

FOX TOWNSHIP SEWER AUTHORITY MEETING MINUTES 4/13/16 @ 6:00 P.M.

Members Present: Cheryl Ruffner, Ken Huey, Mike Kamandulis and Rudy Pollino. Others Attending: Jason Fralick of HRG Engineering, Chad Shields and Shawn Zimmerman, Plant Operators. Visitors: Cory Nesbitt, Plant Manager of REBCO and Twp. Supervisor Dave Mattiuz.

The Meeting Minutes of 3/9/16 were approved as written and previously distributed, as moved by Rudy Pollino, seconded by Ken Huey, motion carried.

Doug Gaffey was expected and placed on tonight's agenda with plans to run a lateral with an E-1 Pump to his property off of Fairview Road to build a new home.

John Buerk also was expected to attend but didn't. He had contacted several members during the course of the month about disposing of holding tank waste from Liberty Pressed Metals. Doug Gaffey is also associated with Liberty Pressed. There was discussion on the metals and zinc in the waste.

The Dan Bankovich and Joe Benini neighboring connections on Oak Street in Centerville were discussed again. This was in regard to separate connections for the house and garage when there are two individual buildings. Bankovich had connected the garage to the house lateral and was told this was not allowed. This is not what has been permitted within our specs are regulations in the past. The regs says separate tap per structure. The Authority had contacted Mr. Bankovich and his contractor informing them this wasn't allowed. He was asked to disconnect it. Joe Benini had approached the board soon thereafter asking if he could connect a separate garage to the house lateral and was told this wasn't allowable several months later. There was discussion that this could be changed if there was language that there is only one family ownership. This would only apply to home ownership not businesses. The connection would not need to be inspected if connecting the residential garage to the house lateral. This was approved as discussed as moved to do so by Mike Kamandulis, seconded by Rudy Pollino, motion carried.

Jason presented his Engineer's Report of today. In regard to the REBCO Project there had been additional reviews of modifications to the proposed easement agreement between REBCO and Black Earth. This was pertaining to the construction of the proposed low-pressure sewer line. Jason and Attorney Jim Devittorio also had a conference call on 4/4/16 regarding this. HRG had issued a letter dated 4/8/16 to the Authority on this. Within this letter there were suggested recommendations to paragraph #6 of the draft agreement. HRG agrees with the solicitor's concerns of using the proposed maintenance easement for egress or travel. HRG recommends within the current copy of the easement is assigned to the Board the word "roadways" the suggestion is this should be replaced with the term "unpaved roadways". The Authority does not wish to risk trouble and or expense of digging under a paved road to access the sewer transmission line for any maintenance, etc.

Also pointed out in HRG's letter of 4/8<sup>th</sup> HRG agrees with Solicitor Devittorio on paragraph #8 of Black Earth's agreement being troublesome. The wording states all maintenance and repairs are to be limited to a 20 foot wide permitted easement. Jim points out how our workers get to that 20 foot wide permitted easement may involve using the landowner's roads or other land that are not within that designated area. The solicitor recommends that paragraph #8 be removed altogether. Jim asks does the Authority wish to risk paying the landowner for access to get to our easement? HRG agrees with the concerns Jim has. The Authority must determine if they can find access from Krise Road to the section

REBCO PROJECT CONTINUED:

of low pressure sewer line on the subject easement satisfactory to complete routine maintenance and repairs if necessary.

The solicitor also pointed out that paragraph #10 of the landowner's agreement should be revised that the parties agree that the easements identified should be considered "covenants running with the land". The fact that the grantor/landowner "may" assign the agreement to another is not sufficient. HRG noted a format error in the document with the numbering needed corrected. This would be at the beginning of page 4 and at the 2<sup>nd</sup> Paragraph 10. This should be corrected to be Paragraph 13. Subsequent paragraphs should be renumbered. HRG agrees with Jim's comments.

The landowner's current easement agreement @ paragraph #12 makes plain that should REBCO assign the agreement to FTSA, they "shall expressly assume and agree to perform and comply with all the terms, conditions and covenants of this agreement". The solicitor points out the importance that FTSA feel comfortable with all the requirements of RebcO under the original easement agreement as the someday will have the benefits and obligations of these sewer agreements. HRG agrees with the Solicitor's concerns.

In addition, there were re-wording within paragraph 11 name changed from Fox Township Municipal to Fox Township Sewer Authority. Paragraph 13 changing to 16 and a recommendation that the agreement shall be recorded in the office of the Recorder of Deeds of Elk County. Solicitor Devittorio recommends that all easements obtained by REBCO for this project be recorded at the Recorder of Deeds of Elk County.

There was discussion with Cory Nesbitt of REBCO regarding the right-of-way and if the roadway should be paved or unpaved. Jason recommended Corey ask Black Earth to be aware of our sewer lines as is noted in the agreement on Page 2 of 3. Item listed as #4.

Jason discussed the Pontzer pumping station, possibly upgrading the pumps. It was questioned whether there would be DEP involvement and Jason said no.

Centerville has three (3) lots remaining. The Township has taken over Oak Street to the end. FTSA will not assume the sewer system until all of the as builts are completed.

Act 13 Grant money will be awarded again in September 2016. Cheryl asked Kathy Dowie to submit a Grant for the Authority for GIS mapping. A quote from HRG was received for this project. Cheryl said we need a complete map of the total sewer system. At this time it is per map in mapping records.

Mike Kamandulis has been researching solar contacts. The company/individual who was to contact Juli did not at this point.

Chad and Shawn discussed the transfer switch at the Uhl Road pump station. The transfer switch is so costly due to the oversized generator at that station. One of the operator's would contact Dave Kronenwetter to get his opinion on the repairs. Chad commented the problem is the connection and it is very old.

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Cheryl advised all of the new health care plan. At this time, Health America will be phased out as our current Plan. Health America is an Aetna Insurance company. Our health plan will now be with Aetna.

Cheryl inquired of the sewer flow and odor at the Homestead lift station. Chad responded due to low flows at this point, there is always a potential for odor.

Bills were approved for payment from Check # 1324 to # 1353 in the amount of \$52,105.24. Motion: Rudy Pollino, Second: Ken Huey, motion carried.

The operators advised the Board of possibly changing and angling the sewer tap of the Dollar General Store across the road due to the location and tightness of the tap area. Operators pointed out the location. Cheryl informed them this area across the road is the same area the Township received a grant for the placement of an ATV trail. It would be better sooner verses later for the tap to be done, as this will be excavated and fill hauled in. Comment was made that any right of way would need secured and that FTSA would retain adequate access.

Chad will be on vacation May 2<sup>nd</sup> to May 6<sup>th</sup>.

Our NEXT MEETING is Wednesday, May 11, 2016 @ 6:00 p.m.

Motion to adjourn: Rudy Pollino; Second: Mike Kamandulis. Motion carried.