

**UPPER PROVIDENCE TOWNSHIP SEWER AUTHORITY
OCTOBER 13, 2021**

The Upper Providence Township Sewer Authority meeting was held on Wednesday, October 13, 2021 in the Township building. It was called to order at 7:33 p.m. by Chairman, Michael Byrne.

Those present: Mr. Michael Byrne
Mr. David Daniel
Ms. Patricia Hall, Office Manager
Mr. Matthew B. Hayes
Mr. James P. Kelly, P. E.
Mr. Kevin Matson, P. E.
Mr. Robert L. Pinto, Solicitor
Mr. Robert Powell
Mr. Richard T. Spielman

Those not present: Mr. Gregory M. Mallon, Esq.
Mr. Silas Jimenez

Others attending: Mr. Vincent DelVacchio, N. Ridley Creek Road

PUBLIC COMMENT

None.

MINUTES

The minutes of the meeting of September 8, 2021 were reviewed.

MOTION: Mr. Matthew B. Hayes moved to approve the minutes of the meeting of September 8, 2021 as presented. Seconded by Mr. Kevin Matson. Motion carried unanimously. (MOTION 21-10-41)

INCOME AND EXPENSES

Ms. Hall noted that all of the expenses on the Voucher List are included in the budget and there is nothing unusual.

MOTION: Mr. David Daniel moved to approve the Voucher List of October 13, 2021 as presented. Seconded by Mr. Kevin Matson. Motion carried unanimously. (MOTION 21-10-42)

REPORTS OF OFFICERS

None.

OPERATIONS MANAGER'S REPORT

Regarding the Ridley Creek/Crum Creek Sanitary Sewer Extension project, the following permits have been approved and pumps issued: **Phase One** (229 customers) 225 permits and 222 pumps; **Phase Two** (187 customers) 186 permits and 185 pumps; **Phase Three** (122 customers) 121 permits and pumps; **Phase Four** (85 customers) 82 permits and 81 pumps; **Phase Five** (153 customers) 151 permits and 148 pumps; **Phase Six** (175 customers) 173 permits and 168 pumps; **Phase Seven** (73 customers) 70 permits and 67 pumps; **Phase Eight** (134 customers) 131 permits and 130 pumps; **Phase Nine** (104 customers) 97 permits and 94 pumps. The amount of main installed is 159,471 feet (30.2 miles) and service pipe is 29,260 feet (5.5 miles). Percentage of residents connected is 95.2% and 47 pumps have not been issued. This total does not include 40 Toft Woods residents.

The following is a summary of grinder pump repair costs for 2021. This includes work performed in 2020 but billed in 2021.

<u>Calls</u>	<u>Total Cost</u>	<u>Agreement Savings</u>	<u>Billed to Customers in 2021/collected</u>
166	\$82,149	\$31,202	\$3,673/\$1,795

Cores from stock pumps used for replacement savings, \$28,800.

Thirteen letters are in the process of being sent to thirteen customers who were previously billed a total of \$8,987 for pump damage and who have failed to pay.

The year-to-date summary for PA One Call activity showed:

	<u>2020</u>	<u>2021 (1/1/-6/7)</u>	<u>2021 (6/7-7/13)*</u>
Clear – no facilities	455	331	333
Field Marked	520	292	356
<u>Other</u>	<u>94</u>	<u>94</u>	<u>155</u>
Total	1069	717	1167
Response Rate	100%	99.86%	88.39%

- Response by USIC

Mr. Spielman has obtained a revised price to purchase the two standby pumps at Bortondale. The new price gives some consideration to the rental fees paid to date. The new quote is \$57,295, which is \$12,395 less than the previous quote.

This being his last meeting, Mr. Spielman stated that while he had never expected to be in his position for almost 22 years, he very much appreciated the support he has received from the board and the friendship he has established with the board chairman, Mr. Byrne. Mr. Byrne responded by saying how much he appreciated the professionalism shown by Mr. Spielman as Operations Manager and the invaluable experience he brought to his position. He noted that he has saved the Sewer Authority an enormous amount of money over the years and thanked him from the board and himself for a job well done.

REPORTS OF COMMITTEES

Mr. Byrne (Engineering Committee) reported that he has been in consultation with Delcora about the sale of the Bortondale pump station to Middletown. At previous meetings, it was noted that Middletown will not help us at all monetarily to take care of the problems involved at Bortondale.

He would like a motion to move forward with rebuilding the pump station using the funds from Upper Providence Township as well as our own funds and get the deed for the station over to our Sewer Authority. If Middletown does not give us the deed, he favors going to court and getting a quit claim deed for the property. He would ask the board to authorize the forwarding of a letter to Middletown to terminate our contract with them, when appropriate. He would like a motion to include the acquisition of a bond for the utilization of \$450,000.00 from the Township to build the Bortondale pump station and affirm the purchase of the auxiliary pumps. Ms. Hall noted that the motion for the purchase of the two pumps ‘subject to the engineer’s approval’ was made at the September 8 meeting.

Mr. Pinto referred to a new act, Act 65, stating that we need motions to add these items to the agenda. He feels we can add the board members’ comments as an explanation of why they are needed on the agenda tonight, and tomorrow, Ms. Hall has to post that and get it to the Township website showing that they were added to the agenda.

MOTION: Mr. Kevin Matson moved to amend the agenda to include an agenda item to move to reaffirm the engineer’s approval and recommendation of the purchase of the bypass pumps at the Bortondale pump station at a price of \$57,295.00. Seconded by Mr. David Daniel. Motion carried unanimously. (MOTION 21-10-43)

MOTION: Mr. Kevin Matson moved to reaffirm the engineer’s approval and recommendation of the purchase of the bypass pumps at the Bortondale pump station at a price of \$57,295.00. Seconded by Mr. Matthew B. Hayes. Motion carried unanimously. (MOTION 21-10-44)

MOTION: Mr. Kevin Matson moved to amend the agenda to include an agenda item to accept the bids of the Blooming Glen Contractors for \$864,542.00 and Charles Higgins & Sons for \$92,395.00. Seconded by Mr. Matthew B. Hayes. Motion carried unanimously. (MOTION 21-10-45)

MOTION: Mr. Kevin Matson moved to accept the bids of the Blooming Glen Contractors at \$864,542.00 and Charles Higgins & Sons in the amount of \$92,395.00 to rebuild the Bortondale pump station. The motion includes requesting the Finance Committee to recommend the most effective finance options. Seconded by Mr. Matthew B. Hayes. Motion carried unanimously. (MOTION 21-10-46)

MOTION: Mr. Kevin Matson moved to amend the agenda to include an agenda item to move to authorize our solicitor to approach the Middletown Township Sewer Authority to request and review the appropriate document to affirm the transfer of title of the Bortondale pump station. Seconded by Mr. David Daniel. Motion carried unanimously. (MOTION 21-10-47)

MOTION: Mr. Kevin Matson moved to authorize the solicitor to approach the Middletown Township Sewer Authority to request and review the appropriate document to affirm the transfer of title of the Bortondale pump station. Seconded by Mr. David Daniel. Motion carried unanimously. (MOTION 21-10-48)

MOTION: Mr. Kevin Matson moved to amend the agenda to include an agenda item to move to authorize the solicitor to prepare a letter to notify the Middletown Township Sewer Authority of the Upper Providence Township Sewer Authority's intention to invoke the 4 (four-year) termination clause of the MTSA/UPTSA Bortondale pump station and FM contract, when necessary. Seconded by Mr. David Daniel. Motion carried unanimously. (MOTION 21-10-49)

MOTION: Mr. Kevin Matson moved to authorize the solicitor to prepare a letter to notify the MTSA of the UPTSA's intention to invoke the 4 (four-year) termination clause of the MTSA/UPTSA Bortondale pump station and FM contract, when necessary. Seconded by Mr. David Daniel. Motion carried unanimously. (MOTION 21-10-50)

Following a comment by Mr. Powell, there was a discussion about Middletown Township Sewer Authority, pumps, Delcora, and Aqua.

MOTION: Mr. Kevin Matson moved to amend the agenda to include an agenda item to move to authorize the solicitor to request a proposal and information from the Delaware Valley Regional Finance Authority (DVRFA) and/or Bond Counsel to provide funding for the Bortondale pump station contract with a cap of \$1.2 million. Seconded by Mr. Matthew B. Hayes. Motion carried unanimously. (MOTION 21-10-51)

MOTION: Mr. Kevin Matson moved to authorize the solicitor to request a proposal and information from the Delaware Valley Regional Finance Authority (DVRFA) and/or Bond Counsel for the Bortondale pump station contract with a cap of \$1.2 million. Seconded by Mr. Matthew B. Hayes. Motion carried unanimously. (MOTION 21-10-52)

Ms. Hall has scheduled a Finance Committee meeting (for a budget committee meeting) on December 6, 2021. Mr. Byrne would like her to schedule another meeting before this meeting. He noted that the Personnel and Administrative Committee met and decided that Mr. Spielman should be given a Christmas bonus even though he will not be here. Ms. Hall has included it on the Voucher List.

REPORTS OF CONSULTANTS

MR. JAMES P. KELLY, ENGINEER

The contract bid opening for the Bortondale pump station was held today. Mr. Kelly reported that three bids for the GC portion and six bids for the electric work were received. The lowest bids were: GC work – Blooming Glen Contractors - \$864,542.00, and Electric – Charles Higgins & Sons, Inc. - \$92,395 (\$121,400.00). Township Council was encouraged to consider these bids and provide direction.

Mr. Kelly met with Middletown officials on August 11, 2021 to determine if they were willing to contribute funds for rehabilitation of the pump station.

Regarding sewer mapping, minor edits and revisions to the web map based on field inspection and markups from Mr. Spielman were received on October 12, 2021. The web map link was forwarded to Mr. Matson as per his request.

USIC does not want to reimburse UPTSA for the repair cost for the service hit at Steeplechase Drive on August 4. Even though the locating tech made an incorrect mark using our correct map, USIC is saying the contract has as no-liability clause. Mr. Kelly is suggesting that we have Mr. Pinto review the contract and advise. A discussion followed and it was agreed not to pursue reimbursement. Mr. Spielman noted that typically there would be some kind of deductible, which would be sharing

the risk somewhat, and the board could consider this. Mr. Byrne suggested getting together with USIC to discuss it.

MR. ROBERT L. PINTO, SOLICITOR

No report, however, he met with Mr. Russ McIntosh to discuss Act 43, which gives property owners an opportunity to request a reduction in sewer rates for multi-family dwellings. Mr. McIntosh suggested Mr. Pinto make up a form response letter thanking the writer for his/her interest and stating that we will take it into consideration.

MOTIONS AND RESOLUTIONS

Ms. Hall explained that there is a shredding event in November and we have records and the first group of customer checks in the attic to dispose of.

MOTION: Mr. Robert Powell moved to authorize the disposition of Utility Billing Records for the years 2009 to 2013, along with checks received and scanned to Wells Fargo Bank for payment (Sewer Service 11/01/20 to 01/31/21). Seconded by Mr. David Daniel. Motion carried unanimously. (MOTION 21-10-53)

MISCELLANEOUS BUSINESS

Mr. Spielman noted that he would like to thank Ms. Hall for all her valuable help and her sincere friendship over his 22 years.

MOTION: Mr. David Daniel moved to adjourn the meeting of October 13, 2021. Seconded by Mr. Robert Powell. Motion carried unanimously. (MOTION 21-10-54)

The meeting ended at 8:33 p.m. The next meeting will be on November 10, 2021.

Respectfully submitted,

Mrs. Stella B. Thompson

UPPER PROVIDENCE TOWNSHIP SEWER AUTHORITY
MOTIONS FOR 2021
OCTOBER

41. Approval of the minutes of September 8, 2021 as presented.
42. Approval of the Voucher List of October 13, 2021 as presented.
43. Amending of the agenda to include a move to reaffirm the engineer's approval and recommendation of the purchase of the bypass pumps at the Bortondale pump station at a price of \$57,295.00.
44. Reaffirming of the engineer's approval and recommendation of the purchase of the bypass pump at the Bortondale pump station at a price of \$57,295.00.
45. Amending of the agenda to authorize our engineer to move to approve the contracts with Blooming Glen Contractors for \$864,542.00 and Charles Higgins and Sons for \$92,395.00.
46. Acceptance of the bids of the Blooming Glen Contractors at \$864,542.00 and Charles Higgins & Sons in the amount of \$92,395.00 to rebuild the Bortondale pump station. The motion includes requesting the Finance Committee to recommend the most effective finance options.
47. Amending of the agenda to include a motion to authorize our solicitor to approach the Middletown Township Sewer Authority to request and review the appropriate document to affirm the transfer of title of the Bortondale pump station.
48. Authorization for the solicitor to approach the Middletown Township Sewer Authority to request and review the appropriate document to affirm the transfer of title of the Bortondale pump station.
49. Amending of the agenda to include authorization for the solicitor to prepare a letter to notify the Middletown Township Sewer Authority of the Upper Providence Township Sewer Authority's intention to invoke the four- (4) year termination clause of the MTSA/UPTSA Bortondale pump station and FM contract when necessary.
50. Authorization for the solicitor to prepare a letter to notify the MTSA of the UPTSA's intention to invoke the four- (4) year termination clause of the MTSA/UPTSA Bortondale pump station and FM contract, when necessary.
51. Amending of the agenda to include a motion to authorize the solicitor to request a proposal and information from the Delaware Valley Regional Finance Authority (DVRFA) and/or Bond Counsel to provide funding for the Bortondale pump station contract with a cap of \$1.2 million.

52. Authorization for the solicitor to request a proposal and information from the Delaware Valley Regional Finance Authority (DVRFA) and/or Bond Counsel for the Bortondale pump station contract with a cap of \$1.2 million.

53: Authorization to dispose of Utility Billing Records for the years 2009 to 2013, along with checks received and scanned to Wells Fargo Bank for payment (Sewer Service 11/01/20 to 01/31/21).

54. Adjournment of the meeting of October 13, 2021.