

**PETERS TOWNSHIP
SANITARY AUTHORITY**

111 BELL DRIVE
McMURRAY, PA 15317-3415
PHONE: 724-941-6709
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James J. Miskis, Manager
Mark A. Chucuddy, Asst. Manager
Gary A. Parks, Special Projects Manager
Patricia L. Mowry, Financial Controller
Diane L. Gregor, Admin. Assistant

AGENDA

REGULAR MEETING

April 9, 2013

ROLL CALL:

REVIEW OF MINUTES FOR APPROVAL: Minutes of March 12, 2013

VISITORS:

SOLICITOR'S REPORT:

ENGINEER'S REPORT:

MANAGER'S REPORT:

ASSISTANT MANAGER'S REPORT:

SPECIAL PROJECTS MANAGER REPORT:

CORRESPONDENCE FOR THE BOARD'S INFORMATION:

FINANCIAL CONTROLLER'S REPORT:

FINANCIAL STATEMENT REVIEW: Month ending March 31, 2013

PAYMENT OF BILLS & REQUISITIONS:

OTHER BUSINESS:

1. Termination of MOU with USC
2. Temporary Construction Agreement MTC Contractor
3. Execution of Contract PTSA-1-2013 with State Pipe Services
4. Enter into Developer's Agreement with Peters Twp Land Co. LLC for Anthony Farms Phase II
5. Executive Session for potential litigation

ADJOURNMENT:

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REGULAR MONTHLY MEETING

April 9, 2013

ROLL CALL:

The regularly scheduled monthly meeting of the Peters Township Sanitary Authority was called to order at 7:00 p.m. by the Vice Chairman. Board members present were Eric S. Grimm, Terrence G. Byrne and Rebecca Kaminsky. Also present were Keith Bassi, Solicitor, Jason E. Stanton, Lennon Smith Souleret Engineering, Inc. (LSSE), James J. Miskis, Manager, Mark A. Chucuddy, Assistant Manager, and Patricia L. Mowry, Financial Controller. Absent from the meeting were David G. Blazek, Michael P. Crall, Board member.

APPROVAL OF MINUTES:

A Motion was made by Mrs. Kaminsky and seconded by Mr. Grimm to approve the minutes of March 12th as prepared by Patricia Mowry. The Motion carried unanimously.

SOLICITOR'S REPORT: Copy on file.

Mr. Bassi reported he has reviewed and has discussed the range of alternatives available with Management regarding the installation deficiencies discovered during the inspections performed on the affected properties of the Valley View Sewer Extension project.

Mr. Miskis reported the inspection findings of the service connection of each of the following properties. The specification stated there was to be a minimum of 6 inches of crushed stone under the pipe and 12 inches on top of the pipe.

- 124 Valley View Drive had 2-3 inches stone under the pipe and 5 inches on top;
- 105 Valley View Drive had no stone under the pipe and 6 inches on top;
- 116 Valley View Drive had 5-6 inches under the pipe and 3 inches on top;
- 104 Valley View Drive had 1-1 1/2 inches under and 3-5 inches on top; the Authority staff excavated this connection fifteen feet and checked three different locations which confirmed what was at the end of the pipe was extended throughout the pipe trench.
- 101 Clara Lane had no stone under the pipe and 12 inches on top

Mr. Miskis indicated all five installations were substantially non-complaint with the specifications and four of the installations are considered defective because of the lack of stone under the pipe. Mark Harpster, the representative from Glenn Johnston Inc. contacted Mr. Miskis and apologized for the installations. He indicated Glenn Johnston Inc. would do anything reasonable in regards to the deficiencies that the Authority would request of them. Mr. Bassi recommended executive session to discuss alternatives.

A Motion was made by Mrs. Kaminsky and seconded by Mr. Grimm to enter into Executive session at 7:07p.m. to discuss potential litigation. The Motion carried unanimously.

Executive Session ended at 7:29 p.m.

Mr. Bassi reported research was conducted on the Act 73 of 2012 a/k/a SB 375 of 2012 regarding the requirement for inter municipal billing for services rendered or in kind services. The Act went into effect in August 2012. The Act amends the section of the Authorities Act by creating a prohibition for any expenditure of the Authority other than those related to the mission or purpose of the Authority as set forth in the Articles of Incorporation. The prohibition extends to in-kind services in excess of \$1,000 to any entity including a nonprofit community organization or activity. Mr. Bassi indicated the entities affected by this legislation would be the Township, Library, Police Department, and the Fire Department. These properties would be able to install deduct meters for water that has not entered into the sewer system. Mr. Bassi will conduct additional legislative research and contact the Township Solicitor and/or Manager before a conclusion can be drawn.

Mr. Bassi reported Mr. Simmons filed a complaint with the Public Utility Commission (PUC) regarding his water service termination due to failure to pay his sewer bill. The complaint was dismissed for lack of jurisdiction. The Authority is incorporated as a municipal authority and the PUC does not govern municipal authority affairs.

Mr. Bassi reported the status of agreement that was entered into with Upper St. Clair (USC) regarding the Deerfield Pump Station. The deadline has approached and since the release of customers from ALCOSAN has not been achieved by USC the alternatives are to terminate the agreement or leave open to give additional time. Mr. Miskis indicated the grant requirements have been met by the fact that USC did install a connecting sewer to the PTSA system, currently permitted by the PTSA for use during emergencies only until ALCOSAN releases the customers. Mr. Miskis reported on a separate issue that the Authority is discussing with USC cost sharing in regards to the USC Administration Consent Order pertaining to ALCOSAN's wet weather improvements. Mr. Miskis recommended and the Board concurred not to terminate at this time. The notice to terminate has been sent to USC by certified mail per the agreement, therefore the agreement can be terminated at a later date if required.

Mr. Bassi reported he had worked with Management in the preparation of the Tuscany Developer's Construction Agreement. Mr. Bassi and Mr. Miskis recommended execution of the agreement, subject to final administrative approval.

A Motion was made by Mrs. Kaminsky and seconded by Mr. Grimm to enter into the Tuscany Developer's Agreement, subject to final administrative approval. The Motion carried unanimously.

Mr. Bassi reported the temporary construction easement was prepared for the use of the Brush Run parking area for construction along the Montour Trail. Management recommended approval and execution.

A Motion was made by Mr. Grimm and seconded by Mrs. Kaminsky to execute the Montour Trail Council Construction Easement. The Motion carried unanimously.

ENGINEER'S REPORT: Copy on file.

Mr. Stanton reported the PaDEP Part II permit for the Tuscany Development was issued to the Authority on April 9, 2013.

Mr. Stanton hand delivered the pre-final alternative analysis report to the Board and Management for the Donaldsons Crossroads Wastewater Treatment Plant replacement project. The presentation of the report is scheduled for April 23, 2013. Mr. Stanton indicated the comments from Management and the Authority's review committees have been incorporated into the document. He reported that the February version of the report in regards to the flood plain analysis would have the proposed Alternative E digester tanks under water at the 25- year flood. Thereby the perimeter walls would need to be raised approximately three feet.

MANAGER'S REPORT: Copy on file.

Mr. Miskis reported the administrative employees' health insurances rate increase is higher than budgeted. The Authority budgeted for a 10% increase and the actual was 24%, which results in approximately \$2,300 over budget. Mr. Miskis presented several options for the Board to consider in regards to the employees contributing more to the plan either by increasing percentage or contributing to the deductible. Mrs. Mowry is obtaining quotes from another broker and from the MEIT organization and will report at the May meeting.

Mr. Miskis commented on Mr. Stanton's reporting of the Donaldson's Crossroads Wastewater Treatment Plant Replacement design regarding the top of the existing in-ground tanks being under the 25-year flood elevations. There were also discrepancies in the way the flood plain analysis was done in which the FEMA downstream boundary condition and corresponding flood discharge were incorrectly located upstream of Brush Run which resulted in Brush Run's flood flows being applied upstream of the DC treatment plant, thereby raising flood elevations higher than it needed to be. Jason reported preliminary indications are correcting for that discrepancy drops the flood evaluations for all floods by approximately six inches

Mr. Miskis reported the status of the QA/QC report and budget commitment letter as requested by the Board at the March 12th meeting. The Authority to date has not received any response regarding the requested documents. Mr. Stanton indicated the focus has been to complete the alternative analysis and this is why he has not responded. Mr. Stanton reported the status of the project as it relates to billing is reflective in the January's project summary report provided at the last meeting. Mr. Stanton confirmed Mr. Miskis's statement that the alternative analysis is 99% complete, he does not know the percent complete status of the detail design task in relation to time billed verses actual work performed, and thinks that the billing of approximately 40% for the preliminary design task is fairly close to the actual. Mr. Stanton reported he is not sure if there was any time spent or that any time will be billed for the month of February in any of the tasks.

Mr. Miskis reported on the three invoices submitted last month for tasks associated with the Donaldson's Crossroads project, which were February invoices submitted on March 12, 2013 for January's time. The invoice no. 201300827 for Task 1F, for the Design schedule in the amount of \$714.25 was approved. The invoice no. 201300828 for Task 1G, for the Alternative Analysis in the amount of \$26,281.30 was not approved. This invoice exceeded the approved task budget by \$23,211.91. LSSE has not made any request for a budget amendment or has not given any reason for the budget overrun. Management requested Mr. Stanton to separate the invoice by the approved amount and the overage and re-submit. He has not submitted any revisions to that invoice. If LSSE re-submits an invoice within the approve task limits, which would be an invoice

up to \$3,069.39 Management would approve the invoice. The invoice no. 201300829 for Task 1H, for the Preliminary Basis of Design Report in the amount of \$1,920.45 was not approved. There are concerns that billings are not consistent with work performed. Until documentation can be provided this bill is not recommended for payment. The overall percentage of the budget expended is 32%.

ASSISTANT MANAGER’S REPORT: Copy on file

Mr. Chucuddy reported the PaDOT Highway occupancy permit for the Anthony Farms Phase II has been received, with no requirements for financial securities. Mr. Chucuddy recommended approval and execution of the Developer’s Construction Agreement, pending the receipt of financial securities.

A Motion was made by Mrs. Kaminsky and seconded by Mr. Grimm for the approval and execution of the Developer’s Construction Agreement with Peters Township Land Company for the Anthony Farms Phase II Development pending the receipt of financial securities. The Motion carried unanimously.

Mr. Chucuddy reported in regards to the 105 Fieldbrook claim. The Authority received a claims request for documents. Mr. Chucuddy has compiled the documents and will forward to Mr. Bassi.

Mr. Chucuddy reported that one of the field employees had a minor accident with the 2006 Utility truck. He backed into a resident’s chimney’s bricks. The homeowner was notified and waiting to hear back from them in regards to making a claim.

Mr. Chucuddy reported the Board previously approved award of the 2013 Sewer Rehabilitation Project multi-year contract with State Pipe Service but did not authorize the officers to execute the agreement. Mr. Chucuddy recommended execution of the agreement.

A Motion was made by Mrs. Kaminsky and seconded by Mr. Grimm authorize the proper officers to execute the multi-year contract PTSA-1-2013 with State Pipe Service in the amount of \$92,344.60. The Motion carried unanimously.

SPECIAL PROJECTS MANAGER’S REPORT: Copy on File

CORRESPONDENCE FOR THE BOARD’S INFORMATION: Copy on file

FINANCIAL CONTROLLER’S REPORT: Copy on file

FINANCIAL STATEMENT REVIEW: Month ending March 31, 2013.

PAYMENT OF BILLS & REQUISITIONS: Copy on File

A Motion was made by Mr. Grimm and seconded by Mrs. Kaminsky to approve disbursements in the amount of \$158,540.15 from the following funds:

<u>Fund</u>	<u>Disbursement</u>	<u>Total</u>
Operating	Checks: 121311-121377	\$67,581.08
Annual Health Equity Account	Transfer for Admin. Health Insurance	\$12,500.00

Payroll	Transfer from Operating to Payroll fund	\$60,000.00
Charleroi Loan	Valley View Sewer Ext. 2012 Debt Payment	\$4,438.13
Developer	Transfer to Operating	\$749.56
CIRF	Requisition No. 120-13	\$11,071.45
CIRF	Penn Vest – Ivy Lane – 2003 Debt Payment	\$2,199.93

The Motion carried unanimously.

OTHER BUSINESS:

A Motion was made by Mr. Grimm and seconded by Mrs. Kaminsky to enter into Executive session at 8:50p.m. to discuss potential litigation regarding the engineering on the Donaldson's Crossroads Wastewater Treatment Plant Replacement project design. The Motion carried unanimously.

Executive Session ended at 9:50 p.m.

A Motion was made by Mr. Grimm and seconded by Mrs. Kaminsky to adjourn the meeting at 9:55 p.m. The Motion carried unanimously.

Respectfully Submitted,

Patricia Mowry

MOTIONS SUMMARY

MOTION NO.	MOVED	SECOND	MOTION SUMMARY TABLE	VOTE
1	Kaminsky	Grimm	Approve Minutes of March 12 th , 2013	Approved
2	Kaminsky	Grimm	Enter into Executive Session to discuss potential litigation	Approved
3	Kaminsky	Grimm	Enter into the Tuscany Developer's Agreement, subject to final administrative approval.	Approved
4	Kaminsky	Grimm	Execute Montour Trail Council Construction Easement	Approved
5	Kaminsky	Grimm	Execute and approve the Developer's Construction Agreement with Peters Township Land Company for the Anthony Farms Phase II Development pending receipt of financial securities	Approved
6	Kaminsky	Grimm	Authorize the proper officers to execute the multi-year contact PTSA-1-2013 with State Pipe Services in the amount of \$92,344.60	Approved
7	Grimm	Kaminsky	Approve disbursements in the amount of \$ 158,540.15	Approved
8	Grimm	Kaminsky	Enter into Executive Session to discuss potential litigation regarding the engineering on the Donaldson's Crossroads Wastewater Treatment Plant project design	Approved
9	Grimm	Kaminsky	Adjourn the Meeting at 9:55 p.m.	Approved