

**EAST GOSHEN TOWNSHIP**  
**MUNICIPAL AUTHORITY WORKSHOP MEETING MINUTES**  
**APRIL 22, 2009**

The East Goshen Township Municipal Authority held a workshop meeting on Wednesday, April 22, 2009 at 7:00 PM at the East Goshen Township building. Members in attendance were: Chairman Fran Beck, Mike Steinberger, Jack Yahraes and Joe McCawley. Also in attendance were: Township Manager Rick Smith and Authority Solicitor Bob Adams.

**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. RCSTP PROJECT MANAGER**

Joe reported that he, Dana and Rick met with Artesian and Brickhouse regarding their joint project management of the RCSTP upgrade and expansion and to discuss budgetary issues. It was a good meeting and Joe was impressed not only with Scott Towler but with the business and technical capabilities of David Evans. It was agreed that Brickhouse will not review/comment on the engineering and historical documents that were utilized for the construction of the plant. They have taken the contract for review in anticipation of being awarded the project and it was agreed that the misplacement of the SBR tank and relocation of the screen building need to be addressed. As part of their project management services Brickhouse will provide a breakdown of hours, attendance at meetings (bi-weekly project meetings, monthly MA meetings and BOS meetings as needed) and paperwork/documentation. Brickhouse will provide 67 weeks of coverage and anticipate being on site 2.5 – 3 days/week for a total cost of \$175,000. MA members hope they can reduce the cost by improving the schedule but agree there is a cushion in case issues arise, while remaining within the \$200,000 budget. Members reviewed the spreadsheet of fees and found it acceptable.

Mike moved that the MA accept the agreement from Brickhouse Environmental dated 4/22/09 as outlined, not to exceed \$200,000, subject to the solicitor's confirmation of the terms and conditions. Jack seconded the motion.

Bob recommended removing the second half of the Indemnification Clause #10 under Terms & Conditions and members agreed. The Termination Clause #7 was reviewed and found to be acceptable as written. Members made two revisions to the Qualifications section and will add 1) Identify potential areas of risk and 2) attend start ups, into the Scope of Work section. No further discussion or public comment was heard. The motion passed unanimously.

### **3. APPROVAL OF INVOICES**

#### **A. Pennoni, Inv. #404306, 4/08/09 – \$32,787.46**

Pennoni is over-budget; they are asking to be paid up to the contract fee (\$13,083.27) while they prepare a proposal. Mike does not understand why the MA was not previously notified; there is no proposal for the coming year. Bob agreed that it is unexpected and would like documentation. Joe understood this to be a “not to exceed” contract and does not expect to pay additional charges other than the \$10,000 (Worth engineering fees) and the additional 6 months (scheduling). Rick said Pennoni could choose to stop work if they are not paid and eventually the parties could end up in court. Rick said Pennoni was providing project management-type services which increased their anticipated time on the project. Mike previously asked for this time to be segregated and documented and foresees problems. Joe reiterated that “not to exceed” requires Pennoni to finish the project regardless of time and additional costs. 90% of the engineering contract is complete and the additional charges, if any, should be covered by their contingency fund (\$500,000). Members agreed not to process this invoice tonight.

### **4. ADJOURNMENT**

Joe moved that the MA adjourn. Jack seconded the motion. No further discussion or public comment was made. The motion carried unanimously. The meeting adjourned at 7:45 PM.

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