

EAST GOSHEN TOWNSHIP
MUNICIPAL AUTHORITY MEETING MINUTES
May 11, 2009

The East Goshen Township Municipal Authority held their regularly scheduled meeting on Monday, May 11, 2009 at 7:00 PM at the East Goshen Township building. Members in attendance were: Chairman Fran Beck, Mike Steinberger, Dana Pizarro, Jack Yahraes, and Joe McCawley. Also in attendance were: Township Manager Rick Smith, Authority Engineer Evan Andrews (Pennoni), Authority Solicitor Bob Adams, Ellen Carmody (HC), Scott Towler from Artesian and Brickhouse Environmental, and Dave Evans from Brickhouse.

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. CHAIR REPORT

Fran submitted the newsletter article to the township.

2. APPROVAL OF MINUTES

The minutes of April 2, 2009 were reviewed and corrected. Jack moved that the minutes of the April 2, 2009 meeting be approved as corrected. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

The minutes of April 13, 2009 were reviewed. Joe moved that the minutes of the April 13, 2009 meeting be approved as written. Mike seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

The minutes of April 22, 2009 were reviewed. Joe moved that the minutes of the April 22, 2009 be approved as corrected. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

3. ENGINEERING REPORT

Evan reported that a response is being prepared for the Lochwood Chase and the Hershey Mill Special Studies. The West Goshen Diversion Planning has been approved and work started. The draft for the Marydell Pump Station Diversion Planning has been initiated. The I&I Abatement program draft will be ready for township review this week.

In a progress meeting held on April 28th with Brickhouse it was discussed that the latest work schedule for RCSTP will be completed sooner than anticipated, at no additional cost to the township. Evan also presented photos of the RCSTP construction through May 4th. Diversion from the wet well is in and on Monday, May 11th excavation of the screen building was started. Soils were not as soft as anticipated and they will only need to dig 12-18” vs. 5’ as was the original plan; shoring will be checked tomorrow. Negotiations over the location of the screen building will be handled by Scott.

A meeting was held on May 11th on the site at RCSTP. A water test was conducted on Tank #2 which was filled with water; minor weeping was found. Contractors met to give cause and solutions. In reviewing the photos, Joe said it looked like a lateral leak. Evan said panels were poured flat then stood upright. Some issues of the flat pour could be that it was taken from the form too soon, possibly causing stress fractures. Pennoni is prepared to sign off that it is not a structural problem and would recommend using epoxy to fix the walls. A string line revealed a 1/16" wall bowing; 1/4" deflection is allowed. The contractor proposed to coat the cracks using SICA product. Dana is concerned that the rebar will cause corrosion and would like to see the entire inside if the tank coated. Evan agreed and said they will seek to double the life of the warranty as well. Evan stated that no direction will be clear until another test is completed. The \$100,000 payment to Dutchland will be struck from a pending invoice until resolved. Panels could be pulled if necessary and all tanks will be tested. Members agreed to make RCSTP project a separate agenda item with separate reports by the engineer and project manager so they can better evaluate the totality of the job.

4. PROJECT MANAGER REPORT

Dave Evans from Brickhouse reported that aside from the EQ tank and screen building, the generator was expected in mid-May; the pad is already in place. Scott and Dave attended a progress meeting on April 29th for a payment review with Pennoni and Mark Miller and are in agreement with both. Both were on site to witness the leak in the wall, and for the installation of manhole #1 and the influent metering pump; soft soils continue to be found. On May 11th, Dave and Scott met with Dutchland and Pennoni to discuss follow up action. All are in agreement following discussion to request a 20 year warranty for exterior and interior walls. The \$100,000 payment should be deducted, pending the final engineer's report. Scott recommended a laser, not string, be used to measure the deflection. Joe wants the invoice adjusted and paperwork done on the retainage before payment is made. The lien for Dutchland is being released. Members agree that the project manager needs to be communicating directly with Worth and handling payment sign-offs; Mark will continue to assist through the transition period.

5. RCSTP PROJECT UPDATE

Dana said they need to start resolving some of the construction issue. Issues include:

1. Tank leakage – payment will be withheld until resolved.
2. Screen building location – savings to the contractor has not been realized by the township.
3. Tank location – surveying error placed the tank in the wrong location; value to the township?
4. Neoprene seals – were laid but there were delays.

Dana calculates 11% change orders when they are only 20% into the job. Rick said some of these are contingencies and are not in the budget.

Paving – Worth was contracted to do the paving for \$50,000 but Mark would like the MA to consider having the EGT Public Works Dept. do the paving at a substantial savings. Mike is concerned that they are managing within the budget for engineering, electrical, construction, etc. but miscellaneous expenses such as township time is not covered; a contingency budget for these kinds of costs should be created. No action is needed at this time.

6. APPROVAL OF INVOICES

- A. Worth & Company, Inc., Payment #4, 4/31/09
Joe moved to approve payment to Worth & Company for the RCSTP, not to exceed \$125,352.90 subject to the proper adjustment of the invoice, receipt of lien waivers and final approval by Mark Miller. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.
- B. W.H. Clinger, Payment #2, \$15,714.77
Mike moved to approve payment to W.H. Clinger for the RCSTP in the amount of \$15,714.77. Joe seconded the motion. Joe said the AIA format works well. No further discussion or public comment was heard. The motion passed unanimously.
- C. Action Mobile Industries, Inv. #PRI-10532658, 4/10/09 – \$239.10.
Potty Queen, Inv. # P-87955, 4/5/09-\$95.00.
Verizon Bill, 5/5/09-\$269.97.
Joe moved that the MA authorize on-going payment to Action Mobile Industries, Potty Queen and Verizon, up to \$10,000 in reoccurring expenses as contracted, subject to reporting back to the MA. Jack seconded the motion. No further discussion or public comment was heard. The motion was passed unanimously.
- D. Maille, Falconiero & Company, LLP, Inv. #74001, 4/22/2009-\$6,000.00.
Jack moved to approve payment to Maillie, Falconiero and Company in the amount of \$6,000.00. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.
- E. Brickhouse Environmental – Inv. # 4717, 5/1/2009 – \$2,127.50
Joe moved to approve payment to Brickhouse Environmental in the amount of \$2,127.50 for RCSTP project management services. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.
- F. Pennoni, Inv. #406694, 5/06/209 – \$723.50
Mike moved to approve payment to Pennoni in the amount of \$723.50 for the Glenbrook Slip lining. Jack seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.
- G. Pennoni, Inv. #406693, 5/06/2009 – \$465.00
Joe moved to approve payment to Pennoni in the amount of \$465.00 for the Marydell Diversion Planning. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.
- H. Gawthrop Greenwood, PC. –
Inv. #69581 in the amount of \$1,159.00 and Inv.#69582 in the amount of \$2,255.50.
Joe moved to approve total payment to Gawthrop Greenwood in the amount of \$3,414.50 for general authority services. Mike seconded the motion No further discussion or public comment was heard. The motion passed unanimously.

7. LIAISON REPORTS

Ellen Carmody, HC – reported that Living History Day will take place on 6/6 from 11am – 4pm. The Paoli Illumination is on 8/10. The HC will assist with the Avon Grove Town Tours & Village Walks on 8/20.

8. FINANCIAL REPORT

Mike reviewed the financial report. There were some discrepancies in the March transfers for the sinking fund. Rick will break down payments for the RCSTP in the next report.

9. GOALS-

Jack will attend West Goshen meeting on 6/3. Rick will submit paperwork for grants for Marydell and Lockwood pump stations. An H2O Grant was submitted for Ridley.

10. OLD BUSINESS – none

11. NEW BUSINESS-

A. Resolution No. 29 – Collateralization of Deposits

Banks need to pledge collateral of at least 102% of the deposit value to a 3rd party. Rick needs to get depository consent from each banking institution otherwise they will need to more funds greater than \$250,000. Members agree to send the collateralization request to the banks first to see if it is acceptable. Adoption of the resolution will not be held until July.

B. Pennoni Construction Services

The original Pennoni fee was estimated at \$98,200, which included 900 hours of construction observation (\$58,500), submittal reviews (\$15,000) and project administration (\$24,700) for a period of 12 months. Evan said they now estimate needing a total of 1300 construction observation hours, plus an additional 700 hours after the contract date (which is billable to Worth over and above liquidated damages). Pennoni will split the cost for these additional 400 hours and are asking for \$13,000 (at \$65/hr) for construction observations, \$20,000 for submittals and \$25,000 for contractor management services.

Mike said Pennoni is essentially re-bidding the project half-way through and is concerned the contractor will question the increase when billed. Bob is concerned that if Pennoni's contract was "not to exceed" Worth can claim there is no right to bill them but Joe said Worth did not comply with the construction timeline and is liable. With the addition of a project manager, Mike questions the need for Pennoni's continued high level of oversight. Members debated who was responsible for the increased Pennoni hours and if Worth should be "put on notice." Dana said the structural issues at the start of the project are the best basis for the increased hours/cost. Evan said additional observations inspections, etc. are reimbursable by the contractor. Rick pointed out that the MA asked Evan to organize the contractors at the start of the project. Bob agreed that costs were incurred as a result of instructions received by Mark and/or Rick because there was no project manager in place. Members discussed the role of the project manager and engineer in the submittal process.

The original Pennoni contract for \$465,000 will increase \$38,000 to \$502,000 – a 7% increase which Joe finds high. Bob is reluctant to wait until the end to notify Worth of increased fees but Joe disagreed. Rick suggested the MA accept the Pennoni contract fee through 11/13/09 and address extended project costs, and notification to Worth at that time.

Joe moved that the MA accept the additional increase to the Pennoni contract in the amount of \$58,000, with additional submittal costs reimbursed via the MA up to \$20,000. Jack seconded the motion. Evan will consolidate their invoices and invoice for payment next month. No further discussion or public comment was heard. The motion passed unanimously.

C. Blower

Jack moved that the MA authorized the purchase of a blower for RCSTP, not to exceed \$5200. Joe seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

12. SEWER REPORTS – none

13. PUBLIC COMMENT – none

14. ADJOURNMENT

Mike moved that the MA adjourn. Joe seconded the motion. No further discussion or public comment was made. The motion carried unanimously. The meeting adjourned at 9:32 PM.

Respectfully submitted by: _____
Linda Jones, Recording Secretary