



Livia Smith, Chair

Portia West, Vice Chair

Joan Neal, Secretary

William Riley, Treasurer

John Shelton, Board Member

Joseph Oxman, Solicitor

Dr. Horace Strand, Executive Manager

**Stormwater Authority of the City of Chester
Board Meeting December 11, 2018 - 10:00 a.m.
Chester City Hall Council Chambers
1 E. 4th Street, Chester, PA 19013**

Agenda

- **Executive Session**
- **Meeting Call to Order**
- **Verification of Published Meeting**
- **Roll Call**
- **Prayer/Pledge of Allegiance**
- **Public Comments on Agenda Items Only**
- **Action Items from Executive Session**

- **Approval of Minutes of October 9, 2018**
- **Approval of Report of Current and Most Recent Expenditures**
- **Solicitor's Report**
- **Executive Manager's Report**
- **Unfinished Business**
- **Board Matters**
- **New Business**
- **Public Comments on Other Matters**
- **Motion to Adjourn**



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MINUTES
Board of Director
STORMWATER AUTHORITY OF THE CITY OF CHESTER
December 11, 2018

The Board of Directors of the Stormwater Authority of the City of Chester met at Chester City Hall Council's Chambers, 1 East 4th Street, Chester, PA 19013, on Tuesday, December 11, 2018. Prior to this meeting, Livia Smith (Chair) called for an Executive Session for the Board of Directors. It was also noted that an Executive Session was held on October 31, 2018 and November 16, 2018.

The following persons were present: Dr. Horace Strand, Executive Manager; Livia Smith, Chair; Portia West, Vice Chair; Joan Neal, Secretary; William Riley, Treasurer, John Shelton, Board Member, and Joseph Oxman, Solicitor.

Call to Order

Chair, Livia Smith called the December 11, 2018 Stormwater Authority meeting to order at 10:05 a.m. Ms. Smith asked that the Executive Secretary of Stormwater Authority

to provide verification of the published meeting to the Solicitor, Joseph Oxman. Verification was provided and confirmed and given to Board Secretary, Joan Neal in Solicitor, Joseph Oxman's absence.

Role Call of the Board

John Shelton (Board Member), William Riley (Treasurer), Livia Smith (Chair), Portia West (Vice Chair), Joan Neal (Secretary).

Prayer/Pledge of Allegiance

All those in attendance stood for prayer and Pledge of Allegiance.

Public Comments on Agenda Items Only

None.

Action Items from Executive Session

Livia Smith stated that the action item on October 31, 2018 were personnel matters, and the action item on November 16, 2018, was our settlement from Widener University.

Poll Vote for Approval of Action Items for Executive Sessions for October 31, 2018 and November 16, 2018

Motion carried unanimously.

Approval of Minutes from October 9, 2018 Meeting

Portia West made a motion to approve the minutes of October 9th. Mr. William Riley, seconded.

Voice Vote of Approval of Minutes of October 9, 2018

All in favor and motioned carried.

Approval of Current and Most Recent Expenditures

Ms. Joan Neal made a motion for the approval of current and most recent expenditures. Mr. William Riley seconded.

Poll of the Board for the Motion for Approval of Current and Most Recent Expenditures

Motion carried unanimously.

Solicitor's Report

The Solicitor's report was read by Board Secretary, Joan Neal in Solicitor, Joseph Oxman's absence. The report read as follows:

To the Board of Directors,

Fee Litigation

As you are all presently aware, the Authority and Widener University have settled their portion of the Injunctive Relief Litigation. Widener has agreed to, in exchange for a reduction in their yearly fees, provide student interns and faculty consulting, among other provisions, to the Authority at an hourly rate equal to their reduction in fees. I believe this settlement will afford both Widener University and the Authority incredible opportunities expand the depth of Stormwater projects, local academic expertise and civic awareness of Stormwater relevance in the Chester community.

Unfortunately, several other City of Chester individuals and businesses have decided to continue as plaintiffs regarding the Injunctive Relief litigation. Presently, Best Homes LLC and Murphy Ford Inc. appear to be leading the continued futile effort to prolong the litigation against the Authority. They have retained new counsel with Thomas Musi, Jr. entering his appearance on behalf of the remaining plaintiffs from the firm of Musi, Malone and Daubenberger, LLP, Media, Pa.

On November 1, 2018, Judge Charles Burr II, of the Delaware County Court of Common Pleas denied the Authority's Motions to Dismiss and Quash the Plaintiffs

Subpoenas for records and things of the Authority. Although neither Judge Angelos or Judge Burr will preside over this litigation, as the case has still not been assigned to a trial

judge, the Authority will again have to prepare budgetary allotments for more litigation including discovery, depositions and expert retention.

I submit the utmost confidence that eventually the Authority will prevail in this litigation as the law and precedent on our side regarding the ultimate issue of levying fees. Nevertheless, the Authority must prepare for several more months of litigation.

Infrastructure Transition

As you are also well aware, in September of this year the Authority and the City of Chester entered into an agreement conveying all ownership of the city's Stormwater infrastructure to the Authority. Presently, myself and city solicitor Ken Shuster have been meeting to design an agreement by which the City will begin to transition all Stormwater related work to the Authority over the course of approximately a year.

The transition will include street cleaning operations, inlet trash removal, infrastructure repairs and general maintenance of all deeded Stormwater property.

Executive Manager's Report by Dr. Horace Strand

Since our last report to you, we have successfully made settlement on \$5.6 million to begin our stormwater remediation program. As we speak, workers are out on the streets cleaning and evaluating conditions of our more than 1,600 outlets.

Our contractor, ISS, is currently seeking interested Chester residents to hire for the next phase of their operational plan. We also went to Harrisburg, where we were approved for another \$5.6 million low-interest loan at 1% interest.

On December 12, 2018, we are scheduled to make settlement on another \$5.2 million, this means that we have secured more than \$16 million in funds that will be used directly to support the stormwater infrastructure of the City of Chester.

We have also taken over ownership of all stormwater infrastructure and have obtained insurance to cover all stormwater assets and operations. We are working to hire eight additional employees, making our workforce to consist of fourteen employees, and more jobs to come as our contractors begin working to hire and train city residents.

Special thanks should go out to the Mayor and Council who made the courageous decision to sell the infrastructure to us for \$1.00, which enabled us to qualify for 1% low-interest funding.

We are currently working with the Highway Department and the City Engineer to work on a smooth transition of responsibility for the stormwater infrastructure, and the combined work that must be done daily.

We are waiting for the final draft from the mechanical engineer, and we will put our office project out for bid.

Finally, the local business community and residents have done an outstanding job supporting our initiative for the first year, bringing more than \$1.5 million in collected revenue to run the Authority.

Comments on Executive Manager Report

Dr. Strand commended Joe Oxman on his work with Widener. Also added that Corvias, Keisha Brown was the key and the lead person to work with Widener to get us this great settlement. Want the record to acknowledge that Corvias, our partner, played a major role in bringing the two entities together.

Livia Smith also commended the staff of the Stormwater Authority for working so diligently as we go forward. We foresee a smooth transition and all projects will be beneficial to the residents of the City of Chester.

Unfinished Business

None.

Board Matters

None

New Business

None.

Public Comments on Other Matters

Mary Bates – 106 Wilson Street, Chester, PA. Ms. Bates stated that she was very pleased with seeing the stormwater inspectors out cleaning the sewers and shoveling up the leaves. Suggested that maybe rakes would be better since it was raining when she saw them.

Motion to Adjourn

There being no other public comments, Livia Smith asked for a motion to adjourn the meeting at 10:45 a.m.

Mr. William Riley made a motion to adjourn the meeting. Mr. John Shelton seconded.

All in favor. Motion carried unanimously.



EXECUTIVE MANAGER'S REPORT

December 11, 2018

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This concludes my report.

Submitted by:
Dr. Horace W. Strand, Executive Manager

The Stormwater Authority for the City of Chester
419 Avenue of the States
Chester, PA 19013
Solicitor's Report for December 11, 2018

To the Board of Directors,

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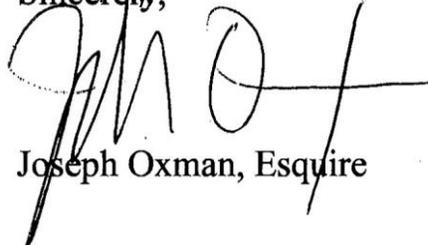
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The transition will include street cleaning operations, inlet trash removal, infrastructure repairs and general maintenance of all dedeed Stormwater property.

Sincerely,



Joseph Oxman, Esquire

Chester Stormwater Authority

Financial Report

October 3, 2018 – December 6, 2018

- I. Income**
- II. Expenses**
- III. Available Capital**

Income

Minol Wire Transfers	\$194,972.26
Certification Fee	\$930.00
Residential Stormwater Fees Paid Directly to Office	\$1,522.17
Commercial Stormwater Fees Paid Directly to Office	
1. Chester Downs & Marina LLC (Harrah's)	\$18,067.50
2. Spec Industries / T.I.B.C Partners LP	\$15,853.09
Total	\$231,345.02

Expenses

Payroll	\$89,183.23
Rent	\$2,320.50
Insurance	\$39,911.87
Office Supplies	\$1,271.90
Advertising/Media	\$114.15
Utilities	\$1,035.94
Lunch Meeting	\$181.90
Gas for Vehicles	\$322.02
Inspector's Supplies	\$30.94
Covenant Loan Payment	\$15,286.12
NAFMA (National Association of Flood & Stormwater Management Agencies)	\$1,000.00
Delaware County Treasurer	\$244.71
Lowes Hotel	\$556.24
Agreement/Partnership with City of Chester	\$102,647.08
Corvias Chester Stormwater Partners, LLC	\$53,770.00
Linn Architects	\$6,847.00
Intercon (Emergency Lighting for Truck)	\$955.00
Total	\$315,678.60

Current Financial Statement

Bryn Mawr Trust Accounts

Operational	\$21,331.15
Money Market	\$250,516.89
Total Bryn Mawr Accounts	\$271,848.04

Covenant Accounts

Checking	\$74,486.03
Money Market	\$121,217.10
Total Covenant Accounts	\$195,703.13

Total Available Capital	\$467,551.17
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