



MINUTES OF THE REGULAR BOARD MEETING October 26, 2022

PRESENT: John Cordisco, Patricia Poprik, Dennis Cowley and Bryan Allen

Benjamin W. Jones, CEO; Jason Hillaert, CFO; Scott Holbert, Esquire; Jeffrey P. Garton, Esquire; Russell Dunlevy, P.E.; Steven Hartman, P.E., Nathaniel Rafalski, CTO and Anne M. O'Toole, Exec Assistant

VIA ZOOM: George Hutt

VISITORS:

CALL TO ORDER:

BCWSA's Chairman, John Cordisco called the Regular Meeting of the BCWSA to order at 9:40 am

PLEDGE OF ALLEGIANCE:

Those present, pledged allegiance to the flag.

PUBLIC COMMENT:

Mr. Cordisco asked Mr. Garton if he would be available to participate in future Board Meetings at the Executive Sessions, if warranted, due to his vast knowledge on previous issues regarding litigation and other matters that arise. Mr. Garton stated he would make himself available, if needed.

MINUTES:

Ms. Poprik moved, Mr. Cowley seconded the motion that unanimously approved the Minutes of the BCWSA Board Meeting held on September 28, 2022. (Minutes are attached to the Minute Book)

REPORT OF THE CEO: *Benjamin W. Jones*

-Additional Sewer Service No Improvements Agreement; Doylestown Township-

Ms. Poprik moved, Mr. Allen seconded the motion that unanimously approved the Additional Sewer Service No Improvements Agreement associated with the Terrain at DelVal requiring 18 EDUs of capacity for the expansion of the existing farmers market at the Delaware Valley University into a mixed retail unit. The expansion will include a restaurant, nursery and banquet facility, in Doylestown Township. (agreement is attached to the Minute Book)



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-Water & Sewer Service Agreements; Middletown Township-

Ms. Poprik moved, Mr. Cowley seconded the motion that unanimously approved the Water and Sewer Service Agreements and the Water and Sewer Facilities Escrow Agreements for the proposed construction of a 391-unit apartment building (phase 1) at the Oxford Valley mall location, in Middletown Township. (agreements are attached to the Minute Book)

-Request to Purchase Vehicles -

Mr. Jones requested the Board approve the purchase of replacement vehicles through the Co-Star program. Mr. Cordisco asked what we do with the vehicles that are being replaced and no longer in service and purchased as is. Mr. Jones stated that they will be sold. Mr. Allen asked what the current cost is for utilizing rental vehicles. Mr. Jones stated approximately \$15,000.00 per month.

Ms. Poprik moved, Mr. Allen seconded the motion that unanimously approved the purchase of the various BCWSA vehicles to replace vehicles that have been taken out of service due to age and condition. (list of vehicles is attached to the Minute Book)

-Manhole Lining Proposal -

Ms. Poprik moved, Mr. Allen seconded the motion that unanimously approved the proposal from Advance Rehabilitation Technology (ART) associated with a project to line 15 manholes located within the BCWSA service area to eliminate I&I and preserve the structural integrity of the manholes for a price of \$39,045.00. (proposal is attached to the Minute Book)

ENGINEERS REPORT: *Gilmore & Associates*

Russell Dunlevy, P.E., reviewed the Engineers Report dated 10/26/22 to the Board of Directors.

***St Stephens Greene STP Rehabilitation
(Contract WVT-1GC)***

Ms. Poprik moved, Mr. Allen seconded the motion that unanimously approved Payment Application No. 1 for the St. Stephens Greene Sewage Treatment Plant Rehabilitation project in the amount of \$168,210.00 be paid to A.J. Jurich Inc., as recommended by the Engineer.

Consulting Engineer's Report

Steven Hartman, P.E., reviewed the Engineer's Report dated 10/19/22 to the Board of Directors.

NESHAMINY AND POQUESSING SEWER SYSTEM

Neshaminy Interceptor Lining (Contract S46A) CACP



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Mr. Hartman stated that the Conservation District performed a site inspection at Access Point 2 and 3 of this Neshaminy Interceptor Lining project in May 2022.

Even though the necessary Erosion and Sediment Control Plans were obtained for each individual access point for this project and the Bucks County Conservation District (BCCD) gave us permission to prepare and disturb up to three access points at the same time, BCCD believed an NPDES permit for disturbing more than one acre should have been obtained for Access Points 2 and 3 since they are adjacent sites and were joined together by the contractor's temporary stone access roads. Since the Contractor agreed to pay half of the assessed \$10,800 cost, it was the opinion of Authority Staff, Counsel and Engineer that attempting to argue this point would not prove worthwhile. Paying this assessment will allow the Contractor to proceed with removal of the stone access roads and restoration of the site so that this portion of the project can be closed out, which was already required in the Contract. After some discussion, the Board of Directors agreed to pay the half of the total amount of the \$10,800 penalty, as recommended by the Staff, Solicitor and Engineer.

Ms. Poprik moved, Mr. Cowley seconded the motion that unanimously approved the execution of the Consent Assessment of Civil Penalty between the DEP, BCWSA and Spiniello Companies associated with the Neshaminy Interceptor Lining Contract, as recommended by the Engineer.

SOLICITOR'S REPORT: *Scott Holbert, Esquire*

The Solicitor stated that the Board met in Executive Session for approximately forty minutes prior to the start of the Board Meeting to discuss matters of personnel, potential litigation and BCWSA property. No action was required by the Board of Directors.

-Sewer Service Agreements; Richland Township-

Ms. Poprik moved, Mr. Allen seconded the motion that unanimously approved the Sewer Service Agreement and the Sewer Facilities Escrow Agreement (PSA 06-21) associated with the development known as Reserve at Woodside Creek (Phase II) for the proposed construction of 74 new single-family homes. Phase II will require the purchase of 39 EDUs, (35 EDUS existing from phase 1) and the development is located in Richland Township. (agreements are attached to the Minute book)

-Lease Agreement; Middletown Township-

Ms. Poprik moved, Mr. Allen seconded the motion that unanimously approved the Ground Lease Agreement with Rise Up Towers of Bucks One, LLC associated with the installation of cellular and township equipment at the Oxford Valley (Sesame tank) location in Middletown Township. (lease agreement is attached to the Minute book)

-Temporary Ground Lease Agreement; Middletown Township-

Ms. Poprik moved, Mr. Allen seconded the motion that unanimously approved the temporary Ground Lease Agreement with Verizon for the purpose of moving equipment to a temporary pole during the demolition of the Sesame Tank, in Middletown Township. (lease agreement is attached to the Minute Book)



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Jeffrey P. Garton, Esquire

-Deed of Dedication; Solebury Township-

Ms. Poprik, moved, Mr. Allen seconded the motion that unanimously approved the Blanket Sanitary Sewer Easement Agreement with Solebury Partners L.P, associated with the dedication of the Logan Inn Shopping Center, in New Hope Borough. (Easement agreement is attached to the Minute Book)

CFO's Report: Jason Hillaert, CFO

-Bills for Payment-

Jason Hillaert, CFO presented a List of Bills and Requisitions that were prepared by in-house staff and he recommended Board approval.

Ms. Poprik moved, Mr. Cowley seconded the motion that unanimously approved the Bills for Payment dated October 26, 2022. (Bills are attached to the Minute Book)

Rate Resolution 2022-04

Ms. Poprik moved, Mr. Cowley seconded the motion unanimously adopting Rate Resolution No. 2022-04 for the purpose of updating rates for the water contractual CPI increases as well as to fund new sewer projects. (rate resolution 2022-04 is attached to the Minute Book)

OLD BUSINESS: Nothing to Report

NEW BUSINESS: Nothing to Report

ADJOURNMENT:

There being no further business to be presented to the Board, Ms. Poprik moved, Mr. Allen seconded the motion that unanimously adjourned the meeting.

1-19-2023
Date


SECRETARY

NEXT REGULAR BOARD MEETING: Wednesday, November 23, 2022 at 9:30 am



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