

LOWER POTTS GROVE TOWNSHIP AUTHORITY DECEMBER 14, 2015

The Lower Pottsgrove Township Authority held their regularly scheduled meeting on Monday, December 14, 2015 the meeting was called to order at 7:00 p.m. The following attended:

James Toth, Chairman	Edward Wagner, Manager
Cody Robbins, Vice Chairman	Stephen Kalis, Solicitor
Mark Loshnowsky, Secretary	Chad Camburn, Engineer
James Vlahos	Kathy Kurtas
Dave Richards, Absent	

Mr. Toth announced that the meeting was being recorded.

APPROVAL OF AUTHORITY MINUTES: Mr. Robbins motioned to approve the minutes of November 9, 2015 and Mr. Loshnowsky seconded the motion and unanimously approved by a 4-0 vote.

COMMENTS FROM VISITORS: None

OLD BUSINESS:

Developers Discussion & Update (CAP)-- Mr. Camburn reviewed the outcome of the DEP meeting held on December 10, 2015 with the Authority Board. He said we requested to be released from the CAP at Porter Road Pump Station and also requested 325 EDU's of flow credits at Sanatoga Lake Pump Station. DEP was not satisfied that the I/I reduction analysis illustrates the actual I/I removed from the system, but would not provide clear direction on how they wanted the analysis completed. Mr. Camburn stated that DEP previously looked positively on the same methodology used for another Authority requesting flow credits, but DEP has changed personnel since that time. In addition, the strict event-selection criteria from DEP for data requested to be used in the analysis would likely take several years to obtain based on weather conditions, moisture rates, groundwater conditions, seasonal variations, time of day/night, inter-event separation etc. in order to find "comparable events" and common themes and trends. When asked what data DEP has recently required when releasing other authorities from CAPs. DEP indicated they needed to see no overflows for at least four years. Bursich responded by stating that, with the exception of the extreme event in April 2014 that flooded most of the region, the Porter Road Pump Station area has not overflowed in over four years. Furthermore, the flows have not been close to the design capacity of the system, and the pump station has not approached the allowable flow to be conveyed to the PBA WWTP. Mr. Wagner said DEP wanted the whole report changed after we had spent several thousands of dollars for Bursich to do this report when there were no criteria requirements set by DEP.

Mr. Camburn said DEP contacted Mr. Wagner and I the next day offering the township 325 EDU credits that we originally requested for the Sanatoga Lake Pump Station. These EDU's can be used anywhere in the township. Porter Road Pump Station does not require any EDU's because we currently have no new developments other than Spring Valley Farms that would drain into Porter Road Pump Station. Spring Valley Farms had previously received sewage planning approval from DEP and is already included in the Connection Management Plan with allocated EDU's. After discussing more of the outcome of the meeting with the Authority, Mr. Camburn gave a positive response to the situation that with 325 EDU's allowed and the 276 EDU's we currently have will give us a total of 601 EDU's to use throughout the township and therefore made available for the new developments coming into the township.

Mr. Kalis said that we wait for the two pieces of information from DEP (the meeting summary and the letter regarding the additional EDU's) to make sure no strings attached. Mr. Kalis said that once the letter and summary are received we will discuss at a future meeting what the next steps will be in regards to pursuing DEP further for our request to be removed from the CAP at Porter Road.

Mr. Camburn gave a brief highlighted summary of the sewer engineering report:

- Met with the LPTA operator to review the downloading meter procedure for the portable meters.
- Met with the solicitors and managers of Lower, West & Upper Pottsgrove regarding the draft Sewer Service Agreements
- Updated standard LPTA specifications to reflect new requirements
- Attended Joint Municipal Meeting and reported some of the operating costs have decreased
- PIRMA will pay for a portion of the damage for Screw Pump E
- PBA intends to increase bulk sludge rate, this will increase revenue and reduce costs to the LPTA

Update on Pottstown Borough Sewage Treatment Service Agreement---Mr. Kalis reviewed the Sewer Treatment Service Agreement and referred to a meeting that was held at the township building and involved the representatives of Lower, West and Upper Pottsgrove Townships. He said each Authority had their manager and solicitor attend and we had our engineer as well. Mr. Kalis stated that they went over the various comments from the Authorities with regards to the purposed changes to the PBA Agreement. Mr. Kalis found that of the three Authorities none of them had an identical service agreement. Mr. Kalis said the meeting was very productive and that all the agreements have been checked and all three Authorities should have the same rights and responsibilities collectively. Mr. Kalis will be getting the revised agreement out to the solicitors for West and Upper Pottsgrove very shortly for their review and then it will be submitted to the Borough Authority. It was agreed between Mr. Wagner and Mr. Kalis and the other Pottsgroves that once the Borough has reviewed the agreement we will then request to placed on the Borough Authority Agenda where we will formally present our proposed changes.

Pottsgrove Diner EDU Relinquish Agreement---Mr. Kalis reviewed the agreement for the request of the abandonment and relinquishment of the 8 EDU's for Pottsgrove Diner Corporation with the Authority. The question was raised at the last meeting on whether the sewer had been plugged at the property after the fire in 2010. Mr. Wagner and Authority Staff went out and pulled the manhole cover and reported that it was dry and sealed it. Mr. Wagner provided pictures of the lateral showing indeed the line was plugged. Mr. Kalis asked for a motion to approve the abandonment and relinquishment agreement deemed effective retroactively to June 30, 2015. Mr. Loshnowsky made a motion to accept the Abandonment and Relinquishment Agreement and Mr. Robbins seconded and unanimously approved by a 4-0 vote.

NEW BUSINESS:

Backup Agreement with Richard Yoder---Mr. Kalis reviewed the employee agreement to hire Richard Yoder as an emergency backup sewer operator now that Mr. Watson has acquired his license. Mr. Yoder would be here only on an as needed basis in the event of an emergency or from time to time as determined by the Authority's Manager. Mr. Vlahos questioned the agreement asking what happened with Mr. Rostad in regards to the backup position. He further added this was not discussed in months and now you are bringing it up for approval. Mr. Toth stated that this was indeed discussed at the last month's meeting and we gave Mr. Wagner the authority to talk to Mr. Yoder to see if indeed he was interested. Mr. Wagner said that Mr. Rostad did not have his DEP license yet and he asked him several times regarding the status of it. After further discussion amongst the Authority members it was determined that Mr. Yoder would be hired as the backup sewer operator at a rate of \$35.00 per hour. Mr. Kalis asked for a

motion to approve the amended agreement. Mr. Loshnowsky made the motion to approve the employee agreement and Mr. Toth seconded the motion and Mr. Robbins abstained from the vote. Motion approved by a 3-0 vote.

Portnoff Law Resolution 2015-101 the usage of credit/debit cards to pay sewer delinquent fees— Mr. Kalis reviewed the Portnoff Resolution with the Authority Board explaining that it is no more than a different means to collect the sewer delinquent fees from the property owner in collections. Mr. Vlahos asked who the responsibility falls on for the fees assessed by the credit card company for using a credit/debit card. Mr. Wagner explained that it is the responsibility of the resident making the payment and will become part of their delinquent balance due and Mr. Kalis agreed. Mr. Kalis suggested to Mr. Vlahos that we contact Portnoff to reverify this information, with that being said Mr. Vlahos made the motion to approve the resolution number 2015-101 subject to our solicitor getting clarification on the responsibility of the user fees and Mr. Robbins seconded and unanimously approved by 4-0 vote.

December 14, 2015

FINANCIAL REPORT

I. TREASURERS REPORT:

Mr. Loshnowsky read the treasurer's report dated December 14, 2015.

SEWER REVENUE ACCOUNT	\$3,641,781.94
CAPITAL IMPROVEMENT RESERVE	\$ 952,180.45
WELLS FARGO 2011 BOND ISSUE	\$ 33,867.07

A motion was made by Mr. Robbins and seconded by Mr. Loshnowsky and unanimously passed by a vote of 4-0 to approve the Treasurer's Report of December 14, 2015.

II. BILLS FOR PAYMENT

Mr. Kalis presented the following bills for payment:

CAPITAL BILLS

SEWER CAPITAL RESERVE PLGIT

BURSICH ASSOCIATES-I&I Study	\$ 1,481.75
BURSICH ASSOCIATES-Pump Station/Misc	\$ 703.00

WELLS FARGO 2011 BOND ISSUE REQUISITIONS

2011-66 BURSICH-Sanatoga Lake PS Design	\$ 2,912.00
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OPERATING ACCT REQUISITIONS

00-383 BURSICH ASSOCIATES	\$ 722.00
00-384 FOX ROTHSCHILD, LLP	\$ 1,820.00

A motion was made by Mr. Loshnowsky and seconded by Mr. Vlahos and unanimously passed by a 4-0 vote to approve the bills for payment as presented.

Mr. Toth asked for a motion to adjourn. Mr. Loshnowsky made a motion to adjourn the meeting. The public meeting adjourned at 7:39 pm. The next meeting is scheduled for Monday, January 11, 2016.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'E. Wagner', written in a cursive style.

Edward C. Wagner
Manager