

**PETERS TOWNSHIP  
SANITARY AUTHORITY**

111 BELL DRIVE  
McMURRAY, PA 15317-3415  
PHONE: 724-941-6709  
FAX: 724-941-2283  
Web Site: ptsaonline.org



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**

**SEPTEMBER 14, 2010**

**ROLL CALL:**

**REVIEW OF MINUTES FOR APPROVAL:** Minutes of August 10 and 24, 2010

**VISITORS:**

- 1) **Mike Orie, Heartland Restaurant Group;**  
**RE: Proposed rezoning of 3772/3744 Washington Road**
  
- 2) **Dave Skiles, On Demand Energy**  
**RE: Energy Procurement Service**

**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 August 31, 2010

**PAYMENT OF BILLS & REQUISITIONS:**

**OTHER BUSINESS:**

1. **Acceptance of Planned Sewage Flows of 3,600 GPD (9EDU's) from the PNC Bank/Retail Land Development**
2. **Termination of Curtailment Services Agreement with Clearview Energy**
3. **Acceptance of Planned Sewage Flows of 400 GPD from Proposed Okorn Plan**
4. **Selection of Energy Procurement Service Consultant**
5. **Change Order No. 1 for BR Headworks Bldg HVAC Modifications**
6. **Change Order No.1 for BR/DC VFD DO Probe Installations**
7. **Resolution No. 10-09-10 Change of Address for the Right to Know Policy**

**ADJOURNMENT:**

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**REGULAR MEETING**

**September 14, 2010**

**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, Michael A. Silvestri, David G. Blazek, and Eric S. Grimm. 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 was Board Member Terrence G. Byrne.

**APPROVAL OF MINUTES:**

A Motion was made by Mr. Blazek and seconded by Mr. Grimm to approve the minutes of August 10 and August 24, 2010 meetings as prepared by Patricia L. Mowry and Mark A. Chucuddy. The Motion carried unanimously.

**SOLICITOR'S REPORT:** Copy on file.

Mr. Bassi reported he has begun to gather information pertinent to the labor negotiations for the Collective Bargaining Unit Contract.

Mr. Bassi reported the hearing regarding the Quail Run Homeowner's Association and the Homeowners was held on August 24, 2010. The District Justice ruled in favor of the Homeowners against the Association and the Association is responsible for giving each Homeowner approximately \$835 towards the repair cost. The District Justice held the Homeowners responsible to repair the laterals and granted 30-days for the repair to be completed. However, the District Justice dismissed the claims for the Authority's enforcement. If the Homeowner does not repair the laterals by September 24<sup>th</sup> the Authority will have to start the process over and cite each individual Homeowner.

Mr. Bassi reported on the gas and oil lease proposal received from Mason Dixon Energy. They lease is for the Authority's 1.6 acre's located at 974 Churchill Road. The lease is a no drill lease, and the offer is for \$3,100 per acre with 18% royalties. Mr. Bassi will continue to negotiate and report back to the Board next month.

Mr. Bassi presented the amended Resolution for the change of address to 111 Bell Drive for the Right to Know policy and recommended approval.

A Motion was made by Mr. Silvestri and seconded by Mr. Blazek to approve Resolution No. 10-09-10 for the Right to Know Law Open Records Policy amendment for the change of address to 111 Bell Drive. The Motion carried unanimously

There was a discussion regarding electrical power deregulation and a review of the current agreement for energy demand curtailment services with Clear Choice Energy. Mr. Miskis recommended not accepting the 1-year automatic renewal clause in the contract with Clear Choice, which has 60/40 revenue split and enter into an agreement with Comverge under the State contract for an 85/15 split.

A Motion was made by Mr. Silvestri and seconded by Mr. Grimm to approve sending the 120-day notification to Clear Choice to terminate the agreement. The Motion carried unanimously

**ENGINEER'S REPORT:** Copy on file.

Mr. Stanton reported the Deerfield Manor PaDEP Planning Module exemption request is completed and will be forwarded to Upper St. Clair and Peters Township for their approvals. A meeting will be schedule with Upper St. Clair to obtain feedback regarding their plans to address interceptor sewer capacity deficiencies in the USC Brush Run trunk sewer as documented.

Mr. Stanton reported GAI Consultants issued the DC WPCP Phase I Archaeological Geomorphologic report to the Pennsylvania Historical Museum Commission (PHMC) on August 30, 2010. The findings concluded there was little or no potential existence for buried archaeological resources. Mr. Stanton anticipates receiving the clearance letter from the PHMC to insert in the DC Act 537 Plan prior to submittal to PaDEP.

Mr. Stanton reported PaDEP issued technical review comments regarding the DC WPPC Stream Permit. There were a total of 13 comments that needed to be addressed. In addition the PaDEP is now requesting a full Chapter 105 permit, where previously they indicated this project would probably qualify for a small project Chapter 105. The full permit would involve additional testing and a mitigation plan for concrete that is in the stream. Mr. Stanton responded back to the PaDEP regarding comments and requested due to the financial burden that the full permit would require that the Authority be allowed to continue with the small projects category.

Mr. Stanton indicated the public forum was held on August 19<sup>th</sup> for the DC Act 537 Sewage Facilities Plan. The forum was well attended. The required 30-day review period for the plan concluded on September 8<sup>th</sup>. There was one written comment received and two comments noted from the public forum regarding landscaping and buffer surrounding the treatment plant site. All comments received from the public forum, Township and Planning Commission were incorporated into the Final DC Act 537 Plan. Mr. Silvestri requested more clarification in the section regarding funding sources and recommended changing the language for supplemental financing to indicate "the lowest rates available." The change will be incorporated. Mr. Stanton and Mr. Miskis recommended approval of the plan in order to submit the plan to the Township for adoption.

A Motion was made by Mr. Silvestri and seconded by Mr. Grimm to approve and submit the Final Draft DC Act 537 Plan to the Township, upon incorporating Mr. Silvestri's comments regarding the financing. The Motion carried unanimously

Mr. Stanton reported the Part II Permit for the US Route 19 project was issued on September 1, 2010 and PennDot is in the bidding phase of the project.

Mr. Stanton reported both Contractors' for the BR/DC Energy improvements projects have requested a change order for a time extension to accommodate equipment procurement. Mr. Stanton indicated the requests were reasonable and recommended approval of the requests. The

contracts would have a completion date of November 24, 2010. The Authority's grant agreement has a deadline of May 2011 to complete the project.

A Motion was made by Mr. Blazek and seconded by Mr. Grimm to approve Technical Electrical Services Change Order No. 1 for a 46 day time extension for the BR HVAC Contract No. 10-S1. The Motion carried unanimously.

A Motion was made by Mr. Blazek and seconded by Mr. Grimm to approve Schultheis Electric Change Order No. 1 for a 46 day time extension for the BR/DC DO Probes and VFD installation Contract No. 10-S1. The Motion carried unanimously.

Mr. Stanton reported the preliminary design for the Valley View sewer extension project is complete and will be submitted to management for review. A meeting will be scheduled on September 30<sup>th</sup> to present the design and to meet individually with the property owners regarding their property with the sewer layout.

**MANAGER'S REPORT:** Copy on file.

Mr. Miskis gave an overview of the process to shop and compare electric prices. Several firms have expressed an interest and have provided an outline of their consultation services. All firms would be paid by the energy provider. Mr. Miskis introduced Mr. David Skiles from On Demand Energy. Mr. Skiles gave a presentation about the deregulation of electric and the process of shopping for electric. Mr. Skiles indicated the different ways available to purchase electric and the different cost structures. Mr. Skiles presented the agreement proposed by On Demand to provide consultant services. Their fee is paid by the supplier of the electric and based on energy consumption. Their role as a consultant would be to research and present different purchasing methods and costs available to the Authority through the Chamber of Commerce.

Mr. Miskis indicated the two options for assistance in the purchasing of electric are using a private consultant or go with State contracting. The disadvantage of the State contracting would be the Authority would be pooled with other entities, and we would not be able to acquire power for the treatment plants independent of the pool, which could potentially result in a higher cost. The advantage with On Demand through the Chamber of Commerce the Authority could. Mr. Miskis recommended entering into an agreement with On Demand for the consultant services for electric purchasing for the treatment plants. The electricity for the pump stations and office would be through the State contract. There was a discussion regarding authorizing management to negotiate and purchase electric based on On Demand's recommendations and due to the sensitivity of market when prices are presented.

A Motion was made by Mr. Silvestri and seconded by Mr. Blazek to engage On Demand and execute the agreement for electric purchasing consulting services subject to the Solicitor's review. The Motion carried unanimously.

A Motion was made by Mr. Grimm seconded by Mr. Blazek to designate the Manager and the Assistant Manager to negotiate, evaluate, and enter into contracts necessary for the purchase of electric power. The Motion carried unanimously.

Mr. Miskis reported all the repairs assigned to Oakdale Construction for the Hidden Brook Plan are completed and the escrow agreements have been fully executed.

Mr. Miskis reported the Local Share Account grant application is due October 15<sup>th</sup> and recommended the Valley View sewer extension project. Mr. Lignelli set up a meeting with the Chairman of the LSA Committee. The meeting was very productive and gave Management valuable insight as to what to include in the application as well as suggestions for the presentation.

Mr. Miskis gave an overview of the Budgeting process and indicated a draft budget will be presented in October. The suggested date for the budget meeting is November 30<sup>th</sup>. The Board will get back to Management their availability of that date.

Mr. Miskis reported on the proposed PNC Bank building and retail center in the DC Watershed. The two existing lots are already served by public sewer; however a portion of the public sewer will require relocation in order for the proposed facility to be constructed. The Developer will be required to enter into the Authority's standard developer's agreement and will go through the sewage planning process. The proposed total flows are 3,600 GPD, however there are two existing structures that will be razed; therefore the net sewage flow is 2,800 gpd. Management recommended acceptance of the flows. Mr. Grimm questioned the difference between accepting these flows and not the proposed Dunkin Donut flows. Mr. Miskis indicated Dunkin Donuts request was for re-zoning, which would potentially increase organic loading and there is not reserved capacity to accommodate the request, whereas the proposed PNC Retail Center is an existing use within the current zoning.

A Motion was made by Mr. Blazek and seconded by Mr. Grimm to accept PNC Bank Building and Retail Center's sewage flows of 2,800 GPD subject to payment of the application review fee. The Motion carried unanimously.

There was a discussion regarding the conceptual site layout for the proposed expansion and upgrade of the existing DC WPCP. Mr. Miskis reported most of the comments received at the public forum were concerning buffer surrounding the site. Management was contemplating planting a second row of trees on a mound. However, after a more detailed review of the proposed site layout and taking into account for existing water line easement and space needed for construction access Management recommended performing a landscaping plan. Mr. Stanton proposed SOA 273-41, Task 1- \$5,300 for a landscaping plan, Task-2 - \$2,000 to obtain a highway occupancy permit, and Task-3 - \$2,700 for a Special Exception Package for the Zoning Hearing Board. There was a discussion regarding the landscaping plan and planting trees. The Board decided not to perform the landscaping plan or to plant trees at this time.

A Motion was made by Mr. Blazek and seconded by Mr. Grimm to approve LSSE's Service Order request 273-41, Task-2 - \$2,000 to obtain a highway occupancy permit, and Task-3 - \$2,700 for a Special Exception Package for the Zoning Hearing Board. The motion carried 3-1 with Mr. Silvestri casting a no vote.

#### **ASSISTANT MANAGER'S REPORT:** Copy on file

Mr. Chucuddy reported on the Okorn Plan in the BR Watershed. The plan creates 1 lot and is eligible for planning exemption. Mr. Chucuddy recommended accepting the 400 GPD of sewage flows.

A Motion was made by Mr. Silvestri and seconded by Mr. Grimm to accept the Okorn plan sewage flows of 400 GPD, subject to payment of the application review fee. The Motion carried unanimously.

Mr. Chucuddy reported the Administrative office trees are to be replaced next week.

Mr. Chucuddy reported the grouting portion of the Rutledge Drive grouting contract is complete and only the lining remains. The Contractor was unable to perform the extra work requested and that work will be deferred until next year's lining project.

Mr. Chucuddy reported an insurance claim was submitted for repair of the DC Blower.

**SPECIAL PROJECTS MANAGER'S REPORT:** Copy on File

**CORRESPONDENCE FOR THE BOARD'S INFORMATION:** Copy on file

**FINANCIAL CONTROLLER'S REPORT:** Copy on file

Mrs. Mowry reported the property Manager, Coldwell Banker indicated the current tenant of 974 Churchhill Road has renewed the lease for 2010/2011 with the recommended increase.

**FINANCIAL STATEMENT REVIEW:** Month ending August 31, 2010.

**PAYMENT OF BILLS & REQUISITIONS:** Copy on File

A Motion was made by Mr. Silvestri and seconded by Mr. Grimm to approve disbursements in the amount of \$244,157.31 from the following funds:

| <u>Fund</u>    | <u>Disbursement</u>                     | <u>Total</u> |
|----------------|---|--------------|
| Operating      | Checks: 18666-18742                     | \$ 76,018.74 |
| Payroll        | Transfer from Operating to Payroll fund | \$ 75,000.00 |
| Closing Refund | Check 2349                              | \$3,228.08   |
| Developer      | Transfer to Operating                   | \$9,200.83   |
| CIRF           | Transfer to Operating & Req. 89-10      | \$22,573.48  |

The Motion carried unanimously.

**OTHER BUSINESS:**

A Motion was made by Mr. Blazek and seconded by Mr. Grimm to enter into execute session at 9:40 p.m. to discuss personnel matters and real estate matters. The Motion carried unanimously.

A Motion was made by Mr. Silvestri and seconded by Mr. Blazek to adjourn the meeting at 11:18 p.m. The Motion carried unanimously.

Respectfully Submitted,

Patricia L. Mowry

## MOTIONS SUMMARY

| <b>MOTION NO.</b> | <b>Moved</b> | <b>SECOND</b> | <b>MOTION SUMMARY TABLE</b>   | <b>VOTE</b> |
|-------------------|--------------|---------------|---|-------------|
| 1                 | Blazek       | Grimm         | Approve Minutes of the August 10 and 24, 2010 meetings  | Approved    |
| 2                 | Silvestri    | Blazek        | Approve Resolution No. 10-09-10 for the Right to Know Law Open Records Policy amendment for the change of address to 111 Bell Drive   | Approved    |
| 3                 | Silvestri    | Grimm         | Approve sending the 120 day notification to Clear Choice to terminate Agreement   | Approved    |
| 4                 | Silvestri    | Grimm         | Approve and Submit the Final Draft DC Act 537 Plan to the Township upon incorporating Mr. Silvestri's comments regarding the financing  | Approved    |
| 5                 | Blazek       | Grimm         | Approve Technical Electrical Services Change Order No 1 for a 46 day time extension for the BR HVAC Contract No. 10-S1  | Approved    |
| 6                 | Blazek       | Grimm         | Approve Schultheis Electric Change Order No. 1 for a 46 day time extension for the BR/DC Probes and VFD installation Contract No. 10-S1   | Approved    |
| 7                 | Silvestri    | Blazek        | Engage On Demand and Execute the Agreement for Electric purchasing Consulting Services Subject to the Solicitors review   | Approved    |
| 8                 | Grimm        | Blazek        | Designate the Manager and the Assistant Manager to negotiate, evaluate, and enter into contracts necessary for the purchase of electric power                                     | Approved    |
| 9                 | Blazek       | Grimm         | Accept PNC Bank Building and Retail Center's sewage flows of 2,800 GPD subject to payment of the application review fee   | Approved    |
| 10                | Blazek       | Grimm         | Approve LSSE's Service Order Request 273-41, Task 2 \$2,000 to Obtain a Highway Occupancy Permit, and task 3 \$2,700 for a Special Exception Package for the Zoning Hearing Board | 3-1         |
| 11                | Silvestri    | Grimm         | Accept Okorn Plan Sewage Flows of 400 GPD, subject to payment of the Application fee  | Approved    |

|    |           |       |   |          |
|----|-----------|-------|---|----------|
| 12 | Silvestri | Grimm | Approve disbursements in the amount of \$244,157.31                                     | Approved |
| 13 | Blazek    | Grimm | Enter into executive session at 9:40 p.m. for personnel matters and real estate matters | Approved |
| 14 | Silvestri | Grimm | Adjourn the Meeting at 11:18 p.m.   | Approved |