

**EAST GOSHEN TOWNSHIP**  
**MUNICIPAL AUTHORITY MEETING MINUTES**  
**MARCH 9, 2009**

The East Goshen Township Municipal Authority held their regularly scheduled meeting on Monday, January 12, 2009 at 7:00 PM at the East Goshen Township building. Members in attendance were: Chairman Fran Beck, Mike Steinberger, Jack Yahraes, Joe McCawley, and Dana Pizarro. Also in attendance were: Township Manager Rick Smith, Authority Engineer Evan Andrews (Pennoni), Authority Solicitor Bob Adams, Mark Miller (Director of Public Works), Megann Hedgecock (PC), Walter Wujcik (CB), Ellen Carmody (HC) and Marty Shane & Carmen Battavio (BOS).

**COMMON ACRONYMS:**

*MA – Municipal Authority*  
*HC – Historical Commission*  
*PC – Planning Commission*  
*CB – Conservancy Board*  
*PR – Park & Recreation Board*  
*BOS – Board of Supervisors*

*I&I – Inflow & Infiltration*  
*RCSTP – Ridley Creek Sewer Treatment Plant*  
*LCSTP – Lockwood Chase Sewer Treatment Plant*  
*DEP – Department of Environmental Protection*  
*EPA – Environmental Protection Agency*  
*PHMC – Pennsylvania Historical Museum Commission*  
*NPDES – National Pollutant Discharge Elimination System*

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Fran Beck called the meeting to order at 7:00 PM and led those present in the Pledge of Allegiance.

**2. CHAIRMAN’S REPORT – none**

**3. APPROVAL OF MINUTES**

The minutes of February 9, 2009 were reviewed and corrected. Mike moved that the minutes of the February 9, 2009 meeting be approved as corrected. Jack seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

The minutes of February 24, 2009 were reviewed and corrected. Jack moved that the minutes of the February 24, 2009 meeting be approved as corrected. Joe seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

**4. ENGINEERING REPORT**

Evan reported that the Updated Revision for LCSTP and the Hershey Mill/Reserve PS Diversion Special Study would be sent to the DEP for review. After meeting with the DEP regarding the West Goshen Diversion Planning, the DEP stated that a Special Study not an update revision is needed. The project will be eligible for 50% reimbursement on any activity after the task activity report is accepted. The Marydell Pump Station Diversion Planning was approved for 50% funding by the DEP and work will commence immediately. Evan expects to have the draft of the I&I Abatement Project report within one week. The Chapter 94 Report for 2008 is ready to be submitted to the DEP with township approval.

Several progress meetings for the RCSTP Upgrade & Expansion have taken place to review the project schedule, construction coordination and submittal status. The walls of the SBR tanks will be brought in next week. A crane will arrive on 3/16. Some road closures are

expected during the arrival of approximately 80 trucks Tuesday-Friday. Fran thanked Evan for the photo documentation.

Dana asked about the unexpected honeycombing in the base slab. Evan said Pennoni reviewed/approved the repair procedures and it has been corrected. Mark explained that the honeycombing happened around the plywood forms; minor void only. According to Evan, the concrete strength is good and no work change order is needed. Carmen noted that there is a substantial savings in repairing the part vs. removing and reinstalling the section; he asked about a potential credit. Evan said the township has essentially ended up with more steel and a stronger base than originally in the plan; Joe agreed. Rick said removal was unnecessary and a credit is not warranted, as it is structurally sound. Mike cautioned the MA against creating a course of conduct in which they defer on issues.

Evan reported that soft soils were encountered when digging for the pump station wet well. This required over excavation of 4' and back fill with stone to prepare the site for a suitable foundation. A geotechnical engineer inspected the site and the box will be set on 3/11. This was a challenging situation that was well documented. As an "unforeseen condition" it does support a change order. Evan expects the same soil conditions at the Screen Building location and they will need to excavate 14'; sheeting and shoring will be needed to prevent a collapse around the equalization tank. All other excavations are expected to be 5' down.

The electrical contractor has been slow and a work directive was issued to force temporary facilities to get done; poles will start to be set tomorrow. The latest general and electrical contractor schedules have substantial completion in mid-June 2010, 7 months over the contracted substantial completion date. It would seem the contractor would rather pay liquidated damages than compress the schedule and have to pump & haul. They will work to improve the delivery schedules and cut down the time as much as possible.

Evan reported that the first blower has been sent out for rebuild. A special meeting was held on 2/24 to approve the repair cost of \$3200. Jack said they are repairing only manufacturer recommended parts rather than ordering a 100% overhaul in an effort to be more cautious and senses the BOS is concerned. Marty said the BOS would like to see a list of all equipment in the plant that will be reused and the cost to repair or replace them so they can verify that appropriate contingencies have been calculated. Joe pointed out that the contingency covers the original intent of the contract. Original design does not cover design changes or capacity increases. The BOS is ultimately responsible for the project and some members are scrutinizing it more closely than others. The need for a project manager came into question.

#### PROJECT MANAGEMENT

Jack pointed out that Mark is on site, the Pennoni inspector is on site and Rick is heavily involved; he said they are sufficiently covered and never entertained the need for a project manager. Mike said a project manager would not have resolved the electrical problems any quicker. Bob asked if project management was part of the original bid proposals the township solicited and Rick said 2 proposals included a project manager for a cost of \$100K+ but noted that in the past, township staff have always overseen projects. Rick said Mark is the logical person to have on site but once they get over these "bumps" he wouldn't expect him to need to be there as much. Evan admitted he has completed some project management type work such as look ahead schedules, construction observations, shop drawings, etc., but Rick

is the ultimate enforcer. Things could have gone smoother with a project manager but the contract is not in jeopardy. Carmen said a project manager nor engineer has any power without the MA authority. Members debated the difference between construction management and project management. Members agreed that project management services are professional services.

Mark admitted he is “getting hammered.” Marty has discussed the project with Mark and Rick and concluded too much is being asked of them, saying the workload is burdensome and unfair. Furthermore he thinks Pennoni is doing more work than intended and they need someone to alleviate the burden and oversee the project while staying within the budget. If it improves the township’s chance of success, the expenditure is worth it, as this project is bigger than anyone expected. They need to review qualifications, experience and fees quickly. Jack cautioned them against removing Mark from the project. Bob said having an “owner representative” such as Mark on site is different than a project manager. Rick reiterated that the township has never hired an independent project manager, while Dana said he has never run a project without one; his firm does both engineering and management work. Given the scale of this project, Dana sees it as protection of the investment.

Bob suggested going through Pennoni for project services since the project is already underway, citing money would be wasted bringing an independent firm up to speed, not to mention time spent soliciting and reviewing bids. Although this could be economically sound, Marty is concerned about potential conflicts, as it Mike. Bob said there are remedies to protect against such conflicts and it’s worth the chance. Members debated whether a 3<sup>rd</sup> party vs. Pennoni would be better suited to act as a project manager. Marty would like to see Pennoni’s cost and list of management responsibilities. Time to solicit and review bids would take at least 2 months. Joe cited the differences between an owner rep and project manager and they were discussed. It was agreed that Joe and Dana would attend the next BOS meeting to discuss cost and rationale with the board.

Having come to the conclusion that the supervision of this project needs to change, Jack moved that the MA direct Rick to investigate costs and options, including Pennoni, for project management services. Dana seconded the motion.

Mike said the quick route is not always the best route. If they want to go to bid, Rick said they need to develop an RFP, get costs and approval. There is a clear provision that says professional services do not need to go to bid and Bob said it is within the general powers of the MA to hire consultants. Mike is concerned they will not get the value for what they may pay; he agrees they need help but is not sure it is worth potentially \$500,000. Mike recommended interviewing firms on the basis what they can do for this specific project. No further discussion or public comment was heard. The motion passed unanimously. Rick will write the RFP and the MA will need to review and approve at a special meeting.

## **5. APPROVAL OF INVOICES**

### **A. Gawthrop Greenwood, Inv. #68292, 1/31/09 – \$936.50**

Mike moved to approve payment of the Gawthrop Invoice #68292, dated 1/31/09 in the amount of \$936.50 for the RCSTP Upgrade/Expansion project. Jack seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

### **B. Gawthrop Greenwood, Inv. #68451, 1/31/09 – \$965.00**

Mike moved to approve payment of the Gawthrop Invoice #68451, dated 1/31/09 in the amount of \$965.00 for general authority services. Jack seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

C. Worth & Company, Inc., Payment #2, 2/28/09 – \$480.825.00

Joe moved to approve payment to Worth & Company in the amount of \$480.825.00 for the RCSTP. Jack seconded the motion. Rick said they have partial release of the liens. Evan said the contractor is reluctant to provide a copy of the sub-contractor and material contracts and they have not been received; they are not required under the contract. Mark continues to monitor the percent of project completion. No further discussion or public comment was heard. The motion passed unanimously.

D. Action Mobile Industries, Inv. #PRI-10515989, 2/10/09 – \$16,193.00, Potty Queen, Inv. #P85947, 2/8/09 – \$95.00, and Verizon Bill, 2/7/09 – \$130.34

Mike moved to approve payment of the above-mentioned invoices totaling \$464.44 for the MA construction trailer at the RCSTP. Jack seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

## 6. LIAISON REPORTS

- A. PC – Megann reported that the PC reviewed a sketch plan from Malvern National Bank, which will potentially lease 140 parking spaces to the YMCA. If the ordinance is amended, the PALCS will return with a conditional use application.
- B. CB – Walter said they would meet with CTDI later this month to review landscaping requirements. They will plant the YMCA trees in 2 months.
- C. HC – Ellen reported that the National History Day competition would take place at Immaculata College on 3/18/09. June 6<sup>th</sup> is Living History Day.
- D. BOS – Carmen said the BOS would like MA reps to discuss construction management for RCSTP at their next meeting.

## 7. FINANCIAL REPORTS

Mike has a copy of the updated report and it looks good. A copy of the report was emailed to members and it was reviewed. Mike continues to work with Deb to improve the format.

## 8. GOALS

Mike attended the 3/4/09 West Goshen meeting, at which they entertained bids for pump stations. The TMDL's are going to peer review. Mike also submitted the spring newsletter article.

## 9. OLD BUSINESS – *none*

## 10. NEW BUSINESS

A. Ridley Creek Project Summary

Joe would like to see the layout include monthly charges and retainage at the bottom.

B. Pipe Rehab

During routine cleaning and televising in the Grand Oak Development, Mark discovered 300LF of pipe in bad shape. He contacted All State Grout Company, who did the Waterview development work, and they provided a price. Jack moved that the Municipal Authority award the bid to All State Grout Company in the amount of \$19,500 to line the 300LF in the Grand Oak Development. Mike seconded the

motion. No further discussion or public comment was heard. The motion passed unanimously.

C. Sewage Chapter 94 Report

Members reviewed the DEP letter requesting permanent flow meters to be installed in all collection stations. Evan said the “suggestion was under consideration by the MA” in their report. The report is complete and four copies are ready for the chairman’s signature.

D. Repair Bill

Fran explained that the sewer line at 1215 Mayapple Lane collapsed. The owner, Susan Johnson, had the repair work done before realizing it was in the right of way and the township would have fixed it. She contacted the township and is asking to be reimbursed for plumbing work in the amount of \$2995. Jack reminded members that a notice is always in the newsletter and attached to the township’s quarterly bills. Mike moved that the Municipal Authority reimburse the homeowner for Horn Plumbing’s bill in the amount of \$2400. Joe seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

**11. SEWER REPORTS**

Mark said I&I work continues.

**12. PUBLIC COMMENT – none**

**13. ADJOURNMENT**

Jack moved that the MA adjourn. Mike seconded the motion. No further discussion or public comment was made. The motion carried unanimously. The meeting adjourned at 9:40 PM.

Respectfully submitted by: \_\_\_\_\_  
*Tracie Hill, Recording Secretary*