



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
June 8, 2021

The Board of Directors of the Stormwater Authority of the City of Chester held a telephonic board meeting on Tuesday, June 8, 2021, at 10:00 a.m.

Chair, Livia Smith stated that prior to the Board meeting there was an Executive Session on April 27th and May 13th, 2021, to discuss various items, and some of those items will be brought up under “Action Items,” from the Executive Session when we get to that part of 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, May 24, 2021, and published in the Delaware County Daily Times on Tuesday, May 25, 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. Joan Neal, Secretary; Mr. William Riley, Treasurer; Ms. Joy Taylor, Board Member; Ms. Livia Smith, Chair. Mr. Joseph Oxman, Solicitor and Dr. Horace Strand, Executive Manager were also present. Ms. Portia West, Vice-Chair and Mr. Fred Green, Board Member, were absent.

Prayer/Pledge of Allegiance

Prayer led by Mr. John Shelton. Pledge of Allegiance followed.

Public Comments on Agenda Items Only

None

Action Items from the Executive Session

Ms. Livia Smith stated that there were two Action Items, and they will be announced one at a time.

Approval of the hiring of a Billing Supervisor/Customer Service Coordinator at a rate of \$60,000 plus benefits

Mr. William Riley made a motion to approve the hiring of a Billing Supervisor/Customer Service Coordinator at a rate of \$60,000 plus benefits. Mr. John Shelton seconded.

Motion for Approval of the hiring of a Billing Supervisor/Customer Service Coordinator at a rate of \$60,000 plus benefits

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

Approval of Stormwater Fee Rate Increase from \$8.25 to \$10.25 effective June 1, 2021

Mr. John Shelton made a motion to approve the stormwater fee rate increase from \$8.25 to \$10.25 effective June 1, 2021. Mr. William Riley seconded.

Motion for Approval of Stormwater Fee Rate Increase from \$8.25 to \$10.25 effective June 1, 2021

Ms. Joan Neal (No); Mr. William Riley (Yes); Mr. John Shelton (Yes); Ms. Joy Taylor (Yes); and Ms. Livia Smith (Yes). Motion carried.

Approval of Minutes of April 13, 2021

Mr. William Riley made a motion to approve the minutes of April 13, 2021. Mr. John Shelton seconded.

Motion for Approval of Minutes of April 13, 2021

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

Approval of Report of Current and Most Recent Expenditures

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

Motion for Approval of Current and Recent Expenditures

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

Solicitor's Report

Solicitor's Report for June 8, 2021, submitted by Joseph Oxman Esquire

To the Board of Directors,

Evonik Inc. has agreed to a settlement regarding their appeal of the Authorities' fee assessment and relevant Federal MS4 Stormwater emissions permits. The terms of the agreement include a 55% reduction of assessed fees due to the identification of MS4 outlets on their property with proper permits. Evonik has also agreed to install new catch filters in their MS4 inlets which the Authority will pay for and Evonik will agree to yearly inspections of their MS4 inlets by the Authority as well.

The Best Homes LLC v. The Chester Stormwater Authority litigation presently is still waiting for a final decree from the Pennsylvania Commonwealth Court. After the trial court submitted their remanded opinion, the Appellant Court will schedule oral arguments.

The Authority is awaiting the appraisal of the Eyre/Sports Facility project property from Ryan appraisals. Once the appraisal is completed, the Authority will then negotiate with the City for a final sale..

Submitted by: Joseph Oxman, Esquire

Ms. Livia Smith, Chair asked if anyone had any questions on the Solicitor's Report. Mr. John Shelton asked if there was a time limit on the appraisal. Mr. Oxman stated that there was no time limit on the appraisal. Dr. Strand mentioned that he was just informed that we should receive the appraisal by tomorrow.

Ms. Livia Smith again asked if anyone had a comment on the Solicitor's Report. Ms. Joan Neal asked a question regarding the sport facility. Once the appraisal is done, it is assumed that Reverend Strand and Solicitor, Joseph Oxman, will be going to the city to find out what they are offering? Mr. Oxman responded, "Absolutely." Ms. Neal stated it is her expectation that that number will come back to the Board, and the Board will decide whether to accept that price for the property or not or re-negotiate. Mr. Oxman replied, "Absolutely."

Executive Manager's Report

Executive Manager's Report for June 8, 2021, submitted by Dr. Horace W. Strand

Since our last board meeting, we have been focusing on the Pennvest audit, and the problems associated with Corvias' failure to properly register its organization in the State of PA. Joseph Oxman and I met with the representative from Corvias and expressed our concern about their failure, and the effect it has had on our ability to proceed with the settlement on our grant. Pennvest outlined things that had to be accomplished to close out the audit and proceed with our program. They directed us to take control of the

management of payments to all vendors. Previously, we sent one check to Corvias for all invoices, and they paid each vendor directly. We have changed that procedure, all payments come directly from SAC, and we maintain receipt of payments in-house.

Corvias was also asked to exempt SAC from any liability doing the time they were not properly registered in PA. Corvias agreed to that and has given us in writing, a signed document stating such. As of April 2021, Corvias is properly registered in PA.

We have been informed by Keystone Title Company that all issues related to making settlement on our West 3rd Street property has been resolved. We are now able to make settlement with a clear title, and the title insurance protecting our investment.

I received a call from a Mrs. Pierce in the 1100 block of Parker Street, where our crews have been working laying pipes underground, that her daughter had cut her tire on one of the curves that was recently repaired by our contractor. Upon examination of the work, we saw that the new curb was not properly aligned with the existing curb, and it left a sharp two-inch piece of sharp cement sticking out away from the curb. I informed Ms. Pierce that SAC would pay for the damaged tire, and we were sorry for any difficulty her daughter had. She was very thankful and pointed out to me that the area should be looked over more. Upon further investigation, I observed a poor and unsafe condition on the front of two other handicap ramps that were done by the contractor. We contacted Corvias, HDR, and the contractors. They resolved the issue within 24-hours.

Submitted by:



Dr. Horace W. Strand, Executive Manager

Ms. Livia Smith asked about the status of Pennvest in the Executive Manager's report regarding the audit, closeouts, etc. for us to receive the funding that was granted to us. What is the status to date? Dr. Strand stated that Pennvest has been given all the documentation that they have requested to complete our audit, now they are requesting that we do a line-item writing concerning each statement that is in their letter demonstrating that we have accomplished the things that they have asked us to do. Most of those things have been done, all those things have been done, we just need to write point-by-point what steps we have taken and what the resolution has been to the items that they have pointed out to us. Everything that they need is in their system in a folder, in a box they are reviewing at this time. We just need to send a formal letter verifying it. Also, Corvias has to do its letter to them indicating what they have done to correct their mistakes.

Ms. Livia Smith asked a question in reference to the property located at 1100 Parker Street. Who was the contractor on that property? Dr. Strand replied "JMC was the contractor, however, they had sub-contracted the cement work out to MOR brothers, and the one problem where the woman's tire was cut, it was MOR Brother's responsibility. The other two, MOR Brothers claimed that JMC was supposed to come back after they finished and moved the debris in the streets, which they failed to do so.

Unfinished Business

None

Board Matters

None. However, Ms. Livia Smith made mention to the Board that Board Member, Fred Green's father passed away. Would like to extend our condolences to Fred on the passing of his father. Ms. Smith wanted to thank the personnel at SAC for making sure that our flooding has been very non-existing. Once we get back, out of Covid and the restrictions are lifted, we will be having more public meetings so folks can understand how they can continue to help with keeping the areas clean, so you don't have a lot of trash that runs into the drains.

New Business

None

Public Comments on Other Matters

None

Motion to Adjourn

Ms. Joan Neal motioned to adjourn the meeting. Mr. William Riley seconded.

All in favor. Meeting adjourned at 10:33 a.m.

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