

**PETERS TOWNSHIP
SANITARY AUTHORITY**

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James J. Miskis, Manager
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Mildred Paff, Office Manaer

REGULAR MEETING

MAY 10, 2005

ROLL CALL:

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

REVIEW OF MINUTES FOR APPROVAL:

John Slagle moved to approve the Minutes of the April 12, 2005 meeting and the April 26, 2005 meeting with minor changes. The motion was seconded by George Khalouf and carried without a dissenting vote.

VISITORS:

1. Marty Gillespie, Heartland Homes and Brian McGurk, McHolme Builders requesting Hidden Brook Plan variance on building sewer installation procedure.

Mr. Miskis explained that the Hidden Brook Plan has a pump station that is under construction now. All the sewers have been installed but there are a few items that must be addressed. The pump station is not ready for start up yet but would be available within the next several weeks. The visitors are present to request some consideration from the Board to proceed to build the homes.

Mr. Gillespie said they would like to tap into the sewer but taps are not available because the pump station has not been fully inspected and therefore has put a halt on the construction of the houses. There are about 12 houses under construction affected by the pump station completion. People were expecting to move into these houses this week and now there is a delay of approximately one month. Mr. Gillespie said they are asking a variance to allow them to run the house lateral out to the sewer line, have them inspected and approved by the Authority. They would not actually make the tap at this time but it would allow them to continue with the gas line, water line, and get the house further along.

Mr. Miskis said that when he talked to Mr. Gillespie originally, it was only 9 homes and he would like to keep it at the absolute minimum. Our building sewer regulations basically say upon issuance of the building sewer permit, the installation of the building sewer may proceed in accordance with these specifications. We do not allow the building sewer to be installed until after the permit is obtained and

we don't release the sewer permits until the sewer is completely constructed, inspected, and approved. In this case, the pump station is not completed. We cannot proceed under our existing regulations until the pump station is completed. They are under a hardship, and the fact that the lateral is installed does not create any problem for the Authority as they will not be connected to the sewer. In this case, the sewers are laid at the bottom of the trench and other utilities are on top. Without a variance, they cannot install the other utilities until the building sewer is installed.

Mr. Miskis said he does not have a problem, under constrained conditions of an absolute number of homes, that the Board grant a variance to allow them to proceed due to the hardship on individuals. Mr. Jacobs said it must be recognized that the Authority is specifically, one time, granting a variance.

Mr. Miskis said Heartland Homes will still have to make application for a connection permit so that we have all the documents and diagrams, etc. Rather than issuing the permit, we would issue a letter that would acknowledge they can proceed under certain conditions. Mr. Khalouf said we should also put a limit on the number of homes under this variance. Mr. Gillespie said that 3 additional closings are scheduled for June and may be affected if the pump station is not completed. Mr. McGurk said that the manhole was raised and the line passed the vacuum test today for the 13 lots. This section of the sanitary sewer installation would be approved later this evening.

George Khalouf moved to approve the variance to install the building sewer for 13 lots but delay connection to the sewer until the pump station is approved. The motion, seconded by Denver Yingling, carried without a dissenting vote.

Mr. McGurk asked if there would be another meeting on May 24, 2005 and was informed at this time, it will not be necessary. He said that, depending on how quickly the pump station gets up and running, he would like to get approval to connect into the sewers as soon as possible because people are waiting to move into these houses. He said that weeks make a difference and he does not want to wait until the June meeting if the pump station is completed within the next few weeks.

Mr. Khalouf questioned if approval can be given tonight contingent upon the acceptance of the pump station. Mr. Miskis said this has been discussed with the engineers and it was agreed that it is premature to give approval at this time as the pump station has not been tested yet.

Mr. Hoffman pointed out that there are major items that need to be corrected with the sewer and there is construction to be done on the pump station to complete it. Mr. McGurk said they have had some minor setbacks with the relocation of the sanitary line. They have some items to complete with the pump station and they are awaiting delivery of the control panel as the first control panel received was damaged during delivery and sent back.

Mr. Hoffman said that once construction is complete, the engineers will do the inspection and a meeting will be held to work out the details of starting up the pump station.

2. Mark Hoskins, Benjamin Marcus Homes, and David Moritz, Eddy Homes seeking approval of proposed trunk sewer extension within Justabout Road right of way to 469 and 440 Justabout Road. Also present were Justabout Road property owners: Mr. & Mrs. Costello, Ed Johnstonbaugh, and Bob Simmons.

Mr. Miskis gave background information stating that in December the developer, recognizing that a pump station, package plant, or eminent domain would not likely be approved by the Authority requested consideration of the sewer alignment in Justabout Road. They provided a sketch plan to the Authority which was reviewed at the December Board meeting. The Authority provided a letter dated December 22, 2004 stating the conditions the Authority would impose to consider such an alignment. One of the conditions is that 10-inch diameter pipe be installed to handle the buildout of the area and 10-inch ductile iron pipe (DIP) be provided in the paved areas.

The developer is agreeable to all conditions and is requesting formal approval tonight so that he can make application to PennDot for a Highway Occupancy Permit. A revised drawing was presented for the Board's information showing the location of the proposed sewer. The location of the trunk sewer extension would normally run up along the stream to serve the valley, but Mr. Hoskins has not been able to obtain the necessary right of way. Therefore he is proposing an alternate alignment, 1112 feet of which, will be in the paved area of the road.

Mr. Jacobs said that the valley will build out and it is the responsibility of the Authority to assure that development can continue. In his opinion, it does not seem practical to install the sewer in the roadway instead of along the creek. A sewer line in the road will be a problem for regular maintenance because of the traffic. Mr. Miskis said that the Authority has areas where the creek has washed out the sewer line in the past which also poses a maintenance problem.

Mr. Hoskins said to serve the properties on both sides of the road would require a lot of road crossings or an extension requiring right of ways to serve those properties.

Bob Simmons said that the Simmons, owners of properties along Justabout Road, do not want to stop the sewers but could not agree on a price with the developer for the right of way. Mr. Simmons asked if his brother's home, which is lower than Justabout Road, would have to tie in? This will have to be investigated as in all probability, pumping will be required. Mr. Simmons said that he is not an engineer but he thought sewers followed the lowest point and jogged off to serve other properties.

Mr. Miskis said the Simmons would have to extend the sewer line to serve their property. He indicated on the overview where the proposed sewer line is to be installed by the developer. This sewer extension will provide service in the future to other properties up Justabout Road, Sienna Trail, and Snyder Road.

Mr. Miskis said that the Highway Occupancy Permits from PennDot are in the name of the Authority and we will need to comply with PennDot's requirements. The developer is required to post financial security to assure that PennDot's requirements are met.

Mr. Miskis said that, although installing the sewer in the road pavement is not ideal, installing the ductile iron pipe addresses the concerns for maintenance and repair in the future. There was a lengthy discussion regarding whether this was the best way to serve these properties. Mr. Miskis said the other options are a pump station, eminent domain or a package treatment plant, which in all likelihood, the Authority would not approve. The ideal situation would be to install the sewer along the stream bed.

Mr. Johnstonbaugh said that he represents the heirs of the property that Hoskins wishes to develop. The heirs have been trying to sell this property for five years and numerous developers have tried to bring the sewer line up the stream bed and could not negotiate a right of way with the Simmons going through their property.

Mr. Grubesky asked Mr. Hoskins if he preferred to run the sewer along the stream bed and Mr. Hoskins said that at this point he has so much time and money for the layout invested to do what was required by the Authority, it doesn't matter either way but it will be more expensive to install it in the road way. Mr. Grubesky said the Board members are not mediators and what was presented tonight is a feasible way to provide sewer service up the valley in the future. The proposal does not need to be tabled for more information. The Board can approve the extension and the developer can still negotiate the right of way.

Gerald Grubesky moved to accept the proposed trunk sewer extension within Justabout Road so that the Developer, Mark Hoskins, can finalize the plans. Denver Yingling seconded the motion that carried without a dissenting vote.

SOLICITOR'S REPORT: Copy on file

ENGINEER'S REPORT: Copy on file

The Board went into Executive Session at 8:22 p.m. to discuss litigation regarding the Ivy Lane Project. The Executive Session adjourned at 8:42 p.m.

John Slagle moved to authorize the engineers to negotiate the final settlement with Glenn Johnston, Inc. to close out the Ivy Lane Project. George Khalouf seconded the motion that carried without a dissenting vote.

In regard to the Sugar Camp Road Project, Denver Yingling moved to make the final payment to the contractor, Oakdale Construction Inc. in the amount of \$1,144.00 subject to the receipt of the closing documents. The motion was seconded by George Khalouf and carried without a dissenting vote.

John Slagle moved to approve a portion of the Hidden Brook Plan sewer extension serving the 13 additional lots for use so that sewer permits can be issued. The motion was seconded by Denver Yingling carried without a dissenting vote.

Denver Yingling moved to approve a portion of the Spring Meadow sewer extension for use. The motion, seconded by George Khalouf, carried without a dissenting vote.

George Khalouf moved to approve final payment in the amount of \$5,514.00 to State Pipe Services for Contract 2003-4, Area B Rehabilitation Project contingent upon receipt of the close out documents. Denver Yingling seconded the motion that carried without a dissenting vote.

Bids were opened May 9th for the Stonehenge Area contracts – Contract 2004-1 for grouting of joints and manholes. Four bids were received for this contract and the low bidder was Robinson Pipe Cleaning with a bid of \$59,142.80. Contract 2004-2 (point repairs), five bids were received and the

low bidder was Robinson Pipe Cleaning with a low bid of \$32,200.00. The engineers recommend acceptance of these bids.

John Slagle moved to award the Stonehenge Area Contracts 2004-1 and 2004-2 to Robinson Pipe Cleaning. Gerald Grubesky seconded the motion that carried without a dissenting vote.

In regard to the Crestview Acres Phase II Sewer Replacement Project, it was thought that the sewer line could be replaced by digging up the old and placing in the new without the need for additional right of ways. There is a considerable area of sewers to be replaced occupied by other utilities such as water mains, gas lines, etc. To avoid those utilities, the replacement sewer will have to go through maintained properties and mature trees or the cartway. The engineer and manager will meet to further study the alternatives.

MANAGER'S REPORT: Copy on file

George Khalouf moved to adopt Resolution 02-05-05 *Tapping Fee Special Purpose Part For Sewer Main Extension From Spring Meadows Plan*. The motion was seconded by Gerald Grubesky and carried without a dissenting vote. This Authority provided sewer service for two existing dwellings and one potential EDU from the Spring Meadows Plan and this Resolution details the reimbursement to the Authority for the extension from the property owners. The Special Purpose Part will be \$4,415.00, this is in addition to the capacity and collection parts.

John Slagle moved to accept the Evanovich Plan (1 EDU) sewer extension subject to the right of way verification. Gerald Grubesky seconded the motion that carried without a dissenting vote.

In regard to the Brush Run Plant Peak Hydraulic Capacity Evaluation, Gerald Grubesky moved to authorize KLH Engineers, Inc. to design a mixed liquor relief line and a return sludge chlorination line for a fee not to exceed \$6,750.00. The motion was seconded by George Khalouf and carried without a dissenting vote.

The Township will be receiving a \$60,000 grant for the Ivy Lane Project and will be asking the Authority to distribute the funds.

Mr. Miskis informed the Board that a grinder pump has been purchased for installation in a home on Canterbury Lane and recommended contracting with Gerard Plumbing to install the grinder pump. Gerard Plumbing installed the grinder pumps for the Authority in the Stratford area previously. John Slagle moved to contract with Gerard Plumbing to install the grinder pump at 103 Canterbury Lane at a cost of \$3,999.00. Gerald Grubesky seconded the motion that carried without a dissenting vote.

FINANCIAL CONTROLLER'S REPORT: Copy on file

CORRESPONDENCE FOR THE BOARD'S INFORMATION: Copy on file

FINANCIAL STATEMENT REVIEW: Month ending April 30, 2005

PAYMENT OF BILLS & REQUISITION:

John Slagle moved to approve payment of Operating Fund checks 12839 through 12910 (voiding check number 12878) totaling \$277,252.07; Annual Transfers \$180,000 from Operating Fund and \$423,000 from the Tap & Assessment Fund; Developer Fund checks 315 and 316 and Operating Fund reimbursement of \$15,952.11 and Capital Improvement & Redemption Fund Requisition No. 21-04 listing 10 vendors totaling \$31,168.45. The motion was seconded by Gerald Grubesky and carried without a dissenting vote.

ADJOURNMENT:

George Khalouf moved to adjourn the regularly scheduled meeting of the Peters Township Sanitary Authority at 9:53 p.m. The motion was seconded by Gerald Grubesky and carried without a dissenting vote.

Respectfully submitted,

Mildred Paff, Admin/Acct. Clerk