

West Goshen Township  
Sewer Authority  
September 2, 2020  
7:00 PM

Agenda for Teleconference Meeting

1. Pledge of Allegiance.
2. Roll Call for Sewer Authority Board members, staff and professional service providers.
3. Approval of the Authority meeting minutes of August 12, 2020.
4. Authority Chair and Member announcements.
  - A. Procedures for telephonic meeting (see attached). Meetings via teleconference are permitted in the event that official emergency declaration prevents an open public meeting.
  - B. The Sewer Authority applications for grants from DCED (Department of Community and Economic Development) have been approved as follows:
    - H2O PA-Water Supply, Sewer & Stormwater program in the amount of \$500,000 for the Priority Interceptor Rehabilitation Project, and;
    - PA Small Water & Sewer Program in the amount of \$410,896 for the Sewer Interceptor and Force Main Improvements Project.
  - C. No Executive session was held this evening or during the past month.
  - D. Next regular meeting October 7, 2020 at 7:00 PM. Location to be determined.
5. Solicitor's Report, dated September 2, 2020 presented by Ross Unruh.
  - A. Woodlands at Greystone. The developer's attorney is still in the process of getting all the documents fully executed by the property owners and the lenders.
  - B. Shiloh Estates. Approve the Maintenance and Transfer of Ownership Agreements and authorize the Chairman and Secretary to sign them.
  - C. Bishop's Lodge. Approve the Maintenance and Transfer of Ownership Agreements and authorize the Chairman and Secretary to sign them.
  - D. Connection to WCASD private system. Investigation still incomplete. We are still looking for documents which give the WGSA legal authority to connect 14 WGT sewer customers to a private system for conveyance purposes.
6. Wastewater Superintendent Report, dated September 2, 2020, presented Mike Moffa.
  - A. General Compliance Status & Misc. Operational Data.

- B. Taylor Run Pump Station Automatic Transfer Switch (ATS). The appropriate ATS was confirmed and ordered. The ATS shipped on August 24, 2020 and is expected to arrive during the week of August 31, 2020.
  - C. Discussion of PFAS Wastewater Sampling & Analysis.
7. Treasurer's Report, dated September 2, 2020, presented by Walter Wills. Discussion and possible approval of requisitions/bills to be paid as set forth in the Treasurer's Report totaling \$757,315.37.
- A. Presentation of items 7B, and 7C by Josh Fox from HRG.
  - B. Discussion and possible approval for Application for Payment No. 6 for Contract 19-1 (WWTP Phase 2 General Contract) to Blooming Glen Contractors, Inc. in the amount of \$640,522.05 (bond requisition # 486).
  - C. Discussion and possible approval for Application for Payment No. 3 for Contract 19-2 (WWTP Phase 2 Electrical Contract) to Brendan Stanton, Inc. in the amount of \$20,199.12 (bond requisition # 484 & 485).
  - D. Approval of Bond Requisition numbers 487-493, Tapping Fee Fund requisitions 2008 - 2012, and Developer's Invoices.
8. Engineer's Projects Report, dated August 30, 2020 presented by Josh Fox from HRG.
- A. Recommendation for approval for Change Order No. 1 for Contract 19-2 and 19-3 for an extension of the Contract Times. The Change order consists of a Time Extension of 42 days for Covid-19 shutdown.
  - B. Discussion of updated Bond Drawdown Schedule and updated 2021-2030 CIP (Capital Improvement Projects).
  - C. Discussion and possible approval for HRG to advertise the Aeration System Improvement Project.
9. Developments Report, dated August 30, 2020 presented by Josh Fox from HRG.
10. New business.

Adjourn

## Procedures for Tele-conference

### **TELECONFERENCE INSTRUCTIONS**

Please find below the September 2nd Authority meeting instructions.

#### **September Sewer Authority Meeting**

Wed, Sep 2, 2020 7:00 PM - 9:00 PM (EDT)

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/486872221>

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Please note that we may have members of the public joining our teleconference.

We will proceed with the following instructions during the course of the teleconference meeting.

1. At the beginning of the meeting we will take a roll call for members, staff and professional service providers present.
2. Each person speaking shall announce identity at the beginning of comments.
3. Public comment will be permitted only when specifically requested of the public just before each vote is taken or at the end of the meeting before adjournment.
4. Please keep comments as short as possible as there is a time limit for the teleconference access.
5. Each item requiring a vote will proceed with a motion and a second, followed first by member comments/questions, only when prompted by the chair, and then second by public comments/questions but only when prompted by the chair.
6. Voting shall be done by roll call of each member for each vote.

The [Office of Open Records](#) has issued the following advisory regarding [Pennsylvania's Sunshine Act](#) and the coronavirus (COVID-19).

*Last updated March 31 at 9:07 a.m.*

Note: Check online at:

<https://openrecordspennsylvania.com/2020/03/11/the-sunshine-act-and-covid-19/>

This advisory relates to all meetings governed by the Sunshine Act; it is not limited to emergency meetings.

As a starting point, it's key for agencies to remember that transparency builds trust, especially in times of crisis.

The [Sunshine Act](#) is clear that public meetings should be held at public buildings with open public participation whenever possible. If an official emergency declaration prevents that from happening, a meeting via teleconference, webinar, or other electronic method that allows for two-way communication is generally permissible.

Any agency taking that step must provide a reasonably accessible method for the public to participate and comment pursuant to Section 710.1 of the Sunshine Act. That method should be clearly explained to the public in advance of and during the meeting.

Further, the Office of Open Records strongly recommends that any agency holding such a meeting record the meeting and proactively make the recording available (preferably online) so that a full and complete record of the meeting is available to the public.

[35 Pa.C.S. § 7501\(d\)](#) allows agencies under a “declaration of disaster emergency” (here's the [March 6 disaster emergency declaration](#) signed by Governor Wolf and [information about the declaration](#)) to suspend the need to comply with certain “formal requirements.” In context, any such suspensions must be related to the emergency in some way.

Some agencies are governed by laws which add requirements beyond those included in the Sunshine Act. For example, both the Borough Code and the Third Class City Code explicitly require that a majority of members be physically present for purposes of determining a quorum. In such cases, the provisions of [35 Pa.C.S. § 7501\(d\)](#) can come into play. The OOR encourages agencies to consult with their solicitors on such issues.

Agencies, solicitors, and members of the public with any questions are welcome to contact the OOR. Using [the OOR contact form](#) is the best way to reach us at this time, as we are all working remotely.

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Guidance from the Pennsylvania District Attorneys Association

The Pennsylvania District Attorneys Association has also issued guidance related to the Sunshine Act, which [can be read here \(PDF\)](#).

On April 20, 2020 Governor Wolf signed Senate Bill 841 that allows remote municipal meetings during the COVID-19 Emergency.

See Title 35 Pa.C.S.A. §§5701 – 5741. The change in the law allows hearings, meetings, proceedings, or other business to be conducted through the use of authorized telecommunications device until the expiration or termination of the COVID-19 disaster emergency.

Link here: <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2020&sessInd=0&act=15>

In addition, section 7501(d) of Title 35 has been amended in the same bill to provide for temporary suspension of formal requirements in other emergencies declared either by the Governor or of the governing body of the political subdivision affected by the disaster emergency. A quorum of physically present members is not required if a quorum is otherwise established by participating members through authorized telecommunication device. This provision does not expire at the end of the COVID-19 disaster.