

The stated meeting of the Public Works Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, February 5, 2020 at the Township Administration Building, Abington, PA, with Commissioner Rothman presiding.

**CALL TO ORDER:** 7:10 p.m.

**ROLL CALL:** Present: Commissioners ROTHMAN, CARSWELL, ZAPPONE, DiPLACIDO, BOLE

Township Manager MANFREDI  
Assistant Township Manager WEHMEYER  
Township Solicitor CLARKE  
Director of Engineering MONTGOMERY

Also Present: Commissioners SPIEGELMAN, HECKER, SCHREIBER, BRODSKY, THOMPSON, BOWMAN, MYERS, LUKER, WINEGRAD, VAHEY

**APPROVAL OF MINUTES:**

Commissioner Rothman made a MOTION, seconded by Commissioner Bole to approve the minutes of the Public Works Committee Meeting of December 4, 2019.

MOTION was ADOPTED 5-0.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

Item PW-01-021320 – Presentation on Cheltenham Township’s Sanitary Sewer Collection System Act 537 Special Study Supplement by Susanne Lockhart and consideration of Resolution No. 20-006, Township of Abington Act 537 Plan Revision:

Mr. Fred Gerloff, P.E. of Aqua PA, said we are here to provide a presentation on special study for Act 537 Plan as Aqua purchased Cheltenham Township’s sewer system, and as part of that, PADEP requires that the Act 537 Plan be amended by way of special study in order to memorialize the sale, transfer of assets from Cheltenham to Aqua. Abington, Jenkintown and Cheltenham are part of the same planning document, and in order to get this approved and submitted to PADEP, we must have municipal adoption from all entities named in the plan.

Ms. Susanne Lockhart said the purpose of Act 537 Special Study is to memorialize the process by which to sell a public system to a private entity and current document assures that the purpose and management of the facility adequately meets existing and future disposal needs of the residents of the areas who are served by the system being sold. 30-day comment period was held by Abington and content and process of special study was presented. Resolutions from Abington and Jenkintown are still needed to be submitted to PADEP who will review and provide comments and those comments will be addressed and then the document is finalized. Even though Aqua purchased the system from Cheltenham in December, permits associated with the sanitary sewer system do not transfer over until the Act 537 special study process is completed and approved by PADEP. Next steps are to obtain comment letters and resolutions from Abington Township's Board of Commissioners and Planning Commission and combine those documents into draft submission to PADEP.

Mr. George Wrigley, Director of W.W.T.P., said in regards to the 30-day comment period; there was a comment that he provided, which was a correction to the map - Figure 2-2 – "Sewer Service Area (Source Act 537, 2014), a portion of the sewer service area associated with the Cardinal Pump Station located on Township Line Road between Meetinghouse Road and Cardinal Road is not included in Cheltenham Township's Sewer Service Area."

Ms. Lockhart replied that she was not aware of that comment; however, it will be addressed as quickly as possible.

Commissioner Rothman clarified with Mr. Wrigley that there is no other concern in regards to this matter.

Mr. Wrigley replied that all stated facts in the document were accurate. Most of it was about the sale and assets relating to Cheltenham Township. Abington was mentioned because we have several points of connection from Abington Township that flow into Cheltenham, which were stated correctly.

Ms. Lockhart noted that from a permitting perspective, we need to make sure that when permits transfer that we transfer the appropriate assets and that the permitting is correct.

Manager Manfredi noted that Abington Township has its own Act 537 Plan and any time an amendment is made that is a plan revision and by adopting the resolution will be an amendment to Abington's Act 537 Plan as part of our plan. He asked Mr. Wrigley if he has any concerns about amending Abington's Act 537 Plan to include those portions in our plan.

Mr. Wrigley replied no, everything is fine other than the mapping system.

Commissioner Rothman asked for any comments from Commissioners.

Commissioner Vahey asked will this affect how many EDU's Abington will be able to discharge into Cheltenham Township.

Ms. Lockhart replied this will not change EDU permits in any fashion.

Commissioner Thompson said we have been dealing with PFAS in the drinking water in this Township for awhile and Aqua has committed to replacing the pumping station at North Hills well. He received a status update on that project, but when he asked about other sources of water within the Township, he was declined an answer from a rep of Aqua. We need clean water for our residents and we are not getting a commitment from Aqua, so why should we do this for them because what is Aqua doing for us.

Ms. Lockhart replied she will relay that message back to the rep of Aqua because she cannot speak to that issue.

Commissioner Thompson encouraged the Board not to take any action on this until we get some commitment from Aqua or at least a response on the status of the water issues in this Township.

Commissioner Rothman agreed that it is a critical dynamic in taking care of our residents, so what recourse does the Township have if we do not pass this resolution tonight.

Manager Manfredi replied he is not sure if we have a legal standing or not, but there may be ramifications if we refuse to take action on the Act 537 Plan without any basis of facts or law.

Solicitor Clarke said he will provide legal advice to the Board before the vote next Thursday.

Commissioner Brodsky agreed with Commissioner Thompson. What has Aqua done for the east side of the Township, Wards 1-4 in terms of the PFAS issue; maybe we should have that conversation first.

Commissioner Bowman asked has Aqua acquired other sewer systems in the area.

Ms. Lockhart replied yes, Tredyffrin Township.

Commissioner Bowman clarified that it is part of a trend nationwide for large companies to acquire local sewage facilities. Is that correct?

Ms. Lockhart replied when it serves to be advantageous for both parties and that is a decision the municipality makes.

Commissioner Bowman clarified that local towns want to get out of that business as it can be very costly. Is that correct?

Ms. Lockhart replied yes, it can be from an environmental standpoint.

Commissioner Bowman said he does not feel we should hold up Cheltenham on this matter. They want to sell their sewer system and they need our resolution to do so and we should give it to them.

Commissioner Rothman clarified that was just a presentation and no action is needed. Is that correct?

Manager Manfredi replied the agenda item was for a presentation as well as approval of the resolution. The committee could take no action and push it forward to next month's committee meeting; vote to reject or approve the resolution and then move it to next week's meeting; vote to move it forward to the full Board meeting with no recommendation in waiting a response from Aqua about our concerns as well as obtain a legal opinion.

Commissioner Rothman said we have Township residents who have been drinking bottled water and we need to get this resolved with Aqua and he echoes concerns expressed about the PFAS issue wholeheartedly. He recommended not taking a vote to give time to speak with counsel and then address it appropriately.

Commissioner Rothman made a MOTION, seconded by Commissioner DiPlacido to pass Item PW-01-021320 onto the full Board with no recommendation.

Commissioner Rothman asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, asked about EDU's for Fox Chase and Cedar Roads.

Manager Manfredi replied that will be answered at a future time.

Cakky Evans, 1132 Lindsay Lane, said she likes the way Commissioners Brodsky and Thompson think.

MOTION was ADOPTED 5-0.

Commissioner Myers commented that whether or not this is voted on at the full Board meeting next week, we should let Cheltenham Township officials know what we are doing.

**PUBLIC COMMENT - general matters relating to Public Works:**

Lora Lehmann, 1431 Bryant Lane, expressed concern about reducing the number of department heads and not replacing them.

**ADJOURNMENT:** 7:45 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary