

September 15, 2020

## **POTTSTOWN BOROUGH AUTHORITY**

### **CALL TO ORDER**

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

### **ATTENDANCE**

Present were Jeff Chomnuk, Aram Ecker, Mike Benner, Tom Carroll and David Renn. Also in attendance were Solicitor Vincent Pompo, Authority Manager Justin Keller, Engineer Josh Fox, Public Works Director Doug Yerger, Utilities Director Brent Wagner, Bookkeeper Gerry Keszczyk and Borough Secretary Virginia Takach.

### **PRESENTATION**

Chairman Chomnuk, on behalf of the Authority presented a Pennsylvania Municipal Authorities Association Extended Years of Service award to Doug Yerger for 30 years of service with authorities. Mr. Chomnuk added that Mr. Yerger will celebrate 46 years of service with the Borough in October.

### **PUBLIC COMMENT**

None.

### **APPROVAL OF MINUTES**

Mr. Benner moved to approve the July 21, 2020 meeting minutes as presented. Mr. Carroll seconded the motion and it passed unanimously.

### **COMMITTEE REPORTS**

#### **Planning & Capital**

Mr. Renn advised that items will be discussed under the Engineer's Report.

#### **Authority-Townships Meeting Report**

Mr. Carroll referred to the report distributed with nothing new to add.

### **AUTHORITY MANAGER'S REPORT**

Manager Keller reported that all the contract documents have been executed for the borrowing project, which closed on this date. He added that a budget discussion will be listed for the October meeting. Mr. Keller reported that the Authority was unsuccessful in the H2O grant but the Borough was awarded funds for the Stormwater arch rehabilitation.

Mr. Fox added that Chester and Delaware Counties fared better than Montgomery in the grant awards, noting that new funding may open up in the fall or by next spring, wherein the applications may apply to the LT2 project or water main replacements.

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Mr. Keller reported that the Townships have requested a status of the dryer and an explanation as to how the situations will be resolved. He added that the Township Solicitors and the Authority Solicitor will be meeting in the near future. He also noted that Scott Huff was introduced as the new West Pottsgrove Manager.

Mr. Keller advised that the sale of Upper Pottsgrove's sewer system may be subject to PC approval and may occur in June 2021. He added that an agreement was reached between PA America and Upper Pottsgrove for the reimbursement of legal costs, each providing \$4,000 for a total of \$8,000 up front costs.

### SOLICITOR'S REPORT

Solicitor Pompo referred to the report distributed, noting that HB2583 is still sitting in committee. He noted that both the Authority and Borough Council have sent letters to local legislators opposing the bill that would provide for the election of municipal authority board members. Attorney Pompo reported that he is corresponding with Attorneys regarding the sale of Upper Pottsgrove's sewer system regarding concerns raised by the developer regarding the amount of the capacity charge. He reported that in August, the Attorney for the Kummerer plan indicated approval of the charges and requested approval by the Authority, noting that this is on the agenda but with one slight change being the number of Edu's from 144 to 145 Edu's.

Mr. Keller commented that he may be able to approve the Sewage Planning Module.

### ENGINEER'S REPORT

Mr. Fox reviewed the report distributed, outlining the three Capital projects. He advised the agreement for the Air Scour System is awaiting execution by the Authority for final closing. He added that he is working on some provisions to the structural design.

Mr. Fox reported on the LT2 Enhanced Surface Water Rule project, noting that the Public Water Supply Permit was submitted in a timely manner and is working on the final design and the stainless-steel fabricator and will have further reports for the next meeting

Mr. Fox also reported that HRG is still working with Staff and the DEP on the Log Inactivation form as related to Staff's completing its PADEP 1 log calculations. He also advised that he added the CFP compliance and the Public Water Supply Permit into one application and one check to DEP.

He advised that the 2021-2025 Capital Improvement Plan is ongoing with no significant changes for the next two years. He added that the Flow Monitoring Plan has had some difficulties, mostly due to the age of the system and is working with KBX to get resolved, with no additional costs to the Authority. Mr. Fox advised that he met with Doug Yerger to review the 2021 Water and Sewer Main Replacement Project and identified Cherry, Henry and Spruce Street as priorities, with the projects costing \$1 million each.

Mr. Yerger confirmed that there are over 70 miles of pipes, with 20 miles of SDR and 50 miles of clay pipes throughout the system.

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Mr. Fox advised that the WWTP Peak Hydraulic Evaluation is under review due to the COVID crisis and will be distributed at the November 10<sup>th</sup> Capital meeting. He also reported that Phase 3 of the Spring Valley Farms Development is awaiting the final walkthrough with Allan Myers to address the remaining 10 punch list items.

#### UTILITES DIRECTOR'S REPORT

Mr. Wagner reported on the events of the August hurricane and the 6.5" of rain, which resulted in no significant issues at the plants, other than a few power blips. He attributed the success to the new screening process. Mr. Wagner also reported that the basins and lagoons have been cleaned at the Water Treatment Plant. He also noted that interviews are being conducted for a Wastewater Treatment plant operator.

Mr. Fox confirmed that all information has been submitted to RBC regarding the TDS. The NYPDES permit is due next year.

Mr. Wagner also noted that a major project to replace screens in the lower pump house will take place over a 3-4-day period.

#### PUBLIC WORKS DIRECTOR'S REPORT

Mr. Yerger reported that Staff is working on sewer manhole frame and lid replacements in 65 locations. He also reported that a logging reorder broke loose and was recovered in a 12' main. Fall flushing will begin next week, along with paving and milling.

#### FINANCE REPORT

Mr. Keszczuk referred to the reports distributed, noting that the Water revenues are at 67% and expenses at 64%. The sewer revenues are at 66% and expenses at 65%. He also referred to the Authority Utility billing analysis, advising that the payments received were down slightly in July and up again in August. He is keeping track to see if receivables are affected by this COVID crisis. He also confirmed that the borrowing event was approved on this date. Mr. Keszczuk advised that the third of the three water rate increases will be in the budget, along with the \$30,000 for the valve exercise program.

Mr. Keller explained that the MMO calculations remained mostly the same and if trends continue the calculations should follow for the next two years. He also noted that AFSCME salaries are reaching management and will require appropriate separation for 2021.

#### OLD BUSINESS

##### VALVE EXERCISING PROJECT

Mr. Keszczuk requested that a presentation be listed for the October agenda to allow the vendor to present the valve exercise program.

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UPPER POTTS GROVE – KUMMERER SEWER CAPACITY PURCHASE

Solicitor Pompo referred to the agreement between the Upper Pottsgrove Township and the Authority and explained that once Upper Pottsgrove signs the Agreement with the Developer, there is approximately 30 days between which the approximate amount of \$248,820 has to be paid to the Authority.

Mr. Renn moved to authorize execution of the Purchase of Additional Capacity Agreement associated with the Kummerer project, subject to review and approval of the Solicitor. Mr. Carroll seconded the motion and it passed unanimously.

NEW BUSINESS

BRINGHURST TRUST

Mr. Keller referred to the outstanding real estate taxes and utility payments on the approximately 20 units located in the Borough, known as the Bringhurst Properties. He added that over the last several years the properties have gone into default. The County assigned three Attorneys to resolve the issues on these properties. Mr. Keller advised that the Borough has approved the request to waive fees and penalties and advised that the Authority would be reimbursed approximately \$13,900 for outstanding utility billing.

There were no objections by the Authority Board and no action was taken on this matter.

MASTER CASTING AGREEMENT RENEWAL

Mr. Keller requested the resolution be adopted to continue the Master Casting Agreement with PennDOT for a three-year term. He advised that there is no cost to the Authority for this agreement, simply allowing PennDOT to assist in any road work as appropriate.

Mr. Carroll moved to adopt the Resolution authorizing entry into the Master Casting Agreement with PennDot for a three -year term to expire September 30, 2023.

RESOLUTION NO. 3-2020

BE IT RESOLVED by authority of the Pottstown Borough Authority of the Borough of Pottstown, Montgomery County, and it is hereby resolved by authority of the same, that the Chairman of the said Authority be authorized and directed to sign the attached Agreement on its behalf and that the Secretary be authorized and directed to attest the same.

Attest: Thomas E. Carroll, Secretary

Jeffrey John Chomnuk, Chairman

I, Thomas E. Carroll, Secretary of the Pottstown Borough Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Pottstown Borough Authority, held the 15th day of September 2020.

Motion carried: 5 ayes.

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EXECUTIVE SESSION

Chairman Chomnuk recessed the meeting to executive session at 7:55 p.m. for an item of potential litigation.

ADJOURNMENT

The meeting adjourned at 8:30 p.m. on motion by Mr. Renn.

Submitted by,

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

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EXHIBIT A

**POTTSTOWN BOROUGH AUTHORITY  
SCHEDULE OF WATER RATES – 2020  
January to December, 2020**

**Water Quarterly Service Charge:**

| <u>Meter Size</u> | <u>Inside Borough</u> | <u>Outside Borough</u> |
|-------------------|-----------------------|------------------------|
| 5/8"              | \$45.00               | \$47.00                |
| 3/4"              | \$45.00               | \$47.00                |
| 1"                | \$85.00               | \$87.00                |
| 1 1/2"            | \$162.00              | \$164.00               |
| 2"                | \$239.00              | \$242.00               |
| 3"                | \$495.00              | \$498.00               |
| 4"                | \$724.00              | \$726.00               |
| 6"                | \$1,353.00            | \$1,355.00             |
| 8"                | \$2,099.00            | \$2,101.00             |
| 10"               | \$2,560.00            | \$2,562.00             |

**Usage Charge:** All Usage (no zones) \$3.35 Per 100 cubic feet

**Unmetered Rates:**

| <u>Sprinkler:</u> | <u>Size of Line</u> | <u>Amount per Quarter</u> |
|-------------------|---------------------|---------------------------|
|                   | 5/8"                | \$20.00                   |
|                   | 3/4"                | \$20.00                   |
|                   | 1"                  | \$ 25.00                  |
|                   | 1-1/2"              | \$ 30.00                  |
|                   | 2"                  | \$ 40.00                  |
|                   | 3"                  | \$148.84                  |
|                   | 4"                  | \$195.16                  |
|                   | 6"                  | \$297.58                  |
|                   | 8"                  | \$401.66                  |

**Bulk Water:**

|   |                           |
|---|---------------------------|
| Bulk Water Fill Station at Old Reading Pike |                           |
| Debit Card Account                          | \$15.00                   |
| Replacement Debit Card                      | \$20.00                   |
| Additional Debit Card (same account)        | \$20.00                   |
| Bulk water purchase/usage fee               | \$4.08 per 1,000 gallons  |
| Bulk water from hydrant                     | \$20.00 for permit        |
| Bulk water fr hydrant purchase/usage fee    | \$3.35 per 100 cubic feet |



**Certificate of Final Bill:** \$15.00

**Collection Actions:** Customer shall be responsible for all charges permitted by law and all costs of collection whether collection is made by the Authority or an agent.

**I. TERMINATION OF WATER SERVICE:**

**a. Non-Payment of Sewer or Water Rent:**

Posting of Notice - \$10.00  
Shut off - \$50.00 – fee must be paid and property owner must sign waiver of non-responsibility **PRIOR** to turn on.

**b. Temporary termination at Request of Customer: (i.e. absence from property)**

Shut off - \$25.00  
Turn on - \$25.00 – fee must be paid and property owner must sign waiver of non-responsibility **PRIOR** to turn on.

**Fire Hydrant:** \$45.00 per quarter/ \$180.00 per year

**Meter Testing for Disputed Account:** A deposit of \$75.00 for 5/8" to 1" meters, \$125.00 for 1 1/2" to 2" meters, \$200.00 for 3" meters, \$350.00 for 4" and larger will be required before the meter is tested, which sum will be returned if the meter is found to be registering more than 4% against the consumer, on a flow equal to 1/8 of the diameter of the service, otherwise, the deposit will be retained by the Authority to cover the cost of the test.

**Meters – Deposit for Meter, Backflow, and Hydrant Wrench:**

Removal of a meter at the customer's request is subject to the following charge:

| <u>Size of Meter</u> | <u>Charge</u> |
|----------------------|---------------|
| 5/8"                 | \$150.00      |
| 3/4"                 | \$250.00      |
| 2"                   | \$1,400.00    |

**Water Main Extensions:** Project Review Fee: Any Application to extend Authority water mains to service two (2) or more residential units or one (1) or more commercial or industrial units will be subject to preliminary project review by the Authority. The applicant shall subject, in addition to the usual Application to extend water main(s), plot plans and a project review fee. The fee schedule is as follows:

| <u>Number of Units</u> | <u>Review Fee</u> |
|------------------------|-------------------|
| Up to 10 Units         | \$1,550.00        |
| In excess of 10 Units  | \$5,100.00        |

The project review fee shall be applied toward legal, engineering and other expenses incurred by the Authority in connection with its review of the proposed plan. Any unused portion of the project review fee shall be refunded to an applicant.

**Water Main Extension Agreements:** Construction escrow, if applicable, based on estimated costs of construction with contingency, engineering inspection and legal fees.

**Tapping Fees:** \$1,764.00 per EDU