



*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**  
**October 12, 2021**

The Board of Directors of the Stormwater Authority of the City of Chester held a telephonic board meeting on Tuesday, October 12, 2021, at 10:40 a.m.

**Call to Order**

The Stormwater Authority meeting was called to order at 10:40 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 and published on Tuesday, September 28, 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 action items taken from the Executive Session.

### **Approval of Minutes of August 10, 2021**

Mr. William Riley made a motion to approve the minutes of August 10, 2021. Mr. John Shelton seconded.

### **Motion for Approval of Minutes of August 10, 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**

Mr. John Shelton made a motion for approval of the report of current and most recent expenditures. Ms. William Riley 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 October 12, 2021, submitted by Joseph Oxman Esquire***

To the Board of Directors,

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 intended to schedule oral arguments but has now made it clear they will issue an order of briefs.

The Authority finished the appraisal of the Eyre/Sports Facility project property where the entire property was appraised for \$300,000. After submitting the appraisal, the City modified their position to reflect that they did not want to relinquish ownership of the high school football practice field, the softball field, or their parking lot. New boundary lines are being contemplated so the authority can take ownership of every bit of the Eyre property except the above City owned areas. Even with new boundary lines drawn, the authority will have more than enough space to develop the sports facility building and build an extensive new parking lot.

On October 26, 2021, the authority will be meeting with representatives of Widener University to finally complete the "in-kind" services agreement as per the 2018 settlement agreement with Widener to reduce their Stormwater fee assessments. It is important that the authority receives tangible

services in the form of engineering consultation and student intern obligation, from Widener, to fulfill the terms of the settlement agreement.

*Submitted by: Joseph Oxman, Solicitor, CSW*

Ms. Livia Smith asked if there were any questions on the Solicitor's Report. Ms. Smith, herself, had a question on the status based on the last meeting regarding the ordinance. Solicitor Oxman stated that he had two discussions with Ken Schuster, Solicitor for the City of Chester, wherein Mr. Oxman and Mr. Schuster both agreed that there are existing ordinances and laws on the books already within the city, county, and state that would address any sort of tampering of infrastructure. Mr. Oxman stated that there are laws on the books about vandalizing, damaging, or stealing government property which would also encompass the Stormwater Authority. So, if in fact, an event occurred, where we identify some illegal activity specific to our infrastructure, we think the best protocol would be to contact the police or the County Investigative Services so that they could investigate it and move forward with whatever criminal action that they felt necessary. A separate ordinance is not what we need currently.

### **Executive Manager's Report**

#### ***Executive Manager's Report for October 12, 2021, submitted by Dr. Horace W. Strand***

Since our last board meeting, the City of Chester experienced a major storm that hit the entire east coast and crippled many of the surrounding communities from Wilmington, the Delaware County Suburbs, Philadelphia, and parts of New Jersey. However, the City of Chester fared remarkably during the storm with no major flooding incidents, and a stormwater system that functioned as it was designed to. We know this was in part to the hard work of our men who clean our inlets on a daily basis, and the millions of dollars we have spent on our aging infrastructure, and as always, we give God the glory.

On September 7, 2021, we had a successful tour with our elected officials, organizations, and concerned citizens. The tour was phenomenally successful and highly informative. Afterwards, we enjoyed a pleasant lunch on the lawn of the Stormwater Authority prepared by Chester's outstanding caterers, Amir's.

Concerning our finances, our collections efforts have brought the accounts current and up to date. We are on track to recoup 80% of funds that are past due and are in collections. Over the past four years, we estimate that there has been over \$6 million of revenues uncollected.

We continue to conduct weekly street sweeping on Mondays and Thursdays throughout the City. Our men are doing an excellent job, and we hope to continue this effort until the weather turns too cold for us to operate.

We are close to making settlement on our parking garage on West 3<sup>rd</sup> Street now that the sub-division has been approved by the City, reviewed by the County, and awaiting a vote from City Council for final approval.

***Respectfully submitted by:*** \_\_\_\_\_



Ms. Livia Smith asked if there were any question on the Executive Manager’s report. There were none.

**Unfinished Business**

None.

**Board Matters**

None.

**New Business**

None.

**Public Comments on Other Matters**

None.

**Motion to Adjourn**

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

All in favor. Meeting adjourned at 10:56 a.m.

**Next Board Meeting will be held on December 7, 2021 @ 10:00 a.m.**