

**PETERS TOWNSHIP
SANITARY AUTHORITY**

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James J. Miskis, Manager
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Mildred Paff, Office Manaer

REGULAR MEETING

APRIL 12, 2005

ROLL CALL:

The regularly scheduled meeting of the Peters Township Sanitary Authority was called to order by the Chairman at 7:00 p.m. Board members present were G. Robert Jacobs, Gerald C. Grubesky, John P. Slagle, and George A. Khalouf. Also present were Terry Soster and Kevin Hoffman, KLH Engineers, Inc.; Fred E. Baxter, Jr., Solicitor; James J. Miskis, Manager; Mark A. Chucuddy, Assistant Manager; Patricia Foote, Financial Controller, and Mildred Paff, Admin/Acct Clerk. Absent from this meeting was Board Member, Denver E. Yingling.

REVIEW OF MINUTES FOR APPROVAL:

The minutes of the March 8, 2005 meeting were approved with minor corrections on Page 1 by a motion made by John P. Slagle, seconded by Gerald Grubesky, and carried without a dissenting vote.

VISITORS:

1. Property owners requesting sewer service – East McMurray Road

The property owners of 945 and 953 East McMurray Road, Mr. & Mrs. Lengyl (945) and Mr. & Mrs. Adams (953) were present to learn whether or not the sanitary sewer line would be extended to serve their properties as the Township's SEO has confirmed that each property has a malfunctioning septic system. The property at 953 East McMurray Road is for sale and the prospective buyer was also present.

Mr. Miskis gave a time line of events from when the Authority was first alerted of the problem on February 24, 2005 so that all had a general idea of the progress of the project.

There is a total of four properties that could be serviced by a sewer extension (3 existing homes and 1 vacant lot). Although the septic system of the property owner at 949 E. McMurray Road passed the SEO's inspection, the owner, at a previous Authority public meeting had indicated their willingness to participate in the sewer extension. The Lengyls said that they are interested in public sewer service but are hesitant because of the cost and relatively short time to decide. The most efficient and cost effective sewer alignment would have to cross their property. They plan to perhaps subdivide their property sometime in the future. They are also concerned as to whether their gazebo would have to be moved.

Mr. Miskis said that the full cooperation of the affected property owners is necessary to keep the costs of the project down. The Authority would have the engineering done to the Authority's specifications to assure that the line is laid out in the most efficient manner. The property

owners could then contract with someone to install the sewer extension which the Authority would inspect. The Lengyl portion could be installed by their contractor and the remainder could be installed by William McCloskey, builder and developer who owns the adjoining vacant lot.

Mr. Miskis said that if the Lengyls are willing to cooperate and grant an easement, the Authority could proceed along the developer sewer extension method which is the least expensive method for the affected property owners. If not, the Authority would have to consider eminent domain to acquire the sewer easement and it would have to do the sewer construction which would significantly increase the cost to the affected property owners.

As no agreement could be reached tonight, a meeting will be held Tuesday, April 26, 2005 to discuss the sewer extension and the Board will render a decision. If the parties involved do not agree, the Authority will consider eminent domain to continue with the process of the sewer installation to abate the sewage pollution from the malfunctioning septic systems. Mr. Miskis and Mr. Hoffman will meet with the Lengyls on Friday, April 15, 2005.

SOLICITOR’S REPORT:

Fred E. Baxter, Jr., Solicitor reported that he has items to discuss in Executive Session. The Board went into Executive Session at 7:58 p.m. to discuss the status of the purchase of property and also the Lawrence Property outstanding assessment on the Ivy Lane Project. The Executive Session adjourned at 8:27 p.m. The Solicitor was instructed to contact the Lawrences and inform them that payment is due by April 26, 2005 or the Authority will proceed with legal action.

ENGINEER’S REPORT: Copy on file

Mr. Khalouf moved to approve payment of Oakdale Construction’s request for Payment #1 in the amount of \$21,736.00 for the Sugar Camp Road Project. The motion was seconded by Mr. Slagle and carried without a dissenting vote. The project is now complete except for minor restoration items. Mr. Miskis commented on the high quality of work provided by the contractor.

In regard to the Hidden Brook Pump Station, Mr. Hoffman said the Authority has requested a connection for the new 6-inch portable pump for use as a backup for the pump station with direct connection into the force main as the developer is already providing a backup pump in addition to a dedicated emergency generator. The cost of this pump would be the Authority’s and not the developer’s. The engineers indicated the portable pump work and are awaiting the cost for this requested change. The portable pump would be valuable in the event the emergency generator did not function during power outages as this pump stations serves quite a large number of homes.

Mr. Jacobs requested that the Authority remain in contact with Bethel Park regarding a wastewater service agreement with Peters Township. Mr. Soster said he will notify Emily Shade, DEP, that the Authority is not holding up the process.

Mr. Khalouf moved to approve Payment #4-Final to Insight Pipe Contracting in the amount of \$28,745.15 for the Friar Lane Liner Rehabilitation Project pending receipt of closing documents.

Also included in the motion is Change Order #3 for point repair requested by the Authority and Change Order #4 to adjust the contract quantities to final quantities. The motion, seconded by Gerald Grubesky, carried without a dissenting vote.

Mr. Miskis had a contractor look at the sight in the Crossgates Sewer Project, to determine whether a 30-foot easement would be sufficient for the work area. The contractor determined that a 40-foot easement would be required given the terrain and the depth of sewer. There are five properties involved in this project area and the Ritters, 117 Scarborough Lane, are the only ones objecting to the proposed easement on their property, in part, because their property would be used as an access site to the work area. The contractor indicated the 30-foot easement would be sufficient for the access site. The Solicitor said that if a condemnation of the right of way is necessary, the Authority would have to wait 30 days unless the property owner files preliminary objections. If they file preliminary objections, we would have to wait until the Court makes a decision. The engineers will prepare the drawing and description of the right of way and the Solicitor will prepare condemnation documents for the April 26, 2005 meeting, in the event such action is necessary.

Relative to the Flood Damage Projects, the engineers have prepared Change Order #1 for additional backfill requested by management; Change Order #2 for additional pipe supports, and Change Order #4 for a time extension to complete work associated with Change Order #3. As recommended by the engineers, Mr. Grubesky moved to approve Payment No. 4 in the amount of \$8,816.59 to Oakdale Construction and Change Orders #1, #2, and #4 for the flood damage projects. The motion was seconded by Mr. Khalouf and carried without a dissenting vote.

Oakdale Construction is currently working on Change Order #3 which is addressing the partially exposed Valleybrook Interceptor behind the old mine retention pond, and includes sewer replacement and installation of gabion baskets.

Mr. Hoffman said KLH prepared a report on the hydraulic analysis of the Brush Run WWTP's ability to process greater peak wet weather flows. KLH recommends the installation of a mixed liquor pipe from aeration tank #1 to alleviate the imbalance of flow distribution between the aeration tanks and provide better process air balance. They also recommended removing the 16-inch diameter plug valve which is creating a flow restriction. None of the recommended modifications would require permits from DEP and the construction cost estimate is approximately \$30,000. Mr. Miskis recommends asking KLH Engineers for a design proposal, but in the interim, proceed with removal of the plug valve. Oakdale Construction has submitted a proposal of \$2,800 to remove the plug valve and management recommends proceeding with the plug removal as soon as possible. KLH Engineers will submit a proposal for doing the engineering work for the remaining improvements recommended.

Mr. Khalouf moved to authorize Oakdale Construction to remove the 16-inch plug valve for the lump sum price of \$2,800. The motion seconded by Mr. Grubesky, and carried without a dissenting vote.

The engineers distributed copies of the revised report on the tap fee calculation for the Board's review. Act 537 of 2003 requires that the tapping fee update be in place by June 30, 2005. The

tap fee update will be on the May agenda for adoption so that the builders can be informed. At this time, the estimated tap fee under the new law will be reduced to \$2,700.00.

MANAGER'S REPORT: Copy on file

Mr. Miskis, Manager, requested that Mr. Soster address the Client Management Letter KLH sent to the Authority dated April 7, 2005 and copied to the Board members. Mr. Soster said that KLH has submitted several reports that were not to the Authority's expectations. To improve the situation, several actions have been taken by KLH to free up Mr. Soster's time so that he can better oversee the quality of work performed for the Authority.

Mr. Slagle moved to authorize Insight Pipe to line the 3 foot defect of missing pipe detected when televising in the Stonehenge Area at a cost of \$3,000.00 lump sum. The motion was seconded by Mr. Grubesky and carried without a dissenting vote.

A second defect was a leaking wye connection which is contributing a steady 1 gpm. Due that the area is well landscaped access for excavating is limited. Management has arranged with Robinson Pipe Cleaning to grout this wye at a cost of \$600.00 while they are doing the previously authorized wye grouting on Friar Lane.

Because of Pennsylvania Municipal Authority Association's (PMAA) legal costs involved in the law suit against EPA to establish a blending policy, management recommends the Board consider making a contribution to PMAA's legal defense fund. Blending is where, under wet weather flow, you do not treat all the flow but bypass a small portion around the treatment system and blend at the end. The blended treated sewage then meets the permit. The end result of permit compliance is achieved at a savings of millions of dollars in construction costs. Mr. Slagle moved to donate \$750.00 to the PMAA legal fund for its suit against EPA to establish a blending policy as this is a strategy that the Authority may want to consider in future plant upgrades. The motion, seconded by Gerald Grubesky, carried without a dissenting vote.

Management updated the Board members on the Pope Plan of Lots where the developer installed the sanitary sewer without contacting the Authority for inspection. The developer was informed that he would have to dig up the line, replace it, and demonstrate to the Authority that it was installed properly. The developer has done nothing to correct the situation. The Developer's Agreement allows one year to complete the project. The year is up and the developer was notified that if he does not comply with the Agreement, the Authority will complete the work and charge it to his performance security which the Authority is holding.

Mr. Slagle moved to authorize Management to seek three (3) bids, and award the bid to the lowest quote obtained to complete Pope Plan of Lots sewer extension. Mr. Khalouf seconded the motion that carried without a dissenting vote. The costs of the construction would be paid from the developer's performance security of \$9,530.00.

Mr. Slagle moved to enter into the Developer's Construction Agreement with Richard Fitzharris for the Walnut Creek Plan (4 EDUs) subject to final plan approval and posting of all securities. The motion was seconded by Mr. Khalouf, and carried without a dissenting vote.

Mr. Grubesky moved to accept the sewage flows from Spring Meadows Phase 2 (32 EDUs). Mr. Khalouf seconded the motion that carried without a dissenting vote.

Mr. Khalouf moved to grant a variance to the owner of the large estate lot at the end of Springbrooke and Horizon Drives to install a sewer lateral from a manhole on Horizon Drive subject to the lateral being replaced with a public sewer if the lot is ever subdivided. Mr. Grubesky seconded the motion that carried without a dissenting vote.

Mr. Slagle moved, Mr. Grubesky seconded the motion to accept sewage flows for 5 EDUs for the East McMurray Road Sewer Extension from Hays Road. The motion carried without a dissenting vote.

Mr. Grubesky moved, Mr. Slagle seconded the motion to accept the sewage flows for 6 EDUs for the East McMurray Road Sewer Extension from Bittersweet Circle. The motion carried without a dissenting vote.

FINANCIAL CONTROLLER'S REPORT: Copy on file

Patricia Foote informed the Board members that the health insurance for the office staff increased by 5 per cent and not the 20 per cent anticipated.

CORRESPONDENCE FOR THE BOARD'S INFORMATION: Copy on file

FINANCIAL STATEMENT REVIEW: Month ending March 31, 2005

PAYMENT OF BILLS & REQUISITION:

Mr. Slagle moved to approve payment of Operating Fund checks 12756 through 12838 totaling \$78,432.09; Developer Fund expenses of \$9,796.60, and Capital Improvement & Redemption Fund Requisition No. 20-04 listing 7 vendors and totaling \$75,996.34. Total disbursements were \$164,225.03. The motion, seconded by Mr. Khalouf, carried without a dissenting vote.

ADJOURNMENT:

The regularly scheduled meeting of the Peters Township Sanitary Authority adjourned at 10:25 p.m. by a motion made by Mr. Khalouf, seconded by Mr. Slagle, and carried without a dissenting vote.

Respectfully submitted,

Mildred Paff, Admin/Acct Clerk

