

MINUTES OF THE MONTHLY MEETING

MARSHALL TOWNSHIP MUNICIPAL SANITARY AUTHORITY

March 31, 2015

7:15 PM

The Marshall Township Municipal Sanitary Authority held its Regular Meeting at the Marshall Township Municipal Building, 525 Pleasant Hills Road. The following persons were present:

Authority Board:	Richard Scavo, Chairman Philip Troy, Vice Chairman Jack Candek Chris Gilson Carl Schultz
Solicitor:	Larry Demase
Engineer:	Art Gazdik, P.E.
Manager:	Bill Campbell
Recording Secretary:	Sheryl Snyder
Others:	21

Mr. Troy called the meeting to order at 7:15 PM.

PUBLIC COMMENT

None

OLD BUSINESS

-Tom Bishop - 554 Sunset Drive Septic/Sewer Problems – Mr. Campbell indicated at last month's meeting, Mr. Bishop presented information to the Board regarding the on lot sanitary sewer problems that he is having with his system. He recently has been trying to sell his home and tests show that the system is not functioning properly and is having difficulty selling his home. Mr. Bishop presented information to the Board requesting that the Authority install a sanitary sewer line extension to service his property. At the meeting last month, the Board requested that Mr. Campbell and the Engineer, Art Gazdik, review the sanitary sewer options for the property. An analysis and cost estimate for the proposed extension was prepared. The Board also requested a survey be sent to the affected property owners to determine their interest in participating in a sewer line extension project with the understanding that the property owners would be responsible for a certain allocation of the costs. There are six existing homes included in the project. Mr. Campbell indicated responses from the property owners were received. Mr. Scavo stated if in fact this project goes, we have to know the condition of the septic systems on 5 and 6. Mr. Demase responded we would have to have the County do it. They are the Sewage Enforcement Officer. Mr. Demase suggested a motion that the Township request Allegheny County to investigate the status of the septic systems on lots 5 and 6 from the March 24, 2015 letter to the Sunset Drive residents. Mr. Gilson moved to approve, seconded by Mr. Candek; vote in favor was unanimous.

A few surrounding residents approached the Board and indicated that this sewer line extension would be a financial burden on them when they are having no issues with their septic systems and they do not believe they should have to be burdened with this expense because one homeowner did not maintain their septic system properly.

Mr. Bishop approached the Board and stated they are not trying to cause financial burden for anyone. They are simply trying to sell their home. They did ask their neighbors on both sides for an easement and they did not agree. One neighbor agreed if the Bishops gave them an easement in return.

After lengthy discussion regarding the different options available to try and resolve this issue, Mr. Scavo indicated he would like to give the residents an opportunity to discuss a method that is agreeable to all of them before this Board would act. There are a few options to consider. The residents can run the sewer line, or they can come in and request a sewer line extension. Mr. Demase indicated this would require the residents build the line then it gets turned over to MTMSA. Mr. Gilson indicated the residents costs would be a lot lower than MTMSA's cost. Mr. Campbell indicated he will wait to receive any correspondence with a decision from the property owners. Mr. Scavo indicated that he didn't want MTMSA Board or the Marshall Township Board of Supervisors to be in a situation where they are dictating what is being done. This project will take time.

CRANBERRY CAPACITY EXECUTIVE SESSION - DISCUSS CONFIDENTIAL &

PRIVILEGED INFORMATION - Mr. Scavo made a motion to enter into Executive Session at 9:31 p.m. to discuss confidential and privileged information. Mr. Troy moved to approve, seconded by Mr. Candek; vote in favor was unanimous [5-0]. Mr. Gilson moved to approve to return to public session at 10:00 p.m., seconded by Mr. Candek; vote in favor was unanimous [5-0]. Upon return to Public Session, Mr. Troy moved to approve the MTMSA and Cranberry Township Plant Expansion & Upgrade Agreement, seconded by Mr. Candek; vote in favor was unanimous [5-0]. Mr. Troy moved to approve the MTMSA & Cranberry Township Memorandum of Understanding subject to review by staff and the solicitor, seconded by Mr. Candek; vote in favor was unanimous [5-0].

NEW BUSINESS

-2014 Audit – Michelle Bryan, Senior Manager for Maher Duessel approached the Board and provided a brief overview/highlights of the MTMSA audit. She discussed the possibility of MTMSA going accrual rather than cash basis and indicated changes can be made or added because the audit is still in DRAFT form. Mr. Campbell stated if the Board would like to review the audit and forward any comments over the next month, a review can take place at the April meeting for approval of the draft.

-Policy for Enforcement of Additional Tapping Fee - possible motion to adopt – Mr. Campbell indicated this is policy was drafted by Mr. Demase in an effort to memorialize a policy for MTMSA's Tapping Fee reconciliation. This would be done on an annual basis to review the prior year's usage of commercial customers to determine if they are exceeding their allocated usage. This would memorialize a policy that would permit the Manager or staff to conduct those types of reviews and charge additional Tapping Fees based upon those reviews. Mr. Scavo questioned if

this permits a decrease as well as an increase. Mr. Demase responded no because if it turned out the usage increase was short term an additional Tapping Fee may not be charged. The Policy doesn't specifically provide for the situation where if for some reason you have a substantial decrease because MTMSA provided necessary capacity when usage was increased. Mr. Scavo made a motion to approve the policy for enforcement of additional tap in fees based on increased water usage by commercial customers. Mr. Troy moved to approve, seconded by Mr. Gilson; vote in favor was unanimous [5-0].

-Updated PIRMA Intergovernmental Contract - Possible Motion to Execute – Mr. Campbell indicated PIRMA is the Pennsylvania Intergovernmental Risk Management Association. This is coverage for liability. Mr. Scavo made a motion to execute the PIRMA contract. Mr. Gilson moved to approve, seconded by Mr. Troy; vote in favor was unanimous [5-0].

-Babst Calland Letter of Interest for Solicitor Services - Possible Motion to Appoint – Mr. Campbell indicated Babst Calland is Marshall Township's solicitor as well. Last month, Mr. Demase announced that he will be retiring in April. Having discussed with Neil McFadden, Township Manager, it would be logical and beneficial if the Township and the Sanitary Authority moved forward with Babst Calland as Solicitor for both entities. Babst Calland has indicated that Steve Korbelt would be the representative used for the Authority. He has done work with both the Township and the Authority in the past. Steve Korbelt worked with MTMSA on litigation against property owners that did not tap in to the Bradford Road Sewer Extension. MTMSA would feel comfortable with Steve Korbelt moving forward as their solicitor and would be a benefit for the Authority and the Township.

Mr. Brij Agarwal, Copper Creek Lane approached the Board and indicated Eckert Siemens would appreciate an opportunity to be considered for the position. Mr. Agarwal is an equity member with Eckert Siemens. Mr. Campbell responded that Mr. Agarwal could forward the pertinent information for him and the Board to review. Mr. Scavo mentioned a vote by phone will take place two weeks from now. Mr. Gilson indicated he would like to interview the potential solicitors individually in person and suggested they submit resumes first. Mr. Candek indicated he would like to see Mr. Demase involved in the process of choosing the successor. Mr. Demase indicated he is happy to do that and could go beyond April if that was necessary. Mr. Scavo suggested setting this up for next month.

REPORTS

-Approve Minutes of February 2015 Meeting – MR. GILSON MOVED TO APPROVE THE FEBRUARY 24, 2015 MEETING MINUTES. MR. TROY SECONDED THE MOTION. VOTE IN FAVOR OF THE MOTION WAS [4-1].

-Expenditures for February 2015 – MR. CANDEK MOVED TO APPROVE THE BILLS/CHECKS FOR FEBRUARY 2015. MR. TROY SECONDED THE MOTION. VOTE IN FAVOR OF THE MOTION WAS UNANIMOUS.

-Financial Statement - February 2015 – MR. GILSON MOVED TO APPROVE THE BILLS/CHECKS FOR FEBRUARY 2015. MR. CANDEK SECONDED THE MOTION. VOTE IN FAVOR OF THE MOTION WAS UNANIMOUS.

-Manager's Report

- Please see written report – no comments.
- Pinewood Corporate Park Land Development- Possible Motion to offer Legal & Engineering Agreement for purpose of entering into Sewer Line Extension Agreement – Mr. Campbell provided a site utility plan. This is a development along Harmony Road, Warrendale Bayne Road, and Route 19. They are proposing two office buildings at 30,000 SF each. They will be connecting into MTMSA's sewer line at points along the Red Belt. These plans are currently being reviewed by the Marshall Township Planning Commission. They would extend public sewer across the street to service the two buildings. A motion is needed to offer legal and engineering for the purposes of reviewing the plans and, once approved, to enter into a sewer line extension agreement for the development. Mr. Scavo made a motion to enter into a Legal and Engineering Agreement for the Pinewood Corporate Park Land Development. Mr. Candek moved to approve, seconded by Mr. Troy; vote in favor was unanimous [5-0].
- Autumn Grove Subdivision - Possible Motion to offer Legal & Engineering Agreement for purpose of entering into Sewer Line Extension Agreement – Mr. Campbell stated this is a proposed 12-lot subdivision located off of Pleasant Hill Road just south of Pleasant Hill Estates and will be before the Marshall Township Planning Commission next month. Their current sanitary plans connect into the Pleasant Hill Estates sewer line extension that crossed over Pleasant Hill Road. Mr. Campbell indicated this development is located right on the watershed line and along the ridge, and the developer is proposing a sewer line extension to follow Pleasant Hill Road via gravity down the hill to the Pleasant Hill Estates sewer line extension and then continue via gravity through Pleasant Hill Estates. Mr. Gilson questioned if this would ultimately be running into Cranberry and questioned if they could go the other way into the Big Sewickley Interceptor and ultimately to the Economy Plant. Mr. Campbell stated it would be a much longer extension. Mr. Gilson noted it could go to Economy. Mr. Campbell indicated it could, but the logical way to get to the Big Sewickley Interceptor would be to come up Honey Run as a private road, follow the drainage coarse through Copper Creek and then to another drainage coarse. Mr. Scavo suggested looking at both possibilities seeing that MTMSA is nearing its capacity allocation in the Cranberry plant. Mr. Gilson stated when Pleasant Hill Estates was discussed, MTMSA was not as concerned with its capacity limit. Mr. Demase mentioned the Board has a basis for rejecting their proposal because the capacity may not be available in the Cranberry plant. Mr. Campbell indicated it is approximately 3,500 feet to get to the Big Sewickley Creek Interceptor and approximately 700 feet to access the Pleasant Hill Estates extension. After being approached by a few members of the audience, and listening to their reasons why they believe it would be more beneficial to the residents in that area and for the Township to have this development flow into the Big Sewickley Creek Interception, Mr. Demase responded the Board has to be careful that they do not require something that is principally done to benefit people who have interest in the potential line. Mr. Scavo agreed he believes the right thing to do is to have the development connect into the Big Sewickley Interceptor and the Board would try to make that happen.

-Solicitor's Report - **NOTHING TO REPORT AT THIS TIME.**

-Engineer's Report - **NOTHING TO REPORT AT THIS TIME.**

-Field Maintenance Supervisor's Report - **PLEASE SEE WRITTEN REPORT.**

-Correspondence – Mr. Campbell indicated there are Spring workshops April 16, 2015 at Nemaocolin Woodlands. If any of the Board members are interested he will make sure reservations are made for those interested.

-Mr. Scavo announced his resignation from the MTMSA Board effective immediately. He thanked the Board and staff and appreciates the effort and time put towards the Sanitary Authority. He feels proud to have served with the Board and knows that the Authority will continue in good standing. Thank you all. The Board thanked Mr. Scavo for his service. Mr. Campbell indicated for the record that the Authority, under Mr. Scavo's direction, has never been better and he has shown the way through some very important decisions in the time he has been here and he really appreciates Mr. Scavo's leadership.

ADJOURN

AT 10:43 PM, Mr. SCAVO MADE A MOTION TO ADJOURN. MR. GILSON MOVED TO APPROVE, SECONDED BY MR. SCHULTZ; VOTE IN FAVOR WAS UNANIMOUS [5-0].

The next regular meeting will be held on **Tuesday, April 28, 2015 at 7:15 PM.**

Respectfully submitted,

Sheryl Snyder