

March 17, 2009

**POTTSTOWN BOROUGH AUTHORITY
WATER**

CALL TO ORDER

Chairman Downie called the meeting to order at 7:00 p.m. Present were Ronald Downie, Don Read, Aram Ecker, Tom Carroll and Doug Dilliplane. Also in attendance were Manager Raymond Lopez, Solicitor David Garner, Public Works Director Doug Yerger, Interim Bookkeeper Jason Bobst, Tom Weld, BCM Engineers, Wastewater Treatment Plant Superintendent Brent Wagner Utilities Director Robert Maul and Grants Assistant Erica Weekley.

PUBLIC COMMENT

a. David Schwab, 1401 Old Glasgow Street – thanked all those involved in the process of having a fireplug installed at the Circle of Progress.

CORRESPONDENCE

Manager Lopez advised that the permit for the York Street upgrade was received from the Pennsylvania Department of Environmental Protection.

Chairman Downie referred to the Management Workshop to be held in Hershey and suggested that the Authority become more involved in these meetings.

Mr. Wagner referred to his report regarding his meeting with the Townships. He noted that the concerns discussed with West Pottsgrove Township were the 30% increase in sewer rates, the FOG issues with the Upland Square Shopping Center and the approximately 30 improper street repairs after water main breaks. Mr. Wagner advised that a follow-up meeting would be scheduled to resolve these matters.

Mr. Wagner also noted that a meeting was held with Upper Pottsgrove Township regarding clarifying the sewer bills and a reduction in costs of sewer meters. A request for quarterly meetings with Township officials and the Authority was requested by the Township. He added that his Staff is working with Upper Pottsgrove to adopt the MIPP Ordinance.

He added that a meeting is pending with Lower Pottsgrove Township.

Mr. Lopez informed the Board that the new Finance Director would start on March 18th.

Chairman Downie also referred to the Authority Magazine with articles pertaining to solid waste and an article on Honeywell and effective energy savings. He also suggested that an Authority member attend the monthly Regional Planning meetings.

March 17, 2009

MARKETING

Mr. Read had no report.

ENERGY

Mr. Wagner advised that preliminary investigation is being conducted on energy saving options and should have more definite data for next month's meeting. He did comment on the expense in excess of \$100,000 if new equipment were to be purchased. Mr. Wagner also reported that a discussion took place regarding the upcoming deregulations and the possibility of changing from MetEd to PECO and will be attending a seminar on this matter.

Mr. Carroll reported on the meeting with Honeywell, noting that the HVAC system was reviewed. He added that a review of the bills is forthcoming and requested authorization to proceed with this matter. It was the consensus of the Board for this matter to proceed.

Chairman Downie referred to a recent *Mercury* article pertaining to executive sessions. In response to the article regarding executive sessions on personnel matters, Mr. Downie commented that the Board members request and rely on the opinion of the Solicitor for policy and procedures. He added that the members speak as a body.

FINANCE

Mr. Read commented that a discussion took place on the collection process through Portnoff Associates and questioned why the collections could not be done by the Borough.

Solicitor Garner advised that the agreement and contract is with the Borough as the managers of the accounting.

Mr. Bobst advised that there would be a review of the accounts with the new Finance Director for these and other outstanding accounts, which do not go to Portnoff, such as the bulk water customers.

ODOR REPORT

Mr. Wagner advised that there was one odor complaint for an unfounded odor complaint.

RESTRUCTURING

Mr. Read commented that according to the DEP recommendation, the Restructuring Committee has been working to address the administration portion of the

March 17, 2009

operation of the Borough Authority. He referred to his tabled motion of last month's meeting.

Mr. Read moved that in furtherance of the recommendations of the DEP, made in its Capacity Enhancement Program evaluation dated September 2007 and in furtherance of the recommendation of the Pottstown Borough Authority which was adopted on October 21, 2008 and approved by Pottstown Borough Council on November 10, 2008, the PBA requests that the Borough Manager begin the process of hiring an individual for the Borough position of Authority Administrator. This recommendation includes the creation of a committee consisting of the Borough Manager (or a designated representative), the Director of Public Works, the Director of Finance, the lead Utility Superintendent, the Authority Solicitor, the Authority Engineer and at least one representative from the Authority Board. This committee will be responsible for developing the job description, screening applicant resumes and conducting interviews leading up to a recommendation of a candidate to fill this position. Mr. Dilliplane seconded the motion.

Mr. Carroll commented that he disagreed with hiring another person and suggesting that is not consistent with the DEP recommendation, but to appoint an individual to oversee the system under the direction of the Borough Manager.

Chairman Downie disagreed with using the term hiring, which may not be in the best interest of the Borough in light of the recent elimination of positions.

Mr. Dilliplane requested an amendment to the motion to read "process of filling" and remove "process of hiring". He also suggested that the position needs a description along with the number of hours proposed for the position and expectations.

Mr. Read agreed to amend his motion as recommended. Mr. Dilliplane seconded the amended motion.

Mr. Carroll recommended that this issue be reviewed by the new Finance Director prior to any action being taken.

Chairman Downie called for the vote to be taken.

Motion carried: 4 ayes, 1 nay. Mr. Carroll cast the negative vote.

OLD BUSINESS

MINUTES

Chairman Downie asked for additions or corrections to the minutes of February 17, 2009. Hearing none, the minutes stood approved.

March 17, 2009

Mr. Read thanked Manager Lopez for his department's outstanding presentation of the minutes.

CONSIDERATION OF REMOVING FLUORIDE FROM DRINKING WATER

Mr. Weld reported that the DEP has no regulations in Pennsylvania that would restrict the co-mingling of fluoridated and non-fluoridated water. He added that there are requirements for testing and reporting and utilities prefer to not co-mingle fluoridated with non-fluoridated water if possible.

Mr. Read motioned to start the process of stopping the addition of fluoride to the water.

Mr. Maul advised that the information he received from Representative Quigley's office was that there was a pending bill that died in Committee with the idea of not mandating fluoride in the water.

There was no second to the motion and the motion died.

Mr. Dilliplane noted that there was no time constraints and suggested this be revisited in the future if necessary.

ADVERTISE CONTRACT NO. 138

Mr. Weld explained that the Filter Media process was added to the grant application and moving forward would be necessary to comply with the schedule in the grant application. He advised that the bid result could be held for 120 days.

Mr. Carroll moved to advertise Contract No. 138, Water Treatment Plant Filter Media Replacement. Mr. Dilliplane seconded the motion and it passed unanimously.

CLOSEOUT OF WATER LINE REPLACEMENT – CONTRACT No. 126

Solicitor Garner explained the status of Contract No. 126. He advised that the Board approved the closeout in January. He added there were certain outstanding issues with subcontractors prior to the closeout. Mr. Garner advised that he has had correspondence through the contractor's attorney that a resolution is close to being reached. He will provide an additional update at the April meeting.

RECONCILIATION OF FEES AND CHARGES – UPDATE

Solicitor Garner also explained that certain fees adopted by the Authority were not consistent with fees adopted by the Borough. He advised that the Finance Department is reviewing the fees to have this matter resolved.

March 17, 2009

NEW BUSINESS

LAWN MAINTENANCE BID AWARD

Mr. Yerger reviewed the bid tabulation for the 2009 lawn maintenance for Authority properties.

Mr. Ecker moved to award the 2009 Lawn Maintenance bid for the reservoirs, tanks and pump stations to Down to Earth Landscaping, Pottstown, PA as per the bid tabulation of March 3, 2009. Mr. Dilliplane seconded the motion and it passed unanimously.

WATER RATE – MID YEAR REVIEW UPDATE

Chairman Downie noted that he had previously requested a review of the water rates in consideration of a rate change. He added that with the new Finance Director, this should be reviewed no later than May 2009.

Mr. Wagner reviewed the process for the chemical bids, noting that most have been awarded for one year only.

RESTRUCTURING (CONTINUED)

Mr. Carroll moved to separate the Borough Manager's position from the Authority Manager. The person will be responsible to design, develop and implement strategic plans for the Authority in a cost-effective and time-efficient manner. The Authority Manager is also responsible for the day-to-day operation of the water and sewer system, including managing the supervisor of the water and sewer system and developing business plans in collaboration with the Authority for the future of the organization. This detailed job description of the Authority Manager is to be drafted by the Borough Manager and associated Staff.

There was no second to the motion and the motion died.

ADJOURNMENT

The meeting adjourned at 8:25 p.m. on motion by Mr. Ecker.

Submitted by Virginia Takach, Borough Secretary
for Don Read, Secretary