

FOX TOWNSHIP SEWER AUTHORITY MEETING MINUTES
SEPTEMBER 12, 2018

Members Present: Carole Harshbarger, Michael Kamandulis, John (Pat) Minard and Jerry Zimmerman. Others Present: Tom Holleran, Wastewater Project Manager of HRG Engineering and Juli A. H. Schlimm, Authority Clerk.

Visitors were: Dave Mattiuz, Township Supervisor.

Jerry Zimmerman, Chairman called the meeting to order followed by the Pledge to the Flag.

The Meeting Minutes of 8/8/18 were approved as written and were previously distributed as moved by John (Pat) Minard, seconded by Mike Kamandulis, motion carried.

Dave Mattiuz was attending to observe.

Tom Holleran of HRG Engineering presented a few items from his Engineering Report.

There was discussion on the **Rebco line**. Tom spoke to Ken Huey then Steve Halmi of Deiss and Halmi Engineering. Steve will be reviewing the Rebco file and will then propose a few dates to further discuss this matter. Tom pointed out the number of EDU's that were planned for that aren't being used and may never be used on that line.

The Homestead Lift Station repair was discussed. He has been in touch with the operators on the repairs that are being done. Incorrect parts had been received. Parts have been re-ordered through Smith and Loveless expected within a four (4) week period. After the rehab is done the entire pump will be upsized. The proposal should be ready for October.

Tom did have a conversation with Solicitor Devittorio regarding the second (2nd) revision of the **Bauer Project** plan. Tom contacted Curry and Associates as the designer and relayed the legal and engineering comments to them. A third (3rd) and final submission was done. HRG issued a recommendation letter to the Authority. The solicitor is preparing the Developer Agreement.

Jerry indicated there needs to be more work on the calculations for Bauer's reimbursement if a neighboring property would be required to connect to the line.

Juli said she has questions on the figures that were provided to us by HRG. Juli made a comparison on the reimbursement topic from what the Authority had done in the past with Rebco. When McDermott Welding came onto the Rebco line they received a reimbursement for the connection based upon the "Collection Part" of the Tapping fee per our Act #57 figures. These figures had been established prior to this.

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Bauer Project Reimbursement Continued:

The information received within an 8/13/18 email from HRG to the Authority in reference to the Bauer Project talks about a “Special Purpose fee”. The Authority has only ever done the reimbursement based upon the Collection Part of the Tapping Fee not the Special Purpose fee.

Juli said she thinks these two (2) separate items need discussed as they appear to be two (2) different things. Rebco’s reimbursement was based on the collection part of the tap fee only.

Tom said he contacted their Financial Services group @ HRG for this information. As they described a number of future connections for this project would be provided. When each connection comes onto the line each one would pay proportionately. So if there are only two (2) EDU on the line it would be fifty/fifty (50%/each). This would be for the collection portion. The special purpose is for the lateral portion. If the developer decides to build the lateral out for other future connections (one in Bauer’s case) the developer could choose to install that now. They would pay one hundred percent (100%) of that portion.

Jerry asked what if the neighboring property owner says he isn’t paying it? Tom said he doesn’t have a choice. Tom said it is according to the Township connection ordinance.

Juli said since the neighboring property has an on-lot system it is up to the Township to enforce if there is a malfunctioning system. We’ve been told there is a problem but it would actually have to be investigated and proven by the Township.

Tom said his understanding is that even if there isn’t a malfunctioning system the ordinance states you must connect within a certain required distance. Carole said the ordinance states within one hundred fifty feet (150’). This would be the law under the Township Code.

Jerry mentioned other possible connection routes for this individual that may be cheaper. Easements would have to be obtained to do so.

Mr. Bauer per Juli is working on obtaining actual construction quotes for his project. Additional conversation speculated a fifty thousand dollar (\$50,000) price range would not be surprising.

The number of properties connecting to the Bauer line was further discussed as being three (3) if planning for Bauer’s daughter. This would then make it thirty three percent (33%) not fifty (50%). This would be three (3) EDU planned for on the line regardless of when they are used. Tom mentioned there is also a ten (10) year window in timing that applies.

Members didn’t think there would be any additional connections. The additional Bauer land is intended to be keep private.

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Bauer Project Discussion Continued:

Tom Holleran said this topic really is a question for the solicitor.

Dave Mattiuz asked if the required distance comes from the Fox Township Code or the State Township Code? Tom said he thinks the set distance was probably within a Township Ordinance.

Juli said she is still confused as to why the Authority with the Rebco Project only looked @ the Collection Part of the tapping fee. The Authority has never looked at the Special Purpose Fee. These items per Tom come from the Municipal Authorities Act which is state law. Tom said Bauer as the developer has the right to be compensated for the line installation if he turns it over to the Authority. Members asked if the Authority has to take the line over? Juli said it has always been that the Authority has taken over private lines if put into our specifications. Jerry suggested we contact our solicitor for his opinion on this.

Members viewed the plan and looked at other alternative routes if the neighbor (Yeager) were asked to connect. Jerry said this topic will be revisited.

Members also discussed that the acreage is part of the original Higgins Farm. If Bauer owns this amount of acreage they questioned why he wouldn't want to put in a septic system using a ten (10) acre exemption as his wife was a Higgins. Carole said the rule used to be as long as the property didn't change hands.

Another important question for our solicitor is does the Authority have to accept taking over the Bauer line? Is it an option? The Township Ordinance may not come into play if the line isn't dedicated to the Authority.

Tom Holleran said Bauer is within his rights if the Yeager property has a malfunctioning system discharging onto the Bauer property. The S.E.O. could evaluate this situation to determine if it is so.

There won't be a notification of the other property owner until the Authority looks to our solicitor for more information.

Lynn Young the property owner @ 1105 Million Dollar Hwy., who sold her land for the Cellular store to be built called today. She wanted to inform the Authority she has an existing easement that runs to her additional (4) acres located behind this property. She will be using her same driveway for access. It will just be extended. This is also the driveway that we use for access to our lift station. This is as it has been. Nothing will be changing.

The Wehler Extension was previously discussed in the past several meetings. Their plan had been reviewed. The Gerald A. & Timothy Wehler Sewer Extension Plans were approved by the Planning Commission and Township. HRG's engineering review was completed on May 9, 2018. The DEP planning exemption approval was received on 7/30/18. The Authority hasn't formally accepted the plans by motion yet. Mike Kamandulis moved to accept the plans for the proposed extension, Carole Harshbarger seconded the motion, which carried.

There was nothing further at this time on the **Ray Krise, Jr.** Trailer Court Project .

There was also nothing further on the P & P Real Estate Holdings, **Quality 1st Machining** Project.

Solicitor Devittorio today, picked up the Authority's check for six hundred fifty two dollars and ten cents (\$652.10) from the **Larry Swanson Estate** Sheriff Sale. It has been forwarded to us by mail. Members commented on the wonderful personal service we receive from Jim. This lien was filed in January 2018.

On 8/24/18 a submittal was made for the **Jim Nissel** property on W. Theresia Road to DEP. DEP called us on 9/4/18 informing us that the planning exemption will not be granted. This was based upon the line intending to be kept private per Harry Carr. DEP also requested a schematic of the intended connection from Mr. Carr.

The **Paris Uniform** contract renewal is due by 10/1/18. This is a five (5) year contract. The weekly clothing/uniform rates remain the same. There were slight increases with the carpet mats that we get and also a slight increase on their fuel charges. The carpets increased from three dollars and sixty cents (\$3.60) every two (2) weeks escalating to four dollars and thirty eight cents (\$4.38). The fuel charges are increasing from two to three dollars (\$2.00 - \$3.00) per weekly delivery. The Township also has Paris. John (Pat) Minard moved to renew the contract with these slight increases for the next five (5) year period, seconded by Carole Harshbarger, motion carried.

Attorney Steve Johnston of Clearfield, PA contacted us for a client who is planning to purchase the **Scott Gutowski** property @ the Corner of Homestead Road and the Million Dollar Highway. The purchaser is interested in building a dental office. There is an existing vacant lot wye that was installed at the time of the project. A Developer Handbook was provided. An estimated flow will be determined for the tap fee. Existing water records from her Ridgway office will be provided for review.

The **Bills were approved for Payment and Paid** with Check # 2320 to Check #2355 in the amount of forty six thousand five hundred sixty six dollars and forty five cents (\$46,566.45) of which twelve dollars (\$12) are reimbursable costs, as moved for approval by Mike Kamandulis, seconded by John (Pat) Minard, motion carried.

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Monthly employee overtime hours were presented.

The August Fee Statement for the solicitor was received on 9/4/18. The Authority has a credit balance of one thousand six hundred ninety seven dollars and four cents (\$1,697.04). The Authority's cost this month was one hundred sixty eight dollars and forty cents (\$168.40). Three hundred sixty three dollars (\$363) are reimbursable costs for the Bauer Project that haven't been billed yet. Juli will wait until after the agreement is done and include all costs on their invoice.

The status of past due sewer account delinquencies were discussed. The Bills-In-Arrears Report was presented. The due date fell on 9/8/18.

There was a situation where a manhole was out of placement in the Hemlock Road area. The manhole had settled over time. There have been problems in that area in the past with mineshafths. St. Mary's pressure washer truck was used to clean out the line. The flow is still slower than normal. This will be monitored.

An 8/23/18 request was received from Energy Research Council asking for our current electric contract and copies of our most recent electric bills under a "right to know" request. The information was provided on the same day it was requested.

THE NEXT MEETING DATE WILL BE WEDNESDAY, OCTOBER 10, 2018 @ 6:00 P.M.

As there was no other business to be discussed the meeting adjourned @ 6:46 p.m., as moved by Carole Harshbarger, seconded by John (Pat) Minard, motion carried.

