

The Potter Township Supervisors held a Public Meeting on Thursday, February 15th, 2018 at the Potter Township Municipal Building. Ms. Rebecca Matsco called the meeting to order at 3:41 pm and led the Salute to the Flag.

In attendance were:

Rebecca Matsco	Potter Township Supervisor Chair
Butch Shamp	Potter Township Supervisor
Al Cwynar	Potter Township Supervisor
Dan Sell	Potter Township Engineer - Widmer Engineering
Neva Stotler	Solicitor for Potter Township
Joe Askar	Center Township Sanitary Authority - Solicitor
Frank Vescio	Center Township Sanitary Authority - Vice Chair
Robert Martini	Center Township Sanitary Authority - Operations Supervisor
Bucky Nicastro	Center Township Sanitary Authority - Chairman
Ned Mitrovich	Center Township Sanitary Authority - Consulting Engineer
Lauren Patton	Potter Township Planning Commission - President
Lennie Miller	Potter Township Planning Commission
Mark Summerville	Potter Township Planning Commission
Pat Nardelli	Castlebrook Development
Dave Laffey	Castlebrook Development
John Kochanowski	Potter Township Resident
Steve Kochanowski	Potter Township Resident
Billy Winkle	Potter Township Resident

Ms. Matsco stated that Ms. Stotler was hired by the Township as outside counsel, as Mike Jones (the Township Solicitor) could not serve the Township due to a conflict of interest.

Ms. Matsco stated that everyone in attendance was here for one issue - sewer service in the Township near the mall.

Ms. Stotler stated that there was land development in Center Twp. and partially in Potter Twp., including a private lift station. She said that all the stakeholders involved (developers, CTSA, Potter Twp. & Center Twp.) were here to sort through it all.

Mr. Nardelli would like to have his planning module approved and signed. He thought he had a good developer's agreement with Center Township and is willing to let the lawyers and engineers work it out.

Mr. Askar stated that the lift station sits on property owned by The Bluffs at Glade Path. He stated that the developer's agreement is replete and the lift station will be privately owned and maintained. He is open to suggestions for assurances from the CTSA.

Ms. Matsco asked why the lift station would be private and not be owned by the CTSA. Mr. Askar stated that cost was an issue. He said the CTSA has 11 lift stations and one is privately owned by Shell.

Mr. Shamp stated that he does not see an operations bond in the developer's agreement. He wanted to know if CTSA has a bond performance and/or homeowners association agreement.

Ms. Stotler stated that a private lift station does not benefit Potter Township.

Mr. Askar stated that they do have an operation bond in place and with private ownership, the CTSA has the ability to monitor the lift station.

Mr. Shamp asked who would do any work on the lift station ten years down the road.

Mr. Vescio asked if they need an agreement between CTSA and Potter Township.

Ms. Stotler said that all agreements must be looked at by Potter Township.

Ms. Matsco stated that Potter does not have any evidence of any agreement and that the CTSA never told Potter Twp. that they wanted to extend into Potter.

Mr. Askar suggested an intergovernmental agreement with Potter Twp. Mr. Vescio said that an agreement would probably take care of it. Ms. Matsco stated - not probably, they need definitely.

A discussion was had regarding the sewer planning module component 4A. Ms. Matsco stated that the DEP said it was okay to not want a private lift station in the Township and Potter is not comfortable.

Ms. Stotler said that a bond is difficult to seize and timely and costly to do so. She asked what other security can be in place for long term - such as cash posted to maintain a lift station for 25-30 years. She is not recommending a performance bond as the only security for her client.

Mr. Askar stated that as there already was a private lift station in Potter Township on the Shell property, they want to be consistent. Mr. Shamp stated that the Board was unaware the Shell lift station was private. Ms. Matsco agreed and said that they may come back to that issue in the future.

Mr. Askar asked whether Potter wanted another developer's agreement or an addendum to the current agreement.

Ms. Stotler said that it will require an Ordinance.

Mr. Askar said they could specify in the addendum that if the developer defaults, CTSA would own the lift station. He also said they could indemnify Potter Township.

Mr. Vescio stated that the CTSA never saw the intergovernmental agreement between Potter and Center Townships - the Area of Joint Municipal Jurisdiction (AJMJ).

Mr. Martini stated that there is a 500-900 unit development on Pleasant Drive that is being discussed and that would also be a private lift station.

Mr. Vescio said that there is urgency for the DEP.

Ms. Matsco and Mr. Sell inquired about protected species in the area of the lift station and Mr. Mitrovich and Mr. Nardelli said that the lift station is not near any protected areas.

Ms. Matsco stated that the Township does not have a developer's agreement between Shell and the CTSA for the PGT private lift station in the Township. Mr. Mitrovich said that the PGT lift station just taps in to the force main and is maintained by Shell.

Ms. Matsco asked if going forward, is every lift station going to be private. Mr. Vescio said that they have to look at that. Mr. Askar said that Potter should never have to own a lift station.

A discussion was had about partners in the Route 18 corridor. Mr. Mitrovich said that any further extension will have to be talked about and Ms. Matsco said that the partners will not be on board with private lift stations. Mr. Mitrovich thinks that there would be no problem with Nova or BASF.

It was agreed that Ms. Stotler should initiate the addendum to the current developer's agreement between CTSA and The Bluffs at Glade Path.

Mr. Vescio asked if the Township could approve the sewer planning module pending the addendum and Ms. Stotler said we are not there yet. Mr. Askar said that the addendum should be in place before Board approval of the planning module.

Mr. Mitrovich asked if the Township was trying to tell the CTSA how to do business and Ms. Stotler said that had all this information come before Potter Township earlier, we would not be here at this meeting.

The CTSA said that they may have to upgrade for future development. They said the Moon Run interceptor must be upgraded.

Ms. Stotler said she will begin the addendum to the developer's agreement and Mr. Askar said he will add language to cover both the PGT and Glade Path lift stations.

Ms. Matsco said that the Planning Commission will finish the component 4A tonight. Mr. Sell said they already have a draft that includes the lack of comfort with a private lift station. The Planning Commission will provide comments to the Board for approval or not.

Ms. Matsco and Ms. Stotler stated that there should not be any more done regarding this sewer project until the addendum to the agreement is in place. Mr. Nardelli said it will not happen at this time.

Mr. Shamp stated he would like to see development between Potter and Center Townships and needs a developer's agreement between Potter and Mr. Nardelli. Mr. Nardelli said that these things have been done in the past with a handshake, but he agreed prepare a developers agreement.

Mr. Shamp said that Potter's agreement should mirror Center Township's for ease.

Mr. Mitrovich wants to see the component 4 before the Potter Board sees it.

Mr. Shamp asked about water extensions. Mr. Mitrovich stated that they have an agreement to Raccoon and anything further will need another agreement.

Ms. Matsco asked if there were any hydrants on the drawings for The Bluffs at Glade Path. Dan said he could not see them clearly on the documents/maps he had in his possession.

Ms. Matsco asked for any public comments and there were none.

Mr. Cwynar thanked everyone for their work at this meeting.

**MOTION: Earl Shamp**

**SECOND: Al Cwynar**

**MOTION CARRIED**

**THERE BEING NO FURTHER BUSINESS THE MEETING ADJOURNED AT 5:00 PM.**

Respectfully Submitted,

Linda McCoy, Secretary