

July 19, 2022

## **POTTSTOWN BOROUGH AUTHORITY**

### CALL TO ORDER

Chairman Chomnuk called the meeting to order at 7:00 p.m.

### ATTENDANCE

Present were Mike Benner, Jeff Chomnuk, Tom Carroll, Aram Ecker, and David Renn. Also in attendance were Solicitor Vincent Pompo, Authority Manager Justin Keller, Engineer Cory Salmon, Public Works Director Doug Yerger, Assistant Public Works Director David Haygood, Utilities Director Brent Wagner, Finance Director Marley Boone and Borough Secretary Virginia Takach.

### PUBLIC COMMENT

None.

### APPROVAL OF MINUTES

Mr. Benner moved to approve the minutes of the May 17, 2022 meeting. Mr. Carroll seconded the motion and it passed unanimously.

### COMMITTEE REPORTS

#### Authority -Townships Meeting

Mr. Carroll noted that the Committee does not meet in July and August and had nothing new to report.

Mr. Keller advised that Staff submitted an HOP permit to PennDOT for the installation of a water connection to a home next to Sanatoga Fire Station.

### AUTHORITY MANAGER'S REPORT

Manager Keller introduced Finance Director Marley Boone who was present for Gerry Keszczyk. Mr. Keszczyk will be returning on August 1<sup>st</sup>.

Mr. Keller reported on retirements at the Wastewater Treatment Plant and will be meeting with Mr. Wagner in the near future to assure there is no impact on operations. He also reported that the Montgomery County Recovery Relief released grant results and the Authority is recommended for \$2.75 million for the lead line replacement project. Final approval is set for August 18<sup>th</sup>.

Mr. Keller also reported that Aqua has started to pull and purchase water from the Farmington Pump Station. He added that H & K has completed the roadway paving.

Mr. Keller noted the passing of Robert Hartman, a 52-year employee of the Public Works Department.

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## SOLICITOR'S REPORT

Solicitor Pompo referred to the report distributed and outlined upcoming legislation. He updated the Board on amendments to the Sunshine Act including a provision that if there is public comment through the internet and the agency's internet goes down, the meeting needs to end and be rescheduled. He also commented on HB 2524 that would amend the Right to Know Law to allow agencies to ask requesters if the records will be used for commercial purposes and permit agencies to assess fees for commercial requests.

Solicitor Pompo reviewed SB 1125, a new Legionnaires' Disease risk management program for public water systems and public buildings. Attorney Pompo also advised that Upper Pottsgrove closed its deal with PA American Water Company on June 30, 2022 and the \$470,184.22 was wired to the Authority fund account.

Solicitor Pompo noted that West Pottsgrove Township is considering selling its system. He advised that Lamb McErlane represents Aqua America, which may be considered a conflict of interest and wanted to disclose this matter. If a conflict is present, both parties would need to waive the conflict. He also explained the criteria for setting the selling price of a system, which is eventually approved by the PUC.

## ENGINEER'S REPORT

Engineer Cory Salmon referred to the report distributed and provides an update on the Sanatoga Road project. He also reviewed the Lead Line funding project through PennVEST. He noted that new requirements have been issued dealing with materials other than copper or plastic. Mr. Salmon advised that he is awaiting further clarification from DEP. The timeline for all services to be replaced is October 26, 2024.

Mr. Salmon advised the Montgomery County has conditionally approved \$2.75 million in funding for PennVEST and announced that the lead line program will be provided again this year. He will be meeting with the County for conditions and requirements.

Mr. Keller will be meeting with Mr. Keszczyk upon his return to discuss financing on this matter.

## UTILITIES DIRECTOR'S REPORT

Mr. Wagner reported that the UV installation project will be completed by October according to the consent agreement and pending on receiving the parts. The Air Scour pole building will be done in the next few weeks. Mr. Wagner also explained some staffing concerns with upcoming retirements. He added that the NDPES permit for the Water Treatment Plant is being stalled due to concerns with the distribution box. Another sampling site is forthcoming.

Mr. Wagner advised that a major shut down for the dryer is expected in November for modifications to improving operations. He also reported that an odor complaint was received today. Mr. Wagner provide information on the recent sales of water systems throughout the area, which usually results in a short-term solution.

Mr. Keller noted that a sale makes sense if the municipality has a poorly run system.

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Mr. Carroll commented that if there would be a sale and become flush, it may be possible to relieve the rate payers a certain amount and additionally purchase needed items or make repairs as needed.

### PUBLIC WORKS DIRECTOR'S REPORT

Mr. Yerger reported that the crews have assisted with paving and replacing risers and sewer manhole covers. A new main is expected in Rowan Alley to accommodate 6 homes in the area. He added that Staff is laying out plans for the grinder pump pipe for 707 Hamilton Street. Fall flushing will begin in September and leaks are still being investigated in the area of Mervine Street.

Mr. Yerger also explained that the hydrants in Manatawny Village are private but the Authority is able to do maintenance if needed and can charge the association. There are still issue not resolved in this development.

Mr. Keller added that the Borough never accepted dedication in this development.

### FINANCE REPORT

Marley Boone was present for Mr. Keszczyk and reviewed the reports distributed. She noted that water fund revenues are at 49% and expenses at 43% and sewer fund revenues are at 54% and expenses at 32%. The sewer revenue budget is over budget by \$178,000 and the sludge hauling is under budget by \$129,000. Ms. Boone advised that the audit is finalized and she also confirmed the \$471,000 from Upper Pottsgrove Township was received on June 30, 2022 and posted to the sewer capital.

### OLD BUSINESS

#### UV Project Update

Mr. Salmon explained the Change Order request for the UV Installation project, in the amount of \$33,460, noting a safety measure to move piping and a control panel for a more convenient location. The total budget for the project stands at \$935,00 with a budgeted amount of \$1.2 million.

Mr. Carroll moved to approve the Change Order No. 1 for the Water Treatment Plant UV Installation project in the amount or \$33,460. Mr. Renn seconded the motion and it passed unanimously.

### NEW BUSINESS

#### Audit

Mr. Keller advised that Mr. Keszczyk reported that the Audit was complete in May with no findings. It was the consensus of the Board to postpone this matter until the September meeting.

#### House Bill 597

Solicitor Pompo referred to the proposed statute, Senate Bill No. 597, essentially creating a new regulatory water and wastewater asset management program. He added that plans would need to be submitted to DEP for review for all existing assets, including valve repairs, meter testing, lead line replacement and development of cyber security systems. No type of funding is associated with the Bill.

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Mr. Wagner commented that staff is already doing what this Bill is proposing.

Mr. Benner moved to authorize the Solicitor and the Manager to contact local representatives and express the Authority's opposition of Senate Bill No 597. Mr. Renn seconded the motion.

Mr. Carroll questioned if it would cost additional money to provide the documents that DEP is requesting. He added that he would consent to a specific plan.

Mr. Keller commented that it is another unfunded mandate and will cost additional money to comply.

Motion carried: 4 ayes, 1 nay. Mr. Carroll cast the negative vote.

### ADJOURNMENT

The meeting adjourned at 8:10 p.m. on motion by Mr. Benner.

Submitted by,

Virginia L. Takach, Borough Secretary  
for Thomas Carroll, Secretary