

LOWER TEN MILE JOINT SEWER AUTHORITY

144 CHARTIERS ROAD

JEFFERSON, PA 15344

724-883-2743

MINUTES

MARCH 20, 2024

CALL TO ORDER

The regular monthly meeting of Lower Ten Mile Joint Sewer Authority was called to order at 5:00 p.m., at the Lower Ten Mile Joint Sewer Authority office.

Those members present were:

Kenneth Frameli, Chairman

Tom Goughenour, Vice Chairman (attended by phone)

Jamie Forman, Secretary

Benjamin Bupka, Treasurer

George Riecks, Asst. Sec-Treas.

Brian Sypin

Tim Phillips

Gary Mylan

Joshua Forman

Also attending were:

Christopher Simms, Solicitor

Bob Dengler, Engineer

Mitch Ring, Public

Bruce Howard, Lead Operator

Sharon Confortini, Secretary

MINUTES

A motion approving the minutes of the February 21, 2024 meeting was made by Mr. Bupka, seconded by Mr. Riecks and the motion carried unanimously, excluding the Chairman of the Board who is ineligible to vote.

TREASURER'S REPORT

A motion approving the Treasurer's Report and to pay the outstanding invoices was made by Mr. Mylan, seconded by Mr. Bupka and the motion carried unanimously, excluding the Chairman of the Board who is ineligible to vote.

PUBLIC DISCUSSION

Mr. Ring attended this board meeting to obtain the status of the Act 537 Planning for the Country Club Road Extension Project. Mr. Dengler stated Gannett Fleming has completed the Act 537 Plan and has forwarded it to Morgan Township for approval before submitting to DEP.

OPERATION'S REPORT

Mr. Howard stated the Authority received a \$1,000.00 fine from the Public Utility Commission due to a PA One Call that they said was not handled in a timely manner. The emergency call had come through by fax at approximately 9:30 am on a work day in May 2023 and was answered two days later. The emergency was not in Lower Ten Mile Joint Sewer Authority's sewer system but the PUC still fined the Authority. The emergency call was faxed to the Authority's office while the operators were handling the day to day operations of the plants and was not picked up until the next day. Mr. Howard has contacted the PA One Call System and has since changed the way PA One notifies the operators in an emergency situation; instead of just sending a fax to the office the operators will be getting a text when there is an emergency situation. Mr. Howard is also in contact with the PUC to dispute the \$1,000.00 fine.

Mr. Howard stated he has verified with Jeremy Kelly, Greene County Planning Director, that the County will reimburse the Authority the estimated cost from PA Rural Water regarding the GIS Mapping, which is \$9,675.00. To help curtail the cost of this project Mr. Howard will coordinate with Mr. Dengler about using the more current maps to upload to the ICloud; therefore only the older manholes would need to be located utilizing PA Rural Water. In addition Mr. Dengler will inquire as to the cost of the annual maintenance fee associated with maintaining the GIS mapping. Mr. Simms voiced his concern that the agreement with the County regarding fees, data retention etc has not been finalized. The matter has been tabled until next month so Mr. Simms and Mr. Dengler can look into the best way to move forward with this project.

Mr. Howard stated he would like the Authority to start a bidding process to seek another contractor for Lower Ten Mile Joint Sewer Authority. Mr. Howard stated that although the current contractor, Thralls Contracting, is very good, he is sometimes unable to respond to a job that needs done in a timely manner. Mr. Joshua Forman made a motion authorizing Mr. Dengler to start the bidding process to find another contractor. Mr. Sypin seconded the motion. The motion carried unanimously, excluding the Chairman of the Board who is ineligible to vote.

CORRESPONDENCE

None

Mr. Simms stated he wrote a letter to the five municipalities governing Lower Ten Mile Joint Sewer Authority requesting their approval of the purchase of Dry Tavern Sewer Authority. Mr. Simms explained four of the five municipalities must approve of the purchase before it can move forward. As of this date Mr. Simms received three responses; Jefferson Borough and Jefferson Township have approved the purchase but Clarksville Borough has objected to the purchase. The discussion has been tabled until the April board meeting since the Authority is still waiting for the response from Morgan Township and East Bethlehem Township.

Mr. Simms stated he received a correspondence from the City of Pittsburgh concerning the possibility of the current \$500,000.00 tort claim cap being questioned as unconstitutional. If it is determined the \$500,000.00 cap is unconstitutional then insurance premiums may substantially increase or the Authority could be held liable if a judgement against Lower Ten Mile Joint Sewer Authority is over \$500,000.00. The City of Pittsburgh is inquiring whether Lower Ten Mile Joint Sewer Authority would want to add their name to the Amicus Curiae Brief (Friend of the Court Brief) that is contesting the elimination of the \$500,000.00 cap. The board is acceptable to having Mr. Simms add Lower Ten Mile Joint Sewer Authority's name as long as it doesn't cost anything for the Authority.

Mr. Simms stated he corresponded with Greene County Commissioners regarding additional grant funds to help curtail the cost of the Chartiers Road Sewer Extension Project. The County is questioning how much money the Authority is willing and able to contribute to this project. Mr. Riecks made a motion giving permission to allocate all Initial TAP fees and inspection fees that the Authority receives from the Chartiers Road Sewer Extension Project and the Country Club Sewer Extension Fund Project to pay towards the cost of the two projects. Mr. Jamie Forman seconded the motion. The motion carried unanimously, excluding the Chairman of the Board who is ineligible to vote. Mr. Dengler will calculate approximately how much the Authority can expect from these Initial TAP fees and inspection fees and email Greene County with this figure. In addition, Mr. Simms stated he will contact PA State Representative Bud Cook and Senator Camera Bartolotta for help in obtaining any available grant funds.

Mr. Simms stated he will look into whether the Chairman of the Board is permitted to vote at the board meetings.

ENGINEER'S REPORT

Mr. Dengler stated the Chapter 94 Wasteload Management Reports have been completed for both the Mather STP and Williamstown STP. Mr. Phillips made a motion approving the submission of the Chapter 94 Wasteload Management Report to PaDEP. Mr. Sypin seconded the motion. The motion carried unanimously, excluding the Chairman of Board who is ineligible to vote.

Mr. Dengler stated Gannett Fleming is still working on the application for the Mather STP NPDES Permit that is due on July 4, 2024.

Mr. Dengler stated he became aware of another grant application that is through Senator Bob Casey and Senator John Fetterman's office which is due on March 29, 2024. Mr. Phillips made a motion authorizing Gannett Fleming to submit the grant application for the FY2025 funding to be used towards the Country Club Extension Project. Mr. Joshua Forman seconded the motion. The motion carried unanimously, excluding the Chairman of Board who is ineligible to vote.

(Mr. Frameli left the meeting at 5:39 pm)

Mr. Dengler stated he had submitted the \$1,000,000.00 Statewide LSA Grant application for a sewer rehabilitation project in Pitt Gas and is currently waiting to hear if the Authority received the grant.

Mr. Dengler stated he had sent Morgan Township a copy of the Morgan Township Act 537 Planning draft alternatives analysis for the proposed sewer extensions to the Country Club and Chartiers Hill Areas for review.

Mr. Denger stated Gannett Fleming had reviewed the revised drawings from the engineers of Dollar General being built in Clarksville PA and have approved of the changes. Mr. Bupka made a motion approving Resolution M-945 which permits the Chairman of the Board for Lower Ten Mile Joint Sewer Authority to sign documents for the PennDOT HOP application and for the Secretary for Lower Ten Mile Joint Sewer Authority to attest to the Chairman's signature. Mr. Phillips seconded the motion. The motion carried unanimously, excluding the Chairman of the Board who is ineligible to vote.

Mr. Sypin made a motion approving Lower Ten Mile Joint Sewer Authority to acquire the highway restoration bond, which will be reimbursed by Dollar General. Mr. Joshua Forman seconded the motion. The motion carried unanimously, excluding the Chairman of the Board who is ineligible to vote.

Mr. Dengler stated EPA is requiring the Authority to have their Biosolids Disposal General Permits for the Mather STP and Williamstown STP renewed every five years. Mr. Mylan made a motion approving Gannett Fleming to prepare and submit the necessary permit applications for both the Mather STP and Williamstown STP to renew the Biosolids Disposal General Permits. Mr. Riecks seconded the motion. The motion carried unanimously, excluding the Chairman of the Board who is ineligible to vote.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

Mr. Phillips made a motion to adjourn at 5:44 p.m., seconded by Mr. Sypin and the motion carried unanimously, excluding the Chairman of the Board who is ineligible to vote.