

UPPER MERION SANITARY AND STORMWATER AUTHORITY
February 21, 2023 MEETING
6:30 P.M.

The members of the Upper Merion Sanitary and Stormwater Authority met for their regular meeting on Tuesday, February 21, 2023 via the Township Building, 175 West Valley Forge Road, King of Prussia, PA. The meeting was called to order at 6:34 p.m. and commenced with the pledge of allegiance.

ATTENDANCE

Diane Reilly, Chair
James Ruddy, Vice Chair
Edmund Campbell, Assistant Secretary/Assistant Treasurer
Lyn Fields, Treasurer
Glen Smith, Asst Secretary/Treasurer
Anthony Hamaday, Executive Secretary
Geoff Hickman, Director of Public Works
Nick Hiriak, Finance Director
Carole Kenney, BOS Liaison
Fred Ciottoni, Authority Engineer
Steve Hann, Solicitor (via ZOOM)

PUBLIC COMMENT: None

MEETING MINUTES APPROVAL:

On a motion by Mr. Campbell, seconded by Mrs. Fields, to approve the January 17, 2023 meeting minutes: (motion carried 5-0)

OLD BUSINESS - None

NEW BUSINESS:

1. Swedesburg Pump Station Upgrade Project Bid Awards.

Mr. Fields made a motion, seconded by Mr. Smith to Swedesburg Pump Station Upgrade Project bids as follows:

- A. General Contract to Cuick Precision Solutions of Ambler, PA in the amount of \$487,122.00.**
- B. Electrical Contract to AJM Electric, Inc. of Chester, PA in the amount of \$102,000.00.**

Motion carried 5-0

2. 2023 Tapping fee Resolution.

Mr. Fields made a motion, seconded by Mr. Campbell to adopt Authority Resolution No. 2023-1 increasing the Sewer Tapping Fee to \$10,100.

Motion carried 5-0

3. Mancill Mill Townhouse Development Sanitary Sewer Facility

Mr. Hamaday updated the Authority on the proposed pump station system the developer is proposing for the development and the most recent meeting that occurred between the Township and DEP regarding their approval of the System. He indicated that he again informed DEP that the Township & Sewer Authority did not want to own or assume responsibility for the sewer facilities in the private development even though DEP has indicated their reluctance to approve any such system that is owned by a Homeowners Association. Mr. Hann indicated that while private ownership options are available in PA Chapter 92 regulations for sewer systems, DEP actively pushing municipalities to own small sewer systems, similar to the one proposed, throughout the Commonwealth.

Mr. Campbell asked if it would matter if we had a policy regarding what type of system the authority would accept. Mr. Hann suggested that even if we had a policy that set the criteria for ownership, it may set a bad precedent since system wide rate payers would not be subsidizing the limited small systems. Mr. Hickman also indicated that the Township is not accepting any of the facilities or roads in the private development. Mr. Ciottoni also confirmed that the proposed system will not be able to accept flow from any other development.

Mr. Hamaday indicated that the Authority staff is still working with the developer and DEP on a solution to the system design and ownership and would keep the Authority updated on the progress

REPORTS:

Mr. Hamaday informed the Authority that the Board of Supervisors approved the Brandywine Land Development Plan at 650 Park Ave which called for the addition of a 100,000 sq. ft. building addition to the already approved 100,000 sq. ft building on the property.

ENGINEER'S REPORT:

Mr. Ciottoni informed the Authority that he has completed a review of the proposed agreement with the Bridgeview Developer for the relocation of the Authority's force main through the proposed development in Bridgeport Borough and that there are still some legal issues that are being finalized. Mr. Hann indicated that he is just waiting for financial security and easement information and that the matter should be ready for the Authority's approval at the March meeting.

SOLICITOR'S REPORT:

Mr. Hann updated the Authority that West Chester Borough did appeal the Commonwealth courts decision on their stormwater fee to the State Supreme Court and is awaiting the Courts schedule. He also indicated that he believes that a number of Amicus Briefs, from affected parties, will be filed in the case.

Mr. Hann also invited the Authority to consider attending the upcoming PA Municipal Authorities Association training on March 30, 2023 at the Crown Plaza in King of Prussia.

DIRECTOR OF PUBLIC WORKS REPORT:

Mr. Hickman told the Authority that during a recent training seminar he attended, a representative from West Chester Borough did provide an overview of the Borough's stormwater program and fee but did not provide any comments on the court case or appeal. He indicated that the Borough collects \$1.4 million and allots 50% of the fee to administration of the program and 50% to capital projects.

DIRECTOR OF FINANCE REPORT:

Mr. Hiriak provided the report and informed the Authority that \$1.6 million was received from the Toll Bros for phase 2 & 3 in the Stonebrook subdivision

REQUISITIONS — February 21, 2022

It was moved by Mr. Campbell, seconded by Mrs. Fields, all voting "Aye" to approve the February 21, 2023 Requisition List in the amount of \$150,487.65. Motion approved 5-0.

STORMWATER - None

Public Comment - None

ADJOURNMENT

There being no further business to come before the Authority, Mrs. Fields made a motion, seconded by Mr. Smith to adjourn the meeting at 7:31 p.m. Motion carried 5-0

Respectively Submitted,

Diane Reilly, Chairperson

