



## MEETING MINUTES

April 26 2022

6:30 PM

Approved

In attendance: L. Schack, Chairman (via video conference), D. Carlson, Member (via video conference), H. Harper, Member, B. Watts, Member, Shanna Lodge, Assistant Township Manager, G. Matthew Brown, P.E., DEE, Authority Administrator and David Schlott, Jr., ARRO Consulting, Inc.(via video conference)

The meeting was a hybrid meeting, in-person attendees at the Township Building, 140 Pottstown Pike, Chester Springs PA 19425 and a Zoom link provided to those who requested virtual participation.

### **Call to Order**

L. Schack, Chairman, called the meeting to order at 6:32 PM.

### **Approval of Minutes**

Draft minutes of the March 22, 2022, meeting were presented. D. Carlson made a motion to approve the minutes and offered a few changes for clarification purposes. H. Harper seconded with the offered changes. It was so moved.

### **Approval of Payments**

Following a brief discussion and questions, B. Watts made a motion to approve the payments for April 2022. H. Harper seconded. It was so moved. Following a brief discussion and questions D. Carlson moved to accept the balance sheet and the statement of revenue and expenses as submitted in good faith by the Township Treasurer. B. Watts seconded. It was so moved.

### **Authority Administration Reports**

M. Brown noted that all facilities were operating well and within permit.

M. Brown provided a monthly update on land available for disposal. He noted the developer looking to partner with the Authority for land procurement in West Vincent Township was preparing a presentation to West Vincent Township and had reached out to receive document assistance. M. Brown said he provided the requested guidance and expressed the Authority's continued interest in the additional land for disposal.

M. Brown noted a conversation he had with T. Scheivert; Township Manager relative to the use of American Rescue Plan (ARP) monies provided the Township to help abate the costs to homeowners connecting to the sanitary sewer on Byers Road and in Milford Farms. The most notable issue was the \$15,750 connection fee. He noted that following a conversation with the Authority Solicitor, it may be possible to do so but the Solicitor wanted to do further research. M. Brown said that unless there was any concern of the Authority, he would now revise the language in the letter to homeowners to reflect a reduction in cost but would provide a copy of the language/letter to the Authority for their review first.

M. Brown noted the fourth Conditional Use Hearing for the Toll Brothers 100 Greenridge Road project is to be held on May 9<sup>th</sup> at the Pickering Elementary School. He noted he would be in attendance.

M. Brown updated the Authority on the schedule for paving on Byers Road relative to the completion of the contractor's work.

Following several additional questions and a brief discussion on the reports, H. Harper then moved to accept the Authority Administrators Reports as submitted. B. Watts seconded. It was so moved.

### **Open Session**

M. Brown noted that with a specific agenda item for public comment on the draft Act 537 Plan, that this Open Session would be for any other comments or questions relative to the sanitary sewer system. Steve Layne from Matisse Drive asked a question relative to the success of the system operation and financial performance, whereas the Authority provided a brief answer that the system was operating well both performance-wise and financially. Frank Nemia asked if he could do an audio recording of the public comment portion of the meeting relative to the Act 537 Plan. L. Schack stated that would be fine.

### **Next Meeting Date: May 24, 2022 - 7:30 PM**

L. Schack noted the date and time of the next meeting of the Authority. M. Brown noted that the meeting would be a "hybrid" type.

### **Public Comments – Act 537 Plan**

The public comments were from residents of Bordeaux Estates and are summarized as follows:

Frank Nemia, 107 LaSalle Lane, discussed four areas of concern:

1. He believed B. Watts as a resident of Bordeaux Estates and a promoter of extending public sewer through his comments at previous meetings, had a conflict of interest and should recuse himself from any discussion. B. Watts offered his thoughts and clarification on his septic system situation.
2. He believed the "Science" did not support the inclusion of Bordeaux Estates with the Highview and Waterview Roads areas. He and M. Brown debated the reasoning behind the inclusion.
3. He believed the "Logic" of inclusion could not be supported were there to be a cost/benefit analysis of the project and that it was better to exclude it until and unless it was truly needed. He noted there was no record of failing systems in the development and this was confirmed by M. Brown.

4. He believed the cost estimate completed and the drawing done was erroneous. He noted he was a licensed Professional Engineer and that the cost figures were incomplete and too low. M. Brown noted it was just a planning document and the drawing depicting where the sanitary sewer would go was completed only for the basis of an estimate performed by the Authority Engineers. The level of detail or lack thereof noted by Mr. Nemia was inappropriate at this time.

These points were discussed/debated with M. Brown and the Authority.

Steve Layne, 2 Matisse Drive, provided a historical perspective on the development and stated he felt inclusion of Bordeaux Estates in the draft Act 537 Plan was overreach on the part of the Authority.

Suzanne C., 16 Lafayette Circle, asked questions on the draft plan, answered by M. Brown, and commented that the plan is unreasonable.

Theresa Foltz, 8 Lafitte Court, asked a question as to what the process was with the submittal, approval and execution of the plan. M Brown provided that information. She also expressed her disagreement with the draft plan.

M. Snider, 14 Lafayette Circle, stated that she was against the draft plan and wanted the Authority to include the "Alternate Plan", a plan that did not include the Bordeaux Estates development. She also agreed with Mr. Nemia that the estimate was outdated and could cost residents more. She asked if the need for sewer in Bordeaux Estates could be included at a later time should it be necessary. M. Brown shared that it could be. She said then it should be.

Dan Farina, 19 Lafayette Circle, noted the majority of residents did not want the plan. He offered and M. Brown confirmed that the Authority had received formal comments from approximately 40% of the residents in Bordeaux Estates that were against inclusion of the development in the plan and that there were more than responded in disagreement. He noted that M. Brown had previously stated that it was not the Authority's practice to force public sewers upon residents that did not want it. He asked that the Authority stand by that commitment and remove Bordeaux Estates from the draft plan.

Chris Dorman, 6 Matisse Drive, agreed with his neighbors that the septic systems in the area were not failing and opposed inclusion of Bordeaux Estates in the draft plan.

Steve Layne, 2 Matisse Drive, also stated he believed B. Watts had a conflict of interest relative to opining on the plan. B. Watts asked M. Brown to reach out to the Authority Solicitor to obtain an opinion as to whether or not a conflict existed.

L. Schack thanked the residents for their comments, and that the Authority would take their comments into consideration prior to submission of the draft plan to the PA DEP.

### **Adjournment**

There being no further business to be brought before the Authority, H. Harper moved, seconded by B. Watts to adjourn the meeting at 8:14 PM.

Respectfully submitted,

G. Matthew Brown, P.E., DEE  
Authority Administrator