

West Goshen Township
Sewer Authority
March 3, 2021
7:00 PM

Agenda for Teleconference Meeting

1. Pledge of Allegiance.
2. Roll Call for Sewer Authority Board members, staff and professional service providers.
3. Approval of the Authority meeting minutes of February 3 and February 11, 2021. Open action items from prior meetings include:
 - a) Josh Fox, to obtain price for appropriate consultant engagement for possible coating of the interior of the secondary anaerobic digester (item 8a October 2020 Meeting);
4. Authority Chair and Member announcements.
 - A. Procedures for telephonic meeting (see attached). Meetings via teleconference are permitted in the event that official emergency declaration prevents an open public meeting.
 - B. Status report to EPA and DRN was filed with the parties on February 26, 2021.
 - C. An informal meeting was held on February 18, 2021 between the Sewer Authority, West Goshen Township and the Borough of West Chester to discuss potential cooperative ventures with the two treatment plants on Goose Creek.
 - D. Next regular meeting April 7, 2021 at 7:00 PM. Location to be determined.
5. Solicitor's Report, dated February 3, 2021 presented by Ryan Jennings, Esquire.
 - A. Woodlands at Greystone.
 - B. 504 S. Concord Road Subdivision (former Boy Scout property).
 - C. Goshen Walk
 - a. Discussion and possible approval of the Sanitary Sewer Construction Agreement for Goshen Walk.
 - D. Reserve at West Goshen
 - a. Discussion and possible approval of the Maintenance Agreement with Iacobucci W. Goshen, LLC for the Reserve at West Goshen.
 - b. Discussion and possible approval to accept transfer of ownership of the pipelines in the Right of Way Agreement with Iacobucci W. Goshen, LLC for the Reserve at West Goshen.
 - E. Miscellaneous

6. Wastewater Superintendent Report, dated February 3, 2021, presented Mike Moffa.
 - A. General Compliance Status & Misc. Operational Data.
 - B. Discussion and possible approval for the purchase of a replacement Waste Activated Sludge pump drive from A.C. Schultes, Inc. for the amount of \$9,412.00.
 - During a scheduled maintenance and rebuild it was determined that the now obsolete drive had multiple issues and a replacement was warranted. This was not a budgeted item and will therefore fall under the Miscellaneous Capital Improvements category.

7. Treasurer's Report, dated March 3, 2021, presented by Walter Wills. Discussion and possible approval of requisitions/bills to be paid as set forth in the Treasurer's Report totaling \$944,258.70.
 - A. Discussion and possible approval for Application for Payment No. 12 for Contract WWTP-19-1 (WWTP Phase 2 General Contract) to Blooming Glen Contractors, Inc. in the amount of \$171,760.55 (bond requisition # 567).
 - B. Discussion and possible approval for Application for Payment No. 6 for Contract WWTP-19-2 (WWTP Phase 2 Electrical Contract) to Brendan Stanton, Inc. (dba BSI Electrical) in the amount of \$70,150.64 (bond requisition #s 564 and 565).
 - C. Discussion and possible approval for Application for Payment No. 6 for Contract TD-1 (Trinity Drive Pump Station Improvements General Contract) to PSI Pumping Solutions, Inc. in the amount of \$86,631.97 (bond requisition # 568).
 - D. Discussion and possible approval for Application for Payment No. 2 for Contract TD-2 (Trinity Drive Pump Station Improvements General Contract) to MJF Electrical Contracting, Inc. in the amount of \$4,050.00 (bond requisition # 562).
 - E. Discussion and possible approval for Application for Payment No. 2 for Contract WWTP-20-1 (Aeration Basin Improvement Project General Contract) to CUICK Precision Solutions in the amount of \$42,593.40 (bond requisition # 566).
 - F. Discussion and possible approval Application for Payment No. 1 for Contract WWTP-20-2 (Aeration Basin Improvement Project Electrical Contract) to MJF Electrical Contracting, Inc. in the amount of \$5,760 (bond requisition # 563).
 - G. Approval of Bond Requisition numbers 561, 569 and 570, Tapping Fee Fund requisitions 2042 - 2046, and Developer's Invoices.

8. Engineer's Projects Report, dated February 26, 2021 presented by Josh Fox from HRG.

9. Developments Report, dated February 26, 2021 presented by Josh Fox from HRG.
10. Discussion and possible approval to retain and assign the Westtown Way Stream Restoration Project to HRG.
11. New business.

Adjourn

Procedures for Tele-conference

TELECONFERENCE INSTRUCTIONS

March 2021 Sewer Authority Meeting

Wed, Mar 3, 2021 7:00 PM - 9:00 PM (EST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/163595141>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

Access Code: 163-595-141

We will proceed with the following instructions during the course of the teleconference meeting.

1. At the beginning of the meeting we will take a roll call for members, staff and professional service providers present.
2. Each person speaking shall announce identity at the beginning of comments.
3. Public comment will be permitted only when specifically requested of the public just before each vote is taken or at the end of the meeting before adjournment.
4. Please keep comments as short as possible as there is a time limit for the teleconference access.
5. Each item requiring a vote will proceed with a motion and a second, followed first by member comments/questions, only when prompted by the chair, and then second by public comments/questions but only when prompted by the chair.
6. Voting shall be done by roll call of each member for each vote.

The [Office of Open Records](#) has issued the following advisory regarding [Pennsylvania's Sunshine Act](#) and the coronavirus (COVID-19).

Last updated March 31 at 9:07 a.m.

Note: Check online at:

<https://openrecordspennsylvania.com/2020/03/11/the-sunshine-act-and-covid-19/>

This advisory relates to all meetings governed by the Sunshine Act; it is not limited to emergency meetings.

As a starting point, it's key for agencies to remember that transparency builds trust, especially in times of crisis.

The [Sunshine Act](#) is clear that public meetings should be held at public buildings with open public participation whenever possible. If an official emergency declaration prevents that from happening, a meeting via teleconference, webinar, or other electronic method that allows for two-way communication is generally permissible.

Any agency taking that step must provide a reasonably accessible method for the public to participate and comment pursuant to Section 710.1 of the Sunshine Act. That method should be clearly explained to the public in advance of and during the meeting.

Further, the Office of Open Records strongly recommends that any agency holding such a meeting record the meeting and proactively make the recording available (preferably online) so that a full and complete record of the meeting is available to the public.

[35 Pa.C.S. § 7501\(d\)](#) allows agencies under a “declaration of disaster emergency” (here's the [March 6 disaster emergency declaration](#) signed by Governor Wolf and [information about the declaration](#)) to suspend the need to comply with certain “formal requirements.” In context, any such suspensions must be related to the emergency in some way.

Some agencies are governed by laws which add requirements beyond those included in the Sunshine Act. For example, both the Borough Code and the Third Class City Code explicitly require that a majority of members be physically present for purposes of determining a quorum. In such cases, the provisions of [35 Pa.C.S. § 7501\(d\)](#) can come into play. The OOR encourages agencies to consult with their solicitors on such issues.

Agencies, solicitors, and members of the public with any questions are welcome to contact the OOR. Using [the OOR contact form](#) is the best way to reach us at this time, as we are all working remotely.

Guidance from the Pennsylvania District Attorneys Association

The Pennsylvania District Attorneys Association has also issued guidance related to the Sunshine Act, which [can be read here \(PDF\)](#).

On April 20, 2020 Governor Wolf signed Senate Bill 841 that allows remote municipal meetings during the COVID-19 Emergency.

See Title 35 Pa.C.S.A. §§5701 – 5741. The change in the law allows hearings, meetings, proceedings, or other business to be conducted through the use of authorized telecommunications device until the expiration or termination of the COVID-19 disaster emergency.

Link here: <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2020&sessInd=0&act=15>

In addition, section 7501(d) of Title 35 has been amended in the same bill to provide for temporary suspension of formal requirements in other emergencies declared either by the Governor or of the governing body of the political subdivision affected by the disaster emergency. A quorum of physically present members is not required if a quorum is otherwise established by participating members through authorized telecommunication device. This provision does not expire at the end of the COVID-19 disaster.