



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
April 13, 2021

The Board of Directors of the Stormwater Authority of the City of Chester held a telephonic board meeting on Tuesday, April 13, 2021, at 10:00 a.m.

Prior to the Board meeting there was an Executive Session and the actions taken will be discussed further in the agenda.

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 Vanessa Gosa, Executive Secretary of the Stormwater Authority, that the Notice of Published meeting was sent to the Delaware County Times on Monday, March 29, 2021, and published in the Delaware County Daily Times on Tuesday, March 30, 2021. 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; Ms. Joy Taylor, Board Member; Mr. Fred Green, Board Member; Ms. Livia Smith, Chair. Let it be known that John Shelton, Board Member had an excused absence. Mr. Joseph Oxman, Solicitor and Dr. Horace Strand, Executive Manager were also present.

Prayer/Pledge of Allegiance

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

Public Comments on Agenda Items Only

None

Action Item from the Executive Session

Ms. Livia Smith referred to the Executive Loan Program to Assist the City of Chester with Financial Payments and asked for motion be made to rescind the Executive Loan Program to Assist the City of Chester with Financial Payments.

Approval of Motion to Rescind the Executive Loan Program to Assist the City of Chester with Financial Payments

Ms. Joy Taylor made a motion to rescind the Executive Loan Program to Assist the City of Chester with Financial Payments. Ms. Joan Neal seconded.

Motion to Rescind the Executive Loan Program to Assist the City of Chester with Financial Payments

Ms. Portia West (Yes), Ms. Joan Neal (Yes), Mr. William Riley (Yes), Ms. Joy Taylor (Yes), Mr. Fred Green (Yes), and Ms. Livia Smith (Yes). Ms. Smith asked Ms. West if she was able to vote on this, Ms. West abstained. Motion carried.

Approval of Minutes of February 9, 2021

Ms. Portia West made a motion to approve the minutes of February 9, 2021, with the necessary changes. Mr. William Riley seconded.

Motion for Approval of Minutes of February 9, 2021

Ms. Portia West (Yes), Ms. Joan Neal (Yes), Mr. William Riley (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 current and most recent expenditures. Mr. Fred Green seconded.

Motion for Approval of Current and Recent Expenditures

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

Solicitor's Report

Solicitor's Report for April 13, 2021, submitted by Joseph Oxman Esquire

To the Board of Directors,

The Indoor Sports Facility Project has identified and targeted the Eyre Drive property, adjacent to Chester High School, as the best property to develop for the facility. The property appears to be wholly owned by the City of Chester which has expressed enthusiastic interest in selling the property to the Authority. Presently, Keystone Premier Settlement Services is performing a title search to verify the City of Chester's ownership.

The West 3rd vehicle garage property is still under title search by Keystone Premier Settlement Services. While the search continues, to finalize settlement, ownership has allowed the Authority to occupy the garage and move equipment into the facility while agreeing to a month to month, rent free, lease.

Evonik Inc. has agreed to an April 14, 2021, appeal hearing regarding their contention that the company has relevant Federal MS4 Stormwater emissions permits.

The Best Homes LLC v. The Chester Stormwater Authority litigation presently is still waiting for a final decree from the Pennsylvania Commonwealth Court.

Joseph Oxman, Solicitor

Ms. Livia Smith asked if there were any questions on the Solicitor's Report. Dr. Strand responded that he does not have a question, however, he had a brief update, that being he received an email this morning from Keystone Premier Settlement Company that stated only one parcel is now in question on the Eyre Drive project, the other two are free, clear, and ready to go.

Ms. Joan Neal addressed a question about the Solicitor's Report. So Best Homes is still in litigation, are they paying? Dr. Strand answered by saying, "Best Homes really is a title of the lawsuit, that company sent us letters stating that they did not want to be party to too it; they are not suing us. They have been paying us for over a couple years. They are now in the process of selling over 100 properties that they own. As of to date, we have been paid up until 2021, and when they settle on these houses, we will get paid through the settlement company, whatever they owe us up-to-date, and then the new owners will be billed for any other future payments.

Executive Manager's Report

Executive Manager's Report for April 13, 2021, submitted by Dr. Horace W. Strand

Since our last board meeting, we have been working with Pennvest to close on the grant that was awarded to us in January 2021. Hopefully, we should have this accomplished by June 2021.

We have taken possession of our garage at 3215 West 3rd Street, and we are waiting for Keystone Premier Settlement Services, LLC for the final settlement.

The men have received additional training on how to clean inserts in the catch basins as well as additional safety gloves to use when cleaning the inlets. Overall, the men have been working well and should be commended on how they respond on stormwater emergencies. Case in point, we got a call from the Chester Police Dept. concerning flooding at 11th and Upland Street after work hours. I was able to get five employees on the site within thirty (30) minutes, and we spent at least two hours VaComing the storm drain. It was exciting to see them operate our new VaCom and refill the water tank by opening a nearby water hydrant. The men were very professional despite continuous rainfall upon them; they stayed on the job until it was done.

We have responded to many resident calls concerning clogged inlets and are seeing how the community has grown accustomed to depending upon us when they see these issues.

We are currently in negotiations with the City of Chester concerning the purchasing of the Eyre Drive property. Presently, we are waiting for a title search, and their estimates on the value of the property. This property is intended to be used to house the in-door sports facility.

Dr. Horace W. Strand, Executive Manager

Ms. Livia Smith asked if anyone had any questions about the Executive Manager's Report. Dr. Strand replied that had something that he would like to ad. Due to an incident that took place yesterday, April 12th and previous incidents where residents are tampering with the inlets, he is going to make a request to our Solicitor to notify the City of Chester to pass an ordinance penalizing and posting a substantial fine to anyone who tampers with these inlets. It is dangerous for them to remove these inlets, it is dangerous for them to touch the sponges that are inside them because they trap the poisons that run into the streets, and we do not know what the chemical harm would be to them if they were to get those things on their hands. So, for the protection of our residents, we are going to ask our Solicitor to request the City of Chester to assist us with some type of supervision over these inlets.

Mr. Oxman stated that he would prepare a proposed ordinance and submit it to Ken Schuster. Solicitor for the City, and he and I can confer to make sure whatever draft we have is suitable to present to the Council for a vote.

Ms. Smith asked for a Motion of the Board to take the action of the Solicitor. Ms. Joan Neal moved that a motion be taken on Mr. Oxman's action of getting a resolution done by Ken Schuster and Council for the tampering of the inlets. Joy Taylor seconded.

Motion for Solicitor to act on getting a resolution done with Ken Schuster of the City of Chester in regard to the tampering of the inlets.

Ms. Portia West (Yes), Ms. Joan Neal (Yes), Mr. William Riley (Yes), Ms. Joy Taylor (Yes), Mr. Fred Green (Yes), Ms. Livia Smith (Yes).

Unfinished Business

None

Board Matters

None

New Business

None

Public Comments on Other Matters

Susan Dennis of 218 Arbor Circle, Chester, PA – asked Mr. Oxman if he could provide an update on the in-kind services of Widener.

Mr. Oxman responded that unfortunately that has been a problem since Widener has been shut down in terms of their classroom operations on campus due to Covid. Stated that we have tried to resurrect the in-kind services that they are supposed to provide to SAC, but we are not going to be able to interact in any meaningful way until maybe Fall 2021, when they start bringing students back on campus as well as faculty.

Motion to Adjourn

Ms. Joy Taylor motioned to adjourn the meeting. Ms. Joan Neal seconded.

All in favor. Meeting adjourned at 10:30 a.m.

Next Board Meeting will be held on June 8, 2021 @ 10:00 a.m.