the overall contract value, e.g. materials and equipment only. Shaun Walsh motioned to approve Written Amendment No. 1 for Contract No. PR-18-1 to state that the Seller's (Evoqua Water Technologies) total liability does not exceed 100% of the Contract Price. Seconded by Phil Corvo. Approved 5-0
9. Developers Activity Report, dated April 27, 2019 was presented by Cory Salmon (See report for details).
The Authority requested Mike Moffa and his staff review previous Authority meeting minutes to determine if the Authority had approved an increase in a developer's sewer escrow account to be an initial amount of \$5,000.00

10. Any Other Business - None

Shaun Walsh motioned to adjourn the meeting at 8:39 PM, seconded by Dan Tierney. Approved
5-0

Respectfully submitted,

Shaun Walsh, Secretary