



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 October 9, 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 August 14, 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
October 9, 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, October 9, 2018. Prior to this meeting, Livia Smith (Chair) called for an Executive Session for the Board of Directors.

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 October 9, 2018 Stormwater Authority meeting to order at 10:25 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 by Solicitor, Joseph Oxman.

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 there were two action items for discussion. (1) 31 East 5th Street that was purchased for our future headquarters, that it is going to be put out for bid so that improvements can be done on that property. Ms. Smith asked for motion to approve.

Another action item that came up was to investigate the purchase of the property next door – 29 East 5th Street, Chester, PA, for an expansion of the Stormwater Authority. Ms. Smith asked for a motion to approve.

Motion for Approval to Start Bid Process for Work to be Performed at 31 East 5th Street

Joan Neal made a motion for approval to start the bidding process for the work to be done at 31 East 5th Street. Mr. William Riley seconded.

Poll of the Board for Motion for to Start Bid Process for Work to be Performed at 31 East 5th Street

Motion carried unanimously.

Motion for Approval to Investigate the Purchase of Property - 29 East 5th Street, Chester, PA

Mr. John Shelton made a motion for approval to investigate the purchase of property at 29 East 5th Street. Ms. Portia West seconded.

Poll of the Board for Motion to Investigate the Purchase of Property - 29 East 5th Street, Chester, PA

Motion carried unanimously.

Motion for Approval of Minutes of August 14, 2018 Meeting

Ms. Portia West made a motion that the minutes of the August 14th meeting be approved with the amendments as follows: That we add the names of the two new inspectors who were hired by the Stormwater Authority, Mr. Frank Morgan and Mr. John Johnson. Mr. John Shelton seconded the motion.

Voice Vote of Approval of Minutes of August 14, 2018

All in favor and motioned carried.

Approval of Current and Most Recent Expenditures

Mr. William Riley made a motion for approval of current and most recent expenditures. Ms. Portia West seconded.

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

Motion carried unanimously.

Solicitor's Report

Solicitor, Joseph Oxman reported that as of today, October 9th, our efforts are to continue to finalize the negotiations with Widener University regarding the payment of the impact fees, as well as their in-kind authorization of certain work with the University in terms of consulting with the Authority, as well as internships. We have also finished the obligations from the Solicitor and Counsel to the Pennvest loans, 72701 and 72811, which are closing on October 18th, and Motions for Summary Judgment relating to the ongoing continuing of Petitions for Permanent Injunctive Relief, and Complaints in Equity with the Plaintiffs have been filed by our office. Answers to the Motions for Summary Judgment have been filed as well. Yet, the Court of Common Pleas has not assigned a Judge yet to hear argument relating the final petitions.

Executive Manager's Report by Dr. Horace Strand

Most of our time and effort has been on the preparation of the settlement of our Pennvest loan scheduled for October 18, 2018. We have been compiling the information and working with Corvias, our private partner, to establish a budget.

We met with the CEO of Best Homes, Jim Betylon, and was able to approve adjustments of ERUs based upon proof of pervious ground that was incorrectly included in the original assessment. As a result, Best Homes paid all their assessment in full for the entire year. We also agreed to eliminate billing of each individual property that they own, and to combine all them into one bill rather than multiple bills.

We are working with an architect and engineer to finalize the plans for the property located at 31 East Street. We anticipate a permit from the City to begin renovations on the property within the next few days, if it has not already been issued.

We participated in the Chester Fest held at the Talen Stadium on September 22nd. This event was a big success, and we provided information and souvenirs to residents of the City of Chester.

Finally, the City of Chester sold all their stormwater infrastructure to the Stormwater Authority of the City of Chester for \$1.00, which now make us owners of all the stormwater infrastructure. We are working to make sure that the structure is fully insured, and plan to repair inlets around the city that need repair.

Unfinished Business

None.

Board Matters

None

New Business

None.

Public Comments on Other Matters

Theresa Goode – 1310 Parker Street, Chester, PA. - I see that you all have taken over all the storms drains from the City. I come here because I am so afraid that with all the storms going on, all our drains are falling in, they are covered with trash, trees are growing out of them, and one is, our main drain that takes all our water out, is closed all together, it is falling down altogether, and you have animals and stuff living up in there.

The rain season is over for September but the way the rain has been going on, we always get the blunt end of any storm that comes. Something must be done about the drains. The water that comes down from the new homes up the hill at Crozer, the rains comes straight down into our neighborhood drain and ends up with a lot of trash in them. Not only my area but also 8th and 9th Butler Streets, and 12th & Kerlin. If we get a bad storm in my neighborhood, we are really going to be in trouble because my neighborhood doesn't have anywhere for the water to go out. I have said this before, we live in a flood-plain and no one ever comes out to check on us to see how we are doing. They put us out and we must leave; we cannot afford to leave. There are senior citizens who live there who cannot get out of their homes when this flooding occurs, so someone needs to come out and look at them. One drain needs to be rebuilt, it is completely falling in.

Joyce Davis – 220 West 4th Street, Chester, PA. - At the corner of where I live, 4th, 5th & Penn, all those drains are clogged. They are filled with weeds, debris, bottles. Since the City has purchased the infrastructure, are we still going to get billing from Delcora? So, since we are paying Delcora, and we are paying this Stormwater Authority, so what are residents supposed to do?

Theresa Goode - I think what you really need to do is educate residents more on what stormwater management really is so that they can get a better understanding of what it entails. A lot of people don't understand the difference between Chester Water Authority, Delcora, and the Stormwater Authority. Stormwater is the water that runs off and goes down in the drains, a lot of people don't understand what this is. People need to be educated more.

Ellen Dozor – 411 East 12th Street, Chester, PA. - Who is responsible for keeping the drains clean? What company, Delcora or the City? Stormwater, that is what we are paying for?

Diane McDaniel – West 9th Street, Chester, PA. – I have a concern with the clothes bin and when it gets overloaded it falls over and covers the drain, so the water will not go down. The clothes bin is on located on 9th & Harwick Streets. Who is responsible for the clothes bin?

Geraldine Magid - 2620 West 6th Street, Chester, PA. - When we send our money to Texas, why can't we just have it sent here in Chester, so people can get a job here instead of having to send our money to Texas and it comes all the way back here.

Margaret Brown- 16 Ward Street, Chester, PA. - 291 is always known for flooding, not only in the sewers but also the water in the middle of the street. Water has flooded down there so bad just from the drain that those big heavy round steel things, I literally watched them, there is so much water coming that they went up in the air. Maybe the street pipes that run through there, they need to be replaced and/or repaired.

A couple weeks ago there was a gentleman from one of the intake or sewage systems down on Thurlow Street that was in here at a meeting. I made a statement that there are trucks coming down there, they were Delcora trucks. The trucks line up around 5:30 a.m., they come, and they dump, it smells down there. My son told me first, so I said what are they dumping, and he said, "Mom they are dumping s....." The man said take some pictures of it. It is waste that they are dumping in the middle of the street. I asked what was going on and the man replied, "Ma'am this is one of the biggest pipes and it is for sewage, so we dump it here." It's a shame, residents must smell that.

Brenda Stanford- 411 East 12th Street, Chester, PA. - Her concern was pot holes. Will this be addressed at City Council meeting tomorrow?

Joy Taylor – 9th & McDowell Street, Chester, PA. - Was there a master plan for the Stormwater Authority initially? And with that plan, did it lead to the acquisition of the inlets? How do you intend on maintaining and upgrading those inlets? If you have a master plan that was included in that, I am trying to understand where the stagnation is coming in, and how come there wasn't a plan in place to start doing something immediately so that our tax dollars are being utilized to fund this tax? I apologize, the fee that is being assessed, that which I am paying, I could see that money going right to work.

I am wondering if you are going to be releasing a revised plan to speak of now that you have acquired the inlets, how are you going to maintain the inlets if you are going to break the city up into sections, west end of town, east end of town? Is there anything like that or have you thought of providing something like that for residents, so we know how these funds are being utilized?

Motion to Adjourn

There being no other public comments, Livia Smith asked for a motion to adjourn the meeting at 11:37 a.m.

Ms. Portia West made a motion to adjourn the meeting. Mr. John Shelton seconded.

All in favor. Motion carried unanimously.



EXECUTIVE MANAGER'S REPORT

October 9, 2018

Most of our time and effort has been on the preparation of the settlement of our Pennvest loan scheduled for October 18, 2018. We have been compiling the information and working with Corvias, our private partner, to establish a budget.

We met with the CEO of Best Homes, Jim Betylon, and was able to approve adjustments of ERUs based upon proof of pervious ground that was incorrectly included in the original assessment. As a result, Best Homes paid all their assessment in full for the entire year. We also agreed to eliminate billing of each individual property that they own, and to combine all them into one bill rather than multiple bills.

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This concludes my report.

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



Chester Stormwater Authority

Financial Report

August 8,2018 – October 3, 2018

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

Income

Minol Wire Transfers	\$215,088.28
Certification Fees	\$885.00
Residential Stormwater Fees Paid Directly to Office	\$475.50
Commercial Stormwater Fees Paid Directly to Office	\$44,448.06
Total	\$260,896.84

Expenses

Payroll	\$64,135.16
Rent	\$1,547.00
Insurance	\$30,991.70
Office Supplies	\$1,802.53
Advertising/Media	\$3,153.00
Utilities	\$783.28
Board Meeting Meals	\$416.00
Gas for Vehicles	\$448.26
Supplies for Inspector's	\$947.37
Inspector's Training	\$1,548.00
Covenant Loan Payment	\$9,141.22
Covenant Loan Legal Fees	\$750.00
Department of State (Pennvest)	\$168.00
Delaware County Treasurer	\$198.80
Recorder of Deeds	\$192.25
West Chester University	\$2,500.00
Purchase of Assets from the City of Chester	\$1.00
City of Chester Special Events Fund	\$25,000.00
Linn Architects	\$6,600.00
A.A. West	\$755.00
Anthony Landscaping & Tree Service	\$6,600.00
Harry's Savoy Grill	\$200.00

Uniforms	\$527.21
Total	\$158,405.78

Current Financial Statement

Bryn Mawr Trust Accounts

Operational	\$60,513.68
Money Market	\$250,308.07
Savings	\$3.92
Total Bryn Mawr Accounts	\$310,825.67

Covenant Accounts

Checking	\$28,167.57
Money Market	\$200,108.52
Total Covenant Accounts	\$228,276.09

Total Available Capital	\$539,101.76
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The Stormwater Authority for the City of Chester
419 Avenue of the States
Chester, PA 19013

Special Solicitor's Litigation Report for October 9, 2018

To the Board of Directors,

As you are all well aware, The Authority continues to negotiate with Widener University regarding the payment of their impact fees. As of the date of this board meeting, Keisha Brown and Troy Hunt of Corvias are continuing to finalize a detailed plan for Widener's "In-kind" services mitigation.

All Solicitor filings have been made with Pennvest as of the date of this board meeting for loan/debt obligations 72701 and 72811 with a closing date of October 18, 2018.

Motions for summary judgment against all plaintiffs in the continuing impact fee litigation are still pending before the Court of Common Pleas, Delaware County. Defendants have filed answers to the above-mentioned Motions for summary judgment. A judge has still not been assigned by the court to render a ruling regarding the Petition for permanent injunctive relief and the complaint in equity.

Respectfully submitted by,

Joseph Oxman, Esquire, Solicitor
Stormwater Authority of the
City of Chester