



Livia Smith, Chair
Portia West, Vice Chair
Joan Neal, Secretary
William Riley, Treasurer
John Shelton, Board Member
Fred Green, Board Member
Joy Taylor, Board Member
Joseph Oxman, Solicitor
Dr. Horace Strand, Executive Manager

MINUTES
Board of Directors
STORMWATER AUTHORITY
OF THE CITY OF CHERSTER
August 10, 2021

The Board of Directors of the Stormwater Authority of the City of Chester held a telephonic board meeting on Tuesday, August 10, 2021, at 10:03 a.m.

Call to Order

The Stormwater Authority meeting was called to order at 10:03 a.m. by Chair Livia Smith.

Verification of Published Meeting

It was confirmed by Cynthia Scarborough of the Stormwater Authority, that the Notice of Published meeting was sent to the Delaware County Times and published on July 27, 2021. The Affidavit of Publication was forwarded to, and receipt verified by Solicitor, Joseph Oxman.

Roll Call of the Board

The following persons were present: Ms. Portia West, Vice-Chair; Ms. Joan Neal, Secretary; Mr. William Riley, Treasurer; Mr. John Shelton, Board Member; Ms. Joy Taylor, Board Member; Mr. Fred Green, Board Member; Ms. Livia Smith, Chair. Dr. Horace Strand, Executive Manager was also present. Joseph Oxman, Solicitor was not present.

Prayer/Pledge of Allegiance

Prayer led by Dr. Horace Strand. Pledge of Allegiance followed.

Public Comments on Agenda Items Only

None

Action Items from the Executive Session

Ms. Livia Smith stated that there were no items from the Executive Session.

Approval of Minutes of June 8, 2021

Mr. William Riley made a motion to approve the minutes of June 8, 2021. Mr. John Shelton seconded.

Motion for Approval of Minutes of June 8, 2021

Ms. Portia West (Yes), Ms. Joan Neal (Yes), Mr. William Riley (Yes), Mr. John Shelton (Yes), Ms. Joy Taylor (Yes), Mr. Fred Green (Yes), and Ms. Livia Smith (Yes). Motion carried.

Approval of Report of Current and Most Recent Expenditures

Ms. Joan Neal made a motion for approval of the report of current and most recent expenditures. Ms. Portia West seconded.

Motion for Approval of Current and Recent Expenditures

Ms. Portia West (Yes), Joan Neal (Yes), Mr. William Riley (Yes), Mr. John Shelton (Yes); Ms. Joy Taylor (Yes), Mr. Fred Green (Yes), and Ms. Livia Smith (Yes). Motion carried.

Solicitor's Report

Solicitor's Report for August 10, 2021, submitted by Joseph Oxman Esquire

To the Board of Directors,

As of the date of this report, the Commonwealth Court of the State of Pennsylvania still has not issued a final ruling in the appeal of Best Homes LLC. v. The City of Chester Stormwater Authority. Needless to say, it has been very frustrating trying to contact the Court to gently advocate for a final ruling, as the Court moves at its own pace.

Contact has been made with Ken Schuster regarding the proposed City ordinance to prohibit tampering of all stormwater physical structure and be subject to fines or imprisonment. A memo has been sent to Ken Schuster regarding the drafting of said ordinance bearing in mind that specific infrastructure must be identified with some specificity and that a fine and or fee structure must be developed within the parameters of established municipal code. I would like to finalize a draft of the above-mentioned ordinance by the end of fall.

The Evonik appeal to the Delaware County Commonwealth Court has been settled as Evonik produced valid MS4 permits which justified a reduction to Evonik in total ERUs, and a written commitment to allow the Stormwater Authority to inspect Evonik's MS4 outlets on a yearly basis.

Submitted by: Joseph Oxman, Solicitor, CSW

Ms. Livia Smith asked if there were any questions on the Solicitor's Report, there were none.

Executive Manager's Report

Executive Manager's Report for August 10, 2021, submitted by Dr. Horace W. Strand

Since our last board meeting, we received the appraisal report from the appraiser. The Eyre Drive property came in at \$300,000.00. We are waiting for the city to respond with their decision as to how much of the land they want to sell, and what price.

We are scheduled to make settlement of the property at 3215 West 3rd Street. The settlement is scheduled for 1:00 pm on Friday, August 6, 2021.

The men have been busy sweeping our streets and cleaning our inlets. We have been receiving thanks from our community. They are beginning to appreciate the work SAC does on their behalf.

Respectfully submitted by: 
Executive Manager

Ms. Livia Smith asked if there were any comments on the Executive Manager's report. Dr. Horace Strand responded that he would like to amend the report due to unsettled issues with the property as far as the subdivision, settlement did not take place. We are waiting for the owner to get the City Planning Department to sign off on the subdivision and then take that report to the title company so that we can have a clear title for that property. The other thing is, we have successfully been able to receive a company to support us that was once in the lawsuit that is pending, that is Fisher Tank Company, they have already made a substantial payment on their more than \$80,000 worth of stormwater fees that they owe us, and they are paying it up to date. We are appreciative that Fisher Tank has opted out of that suit and start paying the Stormwater Authority; this is something that recently happened. They have given us a substantial payment over \$22,000 to start and will continue with the other payments over the next four months, so they are on board. Ms. Livia Smith commended Dr. Strand on a job well done.

Solicitor, Joseph Oxman, was welcome back on the call by Ms. Livia Smith. Ms. Smith asked if there was anything additional that he needed to add to his report. Mr. Oxman replied that he did get word from Ken Schuster, City Solicitor yesterday and that the two of them will be meeting next week I regard to the writing of the ordinance in terms of any people who tamper with stormwater equipment.

Unfinished Business

None

Board Matters

Mr. John Shelton commended the Stormwater Authority personnel for doing an outstanding job with the street sweeping.

Ms. Livia Smith informed the public that if they are having problems with clogged sewer drains in their areas, please contact the Stormwater Authority and someone will be out to take care of it. She, too, commented the Stormwater Authority for the prompt service of correcting these matters.

New Business

None

Public Comments on Other Matters

None

Motion to Adjourn

Ms. Portia West made a motion to adjourn the meeting. Mr. Fred Green seconded.

All in favor. Meeting adjourned at 10:16 a.m.

Next Board Meeting will be held on October 12, 2021 @ 10:00 a.m.