



# WEST POTTS GROVE TOWNSHIP

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**WORKSHOP MINUTES**  
**OCTOBER 20, 2021**  
**7:00 P.M.**

The regular monthly Workshop Meeting for the Board of Commissioners was called to Order by Board President; Steve Miller.

### **ROLL CALL**

Board members present were Commissioners; Miller, Palladino, Valentine, La Rosa and Green. Also present was Township Manager; Scott Hutt, Township Solicitor; Jamie Ottaviano and Township Secretary; Joanne Herb.

President Miller commented; the Board had an Executive Session with the West End Fire Company; with no decisions made.

### **MINUTES**

A motion by Commissioner La Rosa, seconded by Commissioner Green to approve the Minutes of the previous Workshop Meeting. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

President Miller announced; it's not on the Agenda, it was inadvertently left off, but we will read the budget. Mr. Hutt reported; we have a projected budget for 2022 in the **General Fund** of **\$2,827,218.74**.

### **OLD BUSINESS**

#### **Sewer Projects Update by Bursich Associates**

Chad Camburn, of Bursich Associates reported; with regards to the *Grosstown Road project*, it's almost 100% completed, with the punch list to be completed from the contractor. We anticipate they will be out in the next week or two to wrap that up.

*Quinter Street*; Mr. Camburn commented; four bids were opened on October 14, with the low bidder Joao & Bradley. Base bid and alternates were \$317,300.00, which is over \$36,000 less than the first bid; so the work done for the investigation certainly paid off. We had to increase the substantial completion deadline because all of the contractors indicated there are problems with getting materials. There is a significant delay, so we pushed the substantial completion deadline to 240 days from 120 days, so they have time to get the job done.

We met with DEP on September 27; Mr. Hutt, Commissioners; Palladino and Miller, as well as Bursich Associates staff, to discuss the history of the 2015 Permit Application that was submitted for the Pump Station Force Main out front.

We discussed the *Act 537 Plan* update, which was started back in 2017 and was put on hold because of all of the improvements that were being done in the Township. We also discussed the Corrective Action Plan that submitted in 2017, all of the remediation and I & I investigation that the Township has done as well in 2017, ultimately with the goal of getting a new permit for this Pump Station and Force Main. With respect to the permitting, DEP wants to see flows and flow data for this area since the improvements were done out front, so they have an understanding of what the results of your improvements were. They want to see what the average annual flows are and certainly we don't have a years' worth of data yet, but we will have to represent what a years' worth of data is based on the data we have since June, when the project was completed. We are working with Public Works to get that flow data. Once we have that information, DEP then includes a peaking factor; roughly in the range of 3 to 4 and ultimately permit the capacity of this Pump Station to be. Based on preliminary data that we've seen since June, your average flow for this area is now in the range of 20 gallons per minute; in the past it was a few hundred. We would want something much higher, so when we get these huge storms and get the I & I coming from the private properties the Pump Station is permitted for a higher number from what we anticipate seeing. I am hopeful they will permit 200 gallons per minute, which we believe is the current capacity of this Pump Station. If for some reason we go beyond that, we have to note that in the annual report we submit to DEP. Certainly everyone's goal is to not flood, not to have overflows or back up into people's houses, so if for any reason we do have flows higher than the permit capacity, DEP is not going to say shut off your pumps; they will say get the water where it needs to go and just note that in your annual reports. We are working with Public Works to get the flows to prepare that report to send to DEP so we can get those permits and get that force main on line.

Commissioner Valentine asked if there was a time line when this will be finalized. Mr. Camburn stated; within the next few months.

Mr. Camburn reported on the *537 Plan update*; when we initially submitted the permit application for the new force main in 2017, DEP indicated we had to update the *Act 537 Plan*, which is the overall Township wide Sewage Plan, both for past flows and future potential development. That was a result of the permit application for this new force main. Because of all of the work this Township has done since that time, they said we could scale that back, we do not need to do a complete plan update; we simply need to do a special study for this area. That special study will include an evaluation of the average annual daily flow to this area based on the number of EDU's or properties in this area. They will look at the average flow per EDU, roughly per house, since it's a residential area. Once we evaluate that number, we can tell them what we want the new number to be for the permit and any potential development in this area, which we all understand there won't be much, if any. They will use that study in the review of the future permit application that we will submit for the Pump Station and force main.

Mr. Camburn also reported on the *Corrective Action Plan*; because this Township was seeing so much flow, DEP required a Corrective Action Plan to indicate what the Township will do to fix the problem. Certainly, you have done all you can possibly do at this point with the public system. They, as I've said before; want to see the flows and if we continue to get peak high flows, we all know it's coming from private properties. If we do have to do a Corrective Action Plan, we would have to go house to house and identify where the private sewers are connected or if there is I & I coming from the private properties. We won't know that until we get some really heavy storms, which usually takes several months and at that point we can send in an evaluation and wait for them to respond.

Mr. Camburn gave an update on the *Joint Sewer Meeting* with the Pottstown Borough Authority and the other Pottsgrove's; bulk revenue remains above the 2021 Budget by \$322,000; so that's a plus in revenue from what they expected. Sludge hauling expenses are \$234,000 below budget; so that is again, a positive. The anticipated Operation and Maintenance cost from West Pottsgrove to the Pottstown Borough is estimated to be \$235,000 for this year, where the original estimate was \$295,000. Good results all around. The only Capital Project they anticipate at the Treatment Plant next year that West Pottsgrove would have to participate in if you choose, would be the hydraulic bypass around their headworks. Right now their headworks has a pinch point in it, and the flows that come in at peak time during rain events has too much flow for their headwork system. They want to do a bypass system. Mr. Camburn stated; you need to decide if you want to participate in that, as your contribution would be \$24,000 of the estimated \$234,000 estimated cost. It relates to the Township because of all of the flows that go to the treatment plant impact all four municipalities, however, your flows do not go directly to this headwork; it would be a secondary benefit to the Township, not a primary benefit. With budgeting, they will need to know if the municipalities are willing to participate or not, so this Board will have to make a decision if you want to spend the \$24,000 next year.

**Update on Municipal Projects by Bursich Associates**

Guy Meyer, from Bursich Associates reported; School Lane has been a project going on for two weeks now and there have been a few issues that have come up, but nothing we haven't been able to have a solution for. We had to change two of the curb inlets to an M-type inlet. Upon the curb removal and removal of the existing road structure out there, it was obvious the M-type would need to be used, as well as saw-cutting done. All of that was completed and Mr. Meyer noted; overall, I believe we have a pretty good project based on the way it looks now. When the County stopped out last Monday, they remarked that the ADA ramps needed to be installed during this phase of the project, which surprised us due to the fact they review all of our contract documents to make sure they meet the Federal requirements. The ultimate finish date of this job is still scheduled for this Friday. Paving may or may not take place tomorrow, as well as concrete pouring may or may not take place tomorrow; it all depends on how they can schedule this work.

Mr. Meyer reported on *Nagle Road*; as far as I understand, we are still waiting on Upper Pottsgrove to respond to us. Mr. Hutt commented; I reached out to the Upper Pottsgrove Manager this week and was told they are going to talk about it at their upcoming Board Meeting.

*Fritz Stream Flooding*; the last two months there has been two storm events, both over a 500 year storm event, one even being 1,000 year storm event. There was substantial flooding in the Fritz Stream area between Rice and Quinter Streets, along Race Street. For those of you that don't know, there is an interesting conveyance of water through that area and it goes through different sizes and types of pipes. There are multiple storm junction boxes; some are visible, some are not and the last few storm events surcharged the area, which is to be expected with the storm events we've had. With the investigation that took place with Bursich, Public Works and Township staff; it was noted there was a lot of debris and sediment from these last few storms, which has been removed. We have provided options as to how to address these issues so you don't have to continually deal with it. One option is to simply pipe it into a straight conveyance; right now, it articulates itself around the Township property. This could be straightened with a straight direct stop with the two existing storm boxes out there, which would take away two storm boxes that are underground and not accessible. The pipe that we are talking about is corrugated pipe and it is just a matter of time before that fails on you. Public Works saw it when they went in to look at the pipe; it looks like it's in pretty good shape, but definitely has a life span. The pipe we would replace it with would be HDPE pipe, which has a 100 to 150 year life span on it. The other option would be to make an open channel; which is probably double the price. Please understand though, both of these options have DEP permitting written all over them. I say that because we are not going to simply go in there and maintain this; any type of construction would require a permit. Commissioner Green noted; the HDPE pipe is pretty hard to get right now, it's a long time out to get, correct? Mr. Meyer stated; it probably is, but easier to get than the PVC sewer pipe; it is all difficult to get. Mr. Camburn noted; the size pipe you would need is even more difficult to get than a smaller pipe; we're looking at a 60 inch, 5 foot range. Vice President Palladino commented; there's a sinkhole in the middle of that area. Mr. Meyer stated; from what Public Works said, it looks like it's in pretty good shape; that sinkhole is a sunken area that has an inlet down the middle of the open area. Vice President Palladino noted; higher up where you're dumping all of the dirt. Chris Galloway; Public Works Director stated; it's covered over now, but it blows out. Mr. Meyer noted; in that area it probably is. From what Drew saw from the bottom, the storm access drain in that area looking up, looks like it's fairly clean and in good shape, but the bottom is most definitely the most deteriorated. Vice President Palladino asked if you need DEP approval to make repairs. Mr. Meyer stated; not to maintain it. That would be another option too, adding; it would be wise to look at it section to section, as there are two underground storm manholes.

Mr. Meyer reported on the *baseball field drainage*; I just got a call today from the Regional Recreation Advisor. She noted she's under a time constraint; next week she's got a Grant allocation that could be due for this type of project.

Mr. Meyer stated; we've looked at the baseball field drainage a few times with Chris and Drew and it's evident there is some type of super-saturation that occurs from the upslope property; whether it's a spring or broken water conveyances from the airport, it's hard to say. There is a lot of erosion that takes place in the infield and if you stand out there, you realize it's not pitched the way it should be. Everything from the infield should be pitched to the outfield and shed backwards, as well as everything from the first, second and third base lines should pitch and shed in towards itself; but not towards home plate. Obviously, we have a storm inlet behind home plate, so it naturally allows itself to flow there. The basic idea would be to do a surface treatment; a speed bump of soil. It's a gradual slope that's easy to mow, diverting it upstream, then flow and pitch it back to the creekside. That would be phase one. Phase two would be installing a french drain on the grass border between the base lines. Right now, we have a field drain out there that most likely taps into that large culvert under the baseball field, putting that diversion of a speed bump around the perimeter of the outside fence we would try to divert the water. That would be re-grading the field, which would be a massive undertaking and would require permitting. Commissioner Green asked if they came up with a price yet, to which Mr. Meyer stated; yes, we did, but I don't have it in front of me. Mr. Camburn stated; it's about \$15,000. Mr. Hutt noted; there are two Grants we are obviously going to try to get. One would address the drainage issues we are having the other second would address the fencing issues we are having, upgrades to the dugouts, score box, nettings and backstops.

**NEW BUSINESS**

**House Bill 1621**

Township Solicitor; Jamie Ottaviano explained; this new Law impacts not only this Township, but every other Municipality within the State of PA. Governor Wolfe signed into Law, Act 50 of 2021, known as Small Wireless Facilities Deployment Act, which was signed on June 30, 2021 and became Law on August 29. It is very technical, so I've done the best I could to understand it. When we talk about the small wireless facilities, we are not talking about the large antenna's you see for cell service, we are talking smaller clusters that you may see on water towers or industrial buildings. What I gather, the trend is for certain areas, this area included. Our cell towers are going by the way side and they are using what they are saying are more effective small wireless facilities. You cannot put one in one place; they work in a very large networking. This is all a part of new 5G, for those of you who follow technology; I do not. What Governor Wolfe did with this Act, is to standardize local permitting that processes for these small wireless facilities located within each Municipal right of way. It sets certain standards, as well as certain fees the Township could request and obtain from whomever is doing that; whether it's AT&T or a subcontractor that's doing the work for AT&T. This is statewide and you will be seeing more of this as more people use wireless equipment. Commissioner Green, who works for PECO, also gave an explanation and description for this as well.

A motion by Commissioner Green, seconded by Commissioner La Rosa to authorize Township Solicitor Ottaviano to go through the Zoning for purposes of cell phone wireless facilities to see where we currently are and move forward to adopt something in the near future, bringing the Law officially to the Township's books, with regards to the Zoning Ordinance. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

**Quinter Street Sanitary Sewer Project – Contract Award**

Mr. Hutt reported; based upon our Solicitor's review and approval of the contract's materials that was previously discussed under Old Business, I will need approval to award the contract.

A motion by Commissioner Green, seconded by Vice President Palladino to approve awarding the Quinter Street Sanitary Sewer Project to Joao & Bradley Construction Company, based on the bid of \$317,300.00. This contractor does believe they have the potential to get supplies from the West Coast and possibly begin this sooner than anticipated. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

**Hough & Associates – Recycling Contract**

Mr. Hutt noted; we have used this company for a while to receive Recycling Grant monies. Based upon the Township's collections and reporting, this agreement would be for collections for 2021 through 2023. Hough Associates will perform the following;

- Prepare and mail annual data collection forms to haulers for reporting the recycling tonnage collected in the Township and to identify where the recyclables will be processed
- Contact all haulers and processors who did not respond to the mailing
- Compile annual recycling data reported in the Township and to Hough Associates for four years following our filing
- Prepare and file Montgomery County Recycling Surveyor Report due each February
- Prepare and mail annual Commercial Recycling education to Township businesses
- Analysis the benefits of joint Grant applications with other Montco municipalities
- Prepare documents to support 904 Recycling Performance Grant Applications
- Deliver the 904 Recycling Performance Grant Applications on or before DEP filing deadlines
- In the event of a DEP Audit, Hough & Associates will represent the Township.

In this Agreement, the Township agrees to pay Hough & Associates the variable fee for their services upon receipt of Recycling Performance Grant Awards recorded in the filing schedules. No fees due to this company if the performance of the Awards are \$3,000 or less. The Township agrees to pay Hough and Associates 50% of awards \$3,000 or more. The maximum payment to this company would not exceed \$5,000. Our previous awards for 2017 were \$8,050, 2018; \$10,388, 2019; \$12,549 and this year were \$16,270.

Commissioner Green commented; so it's basically the same contract we've had before, nothing changed. Mr. Hutt stated; correct.

A motion by Vice President Palladino, seconded by Commissioner Valentine to approve the Recycling Contract with Hough and Associates for collections 2021 through 2023. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

**CITIZEN'S COMMENTS**

**Tara Cifelli – Stowe, PA** – addressed the Board with regards to changing the Halloween Trick-or-Treat times, noting she's been following other Township's in the area and their times are either 5 to 8, or 5:30 to 8:30, adding; and they've got a cute saying on their Township page "this year, next year and every year after".

A motion by Commissioner Valentine, seconded by Commissioner Green to amend the time for Halloween Trick-or-Treat from 5pm to 7pm, to 5:00 pm to 8:00 pm. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

**Lori Eckman – 915 Levensgood Road – Stowe** – addressed the Board how it was going with the Fire Department, asking if are still talking with them and has anything been decided. President Miller stated; normally we meet with their Steering Committee, however, they have an Attorney as we have an Attorney, and the Attorney requested we meet with the Board this week. Our meetings with them are prior to our Workshop Meetings. Their Attorney was on Zoom and their Board was here. We are moving ahead and have not made any promises to them. They would like to be recognized as a fire company. We are listening to them. Their Attorney is going to outline their request to our Attorney and we will discuss it further. Ms Eckman stated; I was told they made a payment for the air packs and you gave them back the \$15,000 for that. Mr. Hutt stated; that was a while ago. We turned over the \$15,000 for the purposes of debt pay off or building maintenance. Ms Eckman commented; has anyone checked to see if they still have that \$15,000? Mr. Hutt commented; their internal accounting is not under our review and they have assured us they still have those funds for those purposes. Any funds that have been spent have been specifically for those purposes. President Miller noted; they are not obligated to show us their funding. They have assured us, including tonight, that the \$15,000 is only used for building repair or maintenance and that they have not spent anything; adding; that the money is still in the account. We do not have access to that. Commissioner Green noted; I do know, when we were down picking up the air packs they had done work on the plumbing, which is part of building maintenance; which they used part of that money for. That much we do know.

**Kathy Skully – past Treasurer** – Lori pretty much asked the question I was going to ask, however, my other question is; is the lawyer free? Are they paying money for him? As past Treasurer, I know how much was there when I resigned, so I know they have to be down to nothing.

Township Solicitor Ottaviano commented; any time I deal with another Attorney or they deal with me, it is an unwritten professional rule you never ask; how are you getting paid. That is the Fire Department's prerogative and for all I know she could be pro-bono, I didn't ask nor would I. That might not be the answer you are looking for. Ms Skully noted; that's fine. I just know how much was there and right now it should be very close to the bottom of the barrel. Township Solicitor Ottaviano noted; when I first started practicing and I asked that, their response was; I'm their brother-in-law. I do not know. I wouldn't ask and nor would I expect her to tell me either. Ms Skully noted; a lot of members don't know what's going on at West End. President Miller stated; we can't push it, but if people are members of West End, they could ask for a Treasurers report, adding; I know you resigned, but some sort of audit report on what monies are left in the account and where the money is going. It is our understanding they have no Treasurer, so there should be an audit report. Ms Skully stated; there should be.

Ms Eckman asked; so with that said, how can you meet with the Board when they don't have a full Board? Township Solicitor Ottaviano stated; we believe they have a full Board, adding; we can only go by what their Attorney is advising us and who walks through that door and says who they are. Ms Eckman noted; they told you they don't have a Treasurer and that's part of the Board. Township Solicitor Ottaviano stated; a Treasurer is an Officer of the Board, they can still have a full complement of Board members, but not Officers. Our Executive Meetings, like today, was the first time we had a meeting with the Board; people who came; introduced themselves as Board members. Ms Eckman stated in our by-laws, it states; the President, Vice President, five Board of Directors, three Trustees and the Treasurer, all make up the Board of Governors. So, if they don't have a Treasurer, Vice President or three Trustees; that's not a full Board. Township Solicitor Ottaviano stated; I can't speak for them. Ms Eckman stated; that's funny, because they won't talk to us. Commissioner Green stated; we are going by what their lawyer asked us through Jamie to do. Ms Skully noted; without a Treasurer, how are their bills being paid. You've got to have a Treasurer and I understand the station is shut down, but for money to come out of those accounts and go anywhere, you still need a Treasurer. Township Solicitor Ottaviano stated; again, I can only go by what their Attorney is advising me and for those people who walk through the door. Commissioner Green commented; and since we removed them as our Fire Department, we can't ask anything and they don't have to give us that information.

**Bill Dreifke - 216 E. Race Street, Stowe** – the property I live at, and also my daughter's house; are impacted by Fritz Stream. I wanted to thank you for your progress on the Quinter Street Sanitary Sewer, because that has been a big issue and continues to be. The flooding at Fritz Stream has been going on for a long time. It started after it was covered up with a pipe going between the two streets and has continued on a regular basis, although not that often. It backs up into my daughter's house on Lemon Street, and the water then floods into my yard, onto my property and into my basement at times; especially this last storm. I just wanted to say I appreciate you giving this serious consideration to make improvements there.



**CORRESPONDENCE**

There was none.

**ADJOURNMENT**

There being no further business for the Board of Commissioners, a motion by Commissioner La Rosa, seconded by Vice President Palladino to adjourn the Workshop Meeting. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes. The Workshop Meeting adjourned at 7:50 p.m.

*Respectfully Yours,*

*Joanne Herb  
Township Secretary*