

## MINUTES

### MUNICIPAL FINANCIAL RECOVERY ADVISORY COMMITTEE FOR THE CITY OF CHESTER

October 13, 2020

1:00 p.m.

Chester City Hall  
Council Chambers  
1 Fourth Street, 2<sup>nd</sup> Floor  
Chester, PA 19013

**Present:** Michael T. Doweary, Receiver

Mayor Thaddeus Kirkland  
William Jacobs, City Councilman  
Kelly Diaz, County of Delaware, Office of the Controller, Sr. Accountant

Vijay Kapoor, Chief of Staff to the Receiver  
Anne Weaver Morrow, Recording Secretary (via conference call)

**Absent:** Kim Bracey, DCED, Executive Director for the Governor's Center for  
Local Government Services

The Municipal Financial Recovery Advisory Committee meeting began at 1:02 p.m.  
The meeting was streamed on the Chester City's Facebook page at  
<https://www.facebook.com/cityofchester/>.

### Opening Statement

Receiver Doweary noted the Advisory Committee is acting under the Municipal Financial Recovery Act, Act of 1987, P.L. 246, No. 47; also known as Act 47. The responsibilities are outlined under Chapter 7, Receivership in Municipalities, Section 711, Municipal Financial Recovery Advisory Committee, which states:

Section 711. Municipal financial recovery advisory committee.

(a) Establishment.--A municipal financial recovery advisory committee is established to meet and consult with the receiver in carrying out the duties under this chapter. The sole function of the advisory committee shall be to provide recommendations and feedback to the receiver on the implementation of the recovery plan. ((a) amended Oct. 31, 2014, P.L.2983, No.199)

(b) Composition.--The advisory committee established under subsection (a) shall be comprised of the following:

(1) The chief executive officer, if any, of the distressed municipality or a designee.

(2) The president of the governing body of the distressed municipality or a designee.

(3) One member appointed by the county commissioners of the county where the distressed municipality is located.

(4) One member appointed by the Governor.

((b) amended Oct. 31, 2014, P.L.2983, No.199)

(c) Compensation.--Members of the advisory committee shall receive no compensation for their services.

(d) Meetings.--The advisory committee shall meet with the receiver at least twice per month to discuss the recovery plan. Meetings of the advisory committee shall be in accordance with 65 Pa.C.S. Ch. 7 (relating to open meetings).

(e) Duty to consult.--The receiver shall consult with the advisory committee prior to exercising any of the powers under section 706(a)(1), (2), (3), (5), (6), (7) and (9).

(f) Termination.--The advisory committee shall terminate in conjunction with the expiration of the receivership as provided for under section 710.

(711 added Oct. 20, 2011, P.L.318, No.79)

The Receiver asked if there were any changes or addendums to the September 29, 2020 Municipal Financial Recovery Advisory Committee meeting minutes.

Hearing none, the Receiver asked for a motion to accept the minutes of September 29<sup>th</sup>.

It was moved by Mayor Kirkland and seconded by Councilman Jacobs that:

**“The September 29, 2020 minutes of the Municipal Financial Recovery Advisory Committee be accepted as written.”**

**MOTION CARRIED UNANIMOUSLY**

## **Reports**

Vijay Kapoor, the Receiver’s Chief of Staff, provided an update on the Receiver’s Recovery Plan.

The Receiver and his team are waiting approval of the Recovery Plan by Judge Crompton who has up to sixty-days (60) from the date the plan was filed, which was on August 20, 2020, to either confirm or deny the plan. The court has up until October 19<sup>th</sup> to decide.

Over the past weeks, the main focus of the Receiver’s team has been on the 2020 finances and preparing for the FY2021 budget. The financial advisor consultant, PFM Group Consulting, is in touch with the City’s Finance department to better understand the City’s finances, revenue projections as well as the expenditure

projections. A more substance update will be provided at the October 27<sup>th</sup> advisory committee meeting.

The Receiver submitted a CARES Act fund request on behalf of the City to Delaware County in the amount of \$9.1 million. These funds would provide relief to some of the police expenditures, fire expenditures, and unemployment cost.

Mayor Kirkland thanked the Receiver and Vijay for reaching out to Delaware County to request these needed funds for the City.

### **Receiver Update**

The website for the Chester Receiver went live on Friday, October 9<sup>th</sup>. The Receiver's website is located at [www.ChesterReceivership.com](http://www.ChesterReceivership.com). The site will be used for posting comments, sharing documents, and utilizing the website to interact with the community on survey's and polls.

The Receiver expressed his gratitude to the many stakeholders, including the City, for the hospitality he and his team have received as everyone continues to work through some very difficult and challenging issues.

A virtual townhall meeting is being planned for early November. Details will be announced once finalized.

Mayor Kirkland expressed his appreciation to the Receiver for his presence and having a receivership in the City of Chester; knowing from the beginning that there needs to be a partnership to work through the challenges and difficult decisions that will need to be made. And knowing that as everyone works together, we can overcome these challenges to put Chester City on better financial ground.

### **Public Comments**

The Receiver noted up until noon today, twelve (12) public comments were submitted. The comments pertained to the monetization of the Chester Water Authority.

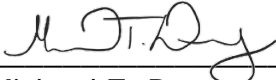
Councilman Jacobs noted the receipt of the twelve public comments that were received for today's meeting is in addition to the 157 public comments from the September 29<sup>th</sup> advisory committee meeting.

In total, 169 public comments have been received in opposition of the sale of the Chester Water Authority. The Receiver reiterated the potential monetization of the Chester Water Authority is in the court system. The matter that is before the court is about the control of the water authority and who the water authority really belongs to. This issue has been tied up in the court for a couple year's now and will most likely be tied up for some time to come.

There being no further business to discuss, the Receiver adjourned the meeting at 1:17 p.m.

The next Municipal Financial Recovery Advisory Committee meeting is scheduled for Tuesday, October 27, 2020 at 1:00 p.m. at Chester City Hall, City Council Chambers, 1 Fourth Street, 2<sup>nd</sup> Floor, Chester, PA 19013.

Approved this 27<sup>th</sup> day of October 2020.



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Michael T. Dowery  
Receiver for the City of Chester



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Secretary - Anne Weaver Morrow