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CITY COUNCIL

Public Works Committee

Monday, September 19, 2011 Meeting Report

Committee Members Attending: D. Sterner, S. Marmarou, M. Goodman-Hinnershitz Chair

Others Attending: V. Spencer, C. Geffken, S. Katzenmoyer, L. Kelleher, M. Schorn, D. Reed, F. Denbowski, D. Hoag, R. Johnson

Ms. Goodman-Hinnershitz, Chair, called the Public Works Committee meeting to order at 5:07 pm.

Update Egelman's Park Dam

Ms. Hoag stated that there was no impact on the dam from the storms. She stated that Gannett Fleming has begun work on subsurface damage at the edge of Hill Road. She stated that the stone wall holds the tow of the dam and also serves as a retaining wall to the park. The wall has begun crumbling at the road level. Traffic has been diverted to the other lane.

Ms. Goodman-Hinnershitz stated that traffic on Hill Road has increased and questioned if this would further impact the wall. Ms. Hoag stated that Gannett Fleming has begun improvements. She stated that storm water now flows over the road and the laying of winter salt may have contributed to the crumbling of the wall. She stated that stormwater drainage will be added. The upper dam is full of debris which must be removed. She noted the beautiful stonework at this area and noted that it will need to be re-pointed. DEP is also reviewing the area.

Mr. Marmarou questioned the funding available for this project. Mr. Geffken stated that the position of the State is to remove dams so there is funding available for removal but not for maintenance.

Mr. Marmarou questioned if the Izaak Walton League was contacted to assist. Mr. Geffken stated that they have not been approached.

Ms. Hoag stated that this dam serves a purpose as a fish hatchery.

Ms. Reed questioned if the hatchery was important to the State. Ms. Hoag replied affirmatively.

Ms. Goodman-Hinnershitz questioned if a breach of the dam would cause damage downstream. Ms. Hoag stated that this is not a large body of water but that it would be prudent for the City to devise an emergency plan. She stated that the recent flooding at Pendorf Park was caused by debris clogging the drain.

Ms. Goodman-Hinnershitz stated that there are springs under Perkiomen Ave and many which come down from Mount Penn are in this area.

Ms. Hoag stated that the situation is being closely monitored.

Update Egelman's Park

Mr. Spencer stated that meetings have been held with Lower Alsace Township about the park. Mr. Geffken stated that he has been in contact with the Township regarding a lease agreement.

Ms. Goodman-Hinnershitz questioned if the lease would be for the park area and the ball field. Mr. Geffken stated that it would be for the park area only. He stated that there is no park land controlled by Lower Alsace.

Ms. Goodman-Hinnershitz suggested that the City move ahead on this issue cautiously. She noted the poor condition of the pavilions.

Mr. Denbowski stated that Lower Alsace Township is willing to assist the City with the processing of its yard waste as part of the lease agreement.

Ms. Goodman-Hinnershitz questioned a timeline. Mr. Geffken stated that it is still in the discussion stage.

Ms. Goodman-Hinnershitz noted the need to move slowly as this is a big decision. She noted her concern about the degradation of all City parks and playgrounds.

Ms. Reed expressed her appreciation to Lower Alsace and reminded all that they assisted the City with the Antietam situation. She stated that the City can no longer maintain all its parks.

Ms. Goodman-Hinnershitz noted the need for discussion regarding Mineral Spring Park.

Ms. Reed requested a discussion of the riverfront.

Ordinance Regulating Utilities in City Streets

Ms. Hoag stated that several items will be combined into one ordinance – street assessment, utility cuts and utilities in streets. She stated that bids will be advertised soon.

Ms. Goodman-Hinnershitz noted the problems with utilities in City streets and how utility companies perform their work.

Mr. Marmarou noted the terrible condition of Cotton St and the length of time it is taking to have it repaired. Ms. Goodman-Hinnershitz stated that repaving is occurring to replace the steel plates but that the macadam work is now blocking the storm water drains into the street. She stated that this will become problematic for residents.

Mr. Geffken stated that the entire street will be repaved. Ms. Goodman-Hinnershitz noted the need for milling to occur before repaving.

Mr. Marmarou stated that many utilities also run under City sidewalks. Mr. Hoag stated that there are many instances when sidewalks are repaired or replaced which block the Water Authorities access to turn water service on and off.

Mr. Spencer questioned if permits are obtained and work monitored. Ms. Hoag stated that permits are obtained through engineering but that the decrease in staff has made it difficult to monitor. She stated that this will be a responsibility of the newly created systems utilities engineer.

Mr. Marmarou noted that much work is performed without permits.

Ms. Goodman-Hinnershitz noted her observation that the longer this project continues on Cotton Street the less maintenance residents are performing on their homes. She noted her hope that when the street is repaved that there will be better maintenance. She also noted that the new gas meters are not attractive.

Storm Clean-Up

Ms. Hoag stated that initially the clean up consisted of removing branches and debris. She stated that she is now chasing sinkholes created by the large amount of rainfall. She stated that many issues are relative to the City's old underground steam system and it is unknown who is responsible to correct the problems.

Ms. Goodman-Hinnershitz questioned the procedure to report debris that has not been cleaned up. Ms. Hoag stated that residents should call the Customer Service Center to report the debris.

Ms. Reed questioned if residents could harvest fallen trees. Mr. Geffken stated that residents can harvest fallen trees.

Mr. Spencer stated that the Water Authority harvests trees on their properties. He stated that they have the equipment necessary and suggested that Public Works contact them regarding borrowing this equipment. Mr. Geffken stated that he has not spoken with the Water Authority.

Mr. Spencer stated that much money can be involved in harvesting.

Stormwater Utility

Ms. Hoag stated that work has continued on this issue. She stated that during her 2012 budget preparation she prepared two estimates and forwarded them to Hazen Sawyer. She stated that the utility fee must cover both operations and capital needs.

Mr. Spencer questioned if stormwater was addressed in the consent decree. Ms. Hoag stated that the mapping of the system is addressed but that the collection system included in the consent decree is for sanitary sewer collection.

Mr. Spencer stated that the collection systems are very closely related. He questioned which should be addressed first. Ms. Hoag stated that the stormwater regulations are an unfunded Federal mandate.

Mr. Spencer questioned how many municipalities charge a stormwater utility fee in Pennsylvania. Ms. Hoag stated that Philadelphia charged a fee based on meter size in the past but has recently changed to charging a fee based on the amount of impervious surface on a property. She stated that many municipalities in other states charge this fee.

Mr. Spencer noted his concern that Act 47 has caused large increases in taxes and that many residents will view this as another tax. Ms. Hoag stated that the Federal program is being administered by the State and that they disagree on many issues. She stated that it could be some time before this fee is levied.

Ms. Goodman-Hinnershitz suggested that public education begin and suggested the Environmental Advisory Council assist in this area.

Mr. Marmarou also noted his concern with an additional fee. He stated that the public was very upset when this fee was discussed in the past. Ms. Hoag noted the need to determine the fee before education should begin.

Mr. Marmarou noted the need for examples so that residents have a better idea of their approximate cost. Mr. Geffken stated that Ms. Hoag serves on many committees and is very well aware of all the issues with stormwater.

Ms. Goodman-Hinnershitz questioned a timeline for the implementation of this fee. Ms. Hoag stated that the fee must be determined before moving forward.

Ms. Goodman-Hinnershitz questioned if the EAC has discussed this issue. Ms. Katzenmoyer stated that it has been discussed in the past and that it is in their pending issues. Ms. Hoag provides updates as needed.

Update Bernhart Park

Ms. Hoag stated that work was progressing well until the storms hit. She stated that the firm is now waiting for the area to dry. She stated that there is one area which is always soggy and that Exide has agreed to plant willow trees to help alleviate the problem.

Ms. Goodman-Hinnershitz stated that the Bernhart Creek overflowed during the storms and caused problems on Kutztown Road. Ms. Hoag stated that the spillway has sustained damage due to the storms and this information will be submitted to FEMA. She stated that the overflow of the creek was caused by a clogged drain problem similar to that at Pendora.

Ms. Goodman-Hinnershitz stated that many efforts are focused on the riverfront area but that there are also other areas of concern.

Closure of Walnut Street

Ms. Hoag reported that Walnut St has been closed between N Front and N 2nd to repair a sinkhole. She stated that this is the site of a water main break in January of 2011.

Mr. Waltman arrived at this time.

Ms. Hoag reported that it will take approximately two months to make the repairs due to the utilities that run under Walnut St. She stated that the City, all utilities and PennDOT are all communicating effectively. She stated that the hole is now 10' X 10' wide X 8' deep. Due to its size there will be no traffic allowed in the area.

Ms. Goodman-Hinnershitz stated that this speaks to the problems with utilities and the City's infrastructure. She stated that when there are problems and people are inconvenienced it makes you realize how services are delivered.

Ms. Hoag stated that area residents will be educated about the problem and the timeframe. Correspondence will be bilingual.

Update Sewer Main Break

Mr. Johnson reported that the breaks occurred in the same section of the 42" force main. He stated that the earthquake and recent storms which caused increased flows have caused multiple failures. He stated that three leaks were repaired during two storms and that two additional leaks were discovered today.

Mr. Geffken stated that Mr. Johnson believes that this section of pipe was not correctly repaired when it was relocated during the PennDOT project for the construction of the 422 bypass.

Mr. Waltman questioned how long this section of pipe is. Mr. Johnson stated that it is 600'.

Mr. Waltman questioned if the rest of the pipes are sound. Mr. Johnson stated that he has been

accessing their condition but that he believes the problems are in this section only. He stated that the pipe is worn on the inside and the outside and that it has served its lifespan.

Mr. Geffken reminded Council that there is no redundant system.

Mr. Waltman questioned the cost to replace this 600' section. Mr. Johnson stated that he is still in emergency mode but will inform Council about the costs of repairs.

Mr. Waltman noted the need to review procedures to decrease fines. Ms. Goodman-Hinnershitz noted the need to document the City's work.

Mr. Spencer stated that there is no way to predict the domino effect these breaks may have on the rest of the system. Mr. Johnson stated that work proceeds carefully to reduce the risk of other damage. He stated that most problems are occurring near joints.

Mr. Geffken stated that the force main project became a priority after the 2008 break.

Mr. Spencer questioned if PennDOT should cover these costs as they caused the damage. He stated that the Water Authority is running into a similar situation on Route 61. Mr. Geffken stated that he will be looking into this possibility but that there may be a time limit on claims.

Mr. Johnson stated that after work is complete the workers are debriefed in order to improve their response. He stated that he attended the 60% design meeting on the new facility today. He stated that while making emergency repairs he is not losing sight of the larger project needs.

Ms. Goodman-Hinnershitz questioned how municipalities downstream are notified. Mr. Johnson stated that there are mandatory reporting procedures.

Mr. Spencer questioned the opinion of DEP. Mr. Johnson stated that they are pleased with the City's response but are concerned that the situation is becoming chronic.

Mr. Waltman questioned if the City was communicating this information to the federal courts. Mr. Geffken stated that they have been in complete communication.

Mr. Spatz, Reading Eagle reporter, questioned if the City has received a bill from Pottstown for the increased costs caused by the sewer breaks. Mr. Geffken stated that he has not but that the bill will be paid if the charges are appropriate.

Ms. Goodman-Hinnershitz expressed her thanks for the hard work to correct this situation. Mr. Geffken stated that Mr. Johnson has gone above and beyond in these situations. Mr. Johnson stated that the entire team has gone above and beyond and that he is very proud of their handling of the situations. He stated that the contractors have also performed well and it has been a great team effort.

Acquisition of Hillside Pool

Mr. Geffken stated that the City will make this a part of a future capital budget.

Ms. Goodman-Hinnershitz stated that the pool has been deconstructed and that the acquisition would be for the land and the shell of the pool only.

Mr. Waltman noted his hope that the Recreation Commission could fund this venture.

Update Recreation Commission

Mr. Denbowski stated that the final report contained 39 tasks that must be completed for the Commission to begin.

Mr. Schorn stated that Mr. Spencer's "In Your District" show was very informative. He stated that the City employee who was the guest was very well spoken and described the different quality of life violations that could be issued.

Mr. Schorn stated that the Commission concept is not a cure all for recreation. He stated that the start of this Commission dissolves 120 years of recreation history for the City. He stated that there will no longer be recreation employees and that employees will be hired and all equipment will need to be purchased by the Commission. He noted the need for the Commission to separate the sustainable programs from the subsidized programs. He stated that the Commission will need partners to continue programming. He stated that the current recreation employees have 33 years combined experience in recreation with the City. He noted the need to encourage these employees to apply to become Commission employees.

Mr. Schorn stated that he has been working with the School District and encouraged Council to keep politics out of the citizen appointment process.

Mr. Scorn stated that he is waiting to hear back from DCNR regarding the receipt of the circuit rider grant to cover the salary of the executive director. He stated that he did contact the City's State representatives and feels very optimistic that the grant will be approved.

Mr. Schorn stated that the work group has been meeting for 21 months to bring the Commission to fruition. He stated that citizen interviews have begun and all those who have expressed interest should be brought forward.

Mr. Schorn announced that the first meeting of the Commission will be held on Tuesday, October 4 at 7 pm in the School District Board room. He noted the need for the meetings to be open and transparent and that many issues will be discussed as there is much work to do.

Mr. Schorn clarified that the City will continue to perform maintenance on City facilities. He added that the Hillside pool is a good idea but that basics need to be addressed first.

Ms. Goodman-Hinnershitz requested a report on the bullet points contained in the final report and on the progress of each.

Mr. Spencer stated that the work group was facilitated by Sue Landes, the Executive Director of the Lancaster Recreation Commission. He questioned how she recommended the Commission move forward and the challenges she faced during her tenure. Mr. Schorn stated that she recommends that the executive director be involved in many decisions. He stated that advertisements for the position cannot be run until the City learns if it received the grant funding. He noted that additional Commission members also need to be named.

Mr. Waltman questioned the payments to the Commission. Mr. Schorn stated that they are to be paid quarterly.

Mr. Waltman noted that benefits will need to be offered to Commission employees and requested that the City and/or School District leverage their carriers to decrease the cost of medical benefits and charge the costs back to the Commission until it is on more solid footing.

Mr. Denbowski expressed his thanks to Mr. Schorn for his hard work. He stated that the personnel being discussed are not management and negotiations have been limited. He stated that the City allocated enough to the Commission to cover comparable benefits for the two current employees to continue as Commission employees. He noted the need for a Memorandum of Understanding between the City and the Commission for maintenance issues. He stated that Council will review and authorize this MOU.

Mr. Schorn noted the need for legal work and his hope that the solicitors for the City and School District would assist as in-kind services. He noted the many areas to cover.

Mr. Waltman stated that the success of the Commission impacts both the City and the School District.

Mr. Marmarou questioned the pay scale of the two current employees. Mr. Denbowski noted the need for the Commission to set the pay scale. He reiterated that enough has been budgeted to allow for a comparable salary and benefits.

Mr. Marmarou questioned if the employees would continue in the City's pension plan. Mr. Denbowski stated that they would not.

Mr. Marmarou questioned if the employees were vested in the pension plan. Mr. Denbowski stated that they were.

Mr. Marmarou questioned when the employees would be eligible to receive pension payments. Mr. Denbowski stated that it would be many years.

Mr. Spencer questioned why the transfer of these employees was not possible as was done with the Water Authority. Mr. Geffken stated that there are State regulations covering the Water Authority that does not cover the Commission.

Ms. Goodman-Hinnershitz stated that this and other keys to the Commission's success were discussed by the work group.

Mr. Geffken stated that the City solicitor's office would provide in-kind services for the formation of the 501 (C) 3 as there is experience from forming the Pagoda Foundation. He suggested that the Commission find an attorney to perform pro bono work on the MOU as it would be questionable for the same attorney to represent both sides in this instance.

Ms. Goodman-Hinnershitz noted that the Commission must hit the ground running.

Mr. Spencer stated that a big issue is appointments being made before the October 4 meeting. He stated that no citizens have been named. Mr. Schorn stated that a quorum has been reached as all professionals have been named but noted the need to appoint citizens.

Mr. Waltman noted the need to address the employees quickly. He noted that it would be a disservice to the Commission to lose that experience.

Mr. Marmarou questioned if employees could be hired without an executive director. Mr. Denbowski stated that it's possible but that it depends on the position of the Commission.

Ms. Goodman-Hinnershitz stated that naming an executive director by the end of December will be challenging. She noted the need to get started as soon as possible.

Mr. Spencer stated that the executive director should also have a say on the employees hired. Mr. Schorn agreed and stated that the current employees are looking forward to a new beginning.

Ms. Goodman-Hinnershitz thanked Mr. Schorn for his valuable input and hard work.

The meeting adjourned at 6:47 pm.

Respectfully submitted by
Linda A. Kelleher, CMC City Clerk